

**PROPOSED CHILTERN RAILWAYS (BICESTER TO OXFORD IMPROVEMENTS)
ORDER**

CHILTERN RAILWAYS' REBUTTAL PROOF OF EVIDENCE

IN RELATION TO

THE REPRESENTATION AND EVIDENCE OF

COUNCILLOR JEAN FOOKS

1 Introduction

- 1.1 This rebuttal proof of evidence has been prepared on behalf of the Chiltern Railway Company Limited (Chiltern Railways) to respond to particular aspects of the representation and evidence of Councillor Jean Fooks.
- 1.2 Councillor Jean Fooks has raised points in her representation letter which Chiltern Railways has previously addressed through correspondence and in the proofs of evidence prepared by their witnesses, which were submitted to the Inspector and to certain objectors on 1 October 2010.
- 1.3 It is not intended that this rebuttal proof should repeat material that the witnesses for Chiltern Railways have already covered in their evidence. Cross-references to relevant paragraphs of those witnesses' proofs of evidence are given below, where appropriate.
- 1.4 It is intended that this rebuttal proof should clarify the Chiltern Railways responses to those points raised in the evidence of Councillor Jean Fooks. In this respect, for cross-examination purposes, the name of the Chiltern Railways witness who is responsible for each aspect of this rebuttal proof is given at the beginning of each section below.

2 Defined Terms

- 2.1 The following defined terms are referred to throughout this rebuttal proof:

"the Correspondence" means correspondence in the form of emails from Councillor Jean Fooks dated 13 February 2010 which formed her representation and email correspondence between Allan Dare and Councillor Fooks dated 10 July 2010 and 15 July 2010 [Appendix A];

<i>“the Representor”</i>	means Councillor Jean Fooks;
<i>“the Representor’s evidence”</i>	means the email from Councillor Jean Fooks dated 13 February 2010;
<i>“the Order application”</i>	means the application for the proposed Order submitted on 6 January 2010 and the Proposed Modification dated 9 September 2010; and
<i>“the proposed Order”</i>	means the proposed Chiltern Railways (Bicester to Oxford Improvements) Order.

3 Chiltern Railways Rebuttal of the Objector’s Evidence

Context

3.1 The Objector, Councillor Fooks is one of the County councillors for Summertown and Wolvercote and is representing Oxford residents affected by the Order Scheme.

Noise and Vibration Impacts, Michael Fraser

3.2 The Representor expresses the concern of local residents that living close to the railway line, they will suffer noise and vibration impacts due to faster and more frequent trains as a result of the Order Scheme. The Objector stresses the importance of minimising the nuisance from noise and vibration.

3.3 Chiltern Railways understands residents’ concerns regarding potential noise and vibration increases as a result of implementation of the Order Scheme, and is committed to providing a high standard of noise and vibration mitigation, going beyond statutory requirements to ensure that noise is reduced where reasonably practicable. The levels at which noise and vibration will be offered are discussed in Section 6 of the Environmental Statement [**CD/1.16**], and in the Noise and Vibration Mitigation Policy [**CD/1.29**]. The Noise and Vibration Mitigation Policy is enforceable through use of planning condition 17 [**CD/1.12/1**]. Detailed modelling carried out since the ES was published and has confirmed that mitigation in North Oxford is likely to be necessary to meet the commitments in the Draft Noise and Vibration Policy, which are likely to include measures at source, extensive noise barriers and in some limited cases noise insulation of individual properties.

Bridge at Aristotle Lane, Ian Gilder

3.4 The Representor seeks confirmation that the proposed bridge at Aristotle Lane will be made as convenient as possible, with slopes meeting at least Disability Discrimination Act (DDA) requirements and improvements to paths and the bridge itself.

3.5 As stated in paragraph 11.66 of Ian Gilder’s proof of evidence [**CRCL/P/12/A**], the existing Aristotle Lane bridge is to be resurfaced and the footpath/bridleway leading across Oxford Meadows from the bridge to the allotment gate raised to ensure continued access at times of flooding to the Trap Ground Allotments.

- 3.6 Chiltern Railways has undertaken design work to demonstrate the gradient of ramps that could be achieved on both the approach ramps could be used by people with wheelbarrows and is DDA compliant. This is set out in evidence of Stephen Barker [CRCL/P/6/A] and in the Figure provided in Appendix C to the rebuttal evidence to Ian Salisbury [CRCL/R/OBJ5].

Water Eaton Recycling Facility, Ian Gilder

- 3.7 The Representor considers that the new station at Water Eaton should not preclude the construction and operation of the proposed materials recycling facility, and that consideration should be given to the use of the railway for onward transport of separated materials.
- 3.8 As stated in paragraph 13.14 of Ian Gilder's proof of evidence [CRCL/P/12/A], the Order Scheme will require the whole of the site for which planning permission has been granted in order to develop the Water Eaton Parkway station, rail-based Park and Ride facilities and rail sidings. The value of this site as a rail, bus and park and ride facility and rail aggregates depot outweighs the potential value of the permitted waste facility, which would be entirely dependent on road transport and make no use of the railway location.

Bicycles on Trains, Allan Dare

- 3.9 The Representor considers that passenger trains should be able to take a number of bicycles without prior booking.
- 3.10 Chiltern Railways' existing policy for the carriage of cycles on train will continue, ie. cycles can taken on any train, except on trains arriving at London Marylebone and Birmingham Snow Hill between 07:45 to 10:00 Monday to Friday, or leaving these stations between 16:30 and 19:30 Monday to Friday. No charge is made for cycles, and no booking is required. In addition, Chiltern Railways will also allow the carriage of cycles on all trains between Bicester, Islip, Water Eaton Parkway and Oxford at any time, subject to emerging demand and any change in policy that may be imposed by the Station Facility Operator at Oxford station. Folding bicycles can be carried at all times. Cycle parking will also be provided at each of the four stations
- 3.11 Chiltern Railways services will normally be operated with Diesel Multiple Unit trains with double doors and wide vestibules, and at least one wheelchair/bicycle area on each train. These arrangements do not apply to tandems, motor scooters or motor bikes.

4 Conclusion

- 4.1 This rebuttal proof has sought to deal fully with all of the Objector's outstanding concerns.
- 4.2 It is considered that noise levels at their property will be such that implementation of noise mitigation measures detailed in the Draft Noise and Vibration Mitigation Policy will meet the required criteria. Chiltern Railways has confirmed that the bridge at Aristotle Lane will be resurfaced to standards which will allow all ability access. At

Water Eaton, Chiltern Railways consider that the value of this site as a rail, bus and park and ride facility and rail aggregates depot outweighs the potential value of the permitted waste facility, which would be entirely dependent on road transport and make no use of the railway location. Chiltern Railways has allocated provision for cycle parking at all stations, and that the carriage of cycles on the trains will continue to be permitted in line with existing policy.

Appendix A

CRCL/R/REP7

Relevant Correspondence
between Chiltern Railways
and the Objector

REP/7

Angela Foster

From: Cllr Jean Fooks [Jean.Fooks@Oxfordshire.gov.uk]
Sent: 13 February 2010 22:56
To: TRANSPORTANDWORKSACT
Cc: Cllr Jean Fooks
Subject: Chiltern Railways Evergreen3 proposals

Sirs

As one of the county councillors for Summertown and Wolvercote, and thus representing almost all the Oxford residents affected by the Evergreen3 proposals, I should like to make the following comments.

1. The proposal to provide a new fast train service to London, which will have a parkway station at Water Eaton, is very welcome. It will be a big advantage to people from North Oxford, and beyond, who will no longer have to get into Oxford itself to catch a train to London.
2. There are concerns from people living close to the line that they will suffer noise and vibrations from the faster and more frequent trains and it is important that every effort is made to minimise such nuisance.
3. If the level crossing to the allotments near Aristotle Lane is closed, the alternative access over the bridge has to be made as convenient as possible, with slopes meeting *at least* DDA requirements and improvements to the paths and the bridge itself.
4. At Water Eaton, the new station should not preclude the construction and operation of the proposed materials recycling facility and consideration should be given to this facility, if constructed, being able to use the railway for onward transport of separated materials.
5. Passenger trains should be able to take a number of bicycles without prior booking.

Jean Fooks
County Councillor for Summertown and Wolvercote
9 St Bernard's Road
Oxford OX2 6EH
01865 310351

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15/02/2010

REP 7

Charlene Baker

From: Allan Dare [allan.dare@chilternrailways.co.uk]
Sent: 15 July 2010 17:25
To: Cllr Jean Fooks
Cc: Stephen Barker; Paul Clarke; Michael Fraser; Charlene Baker
Subject: RE: Evergreen 3 proposals at the southern end, in Oxford
Follow Up Flag: Follow up
Flag Status: Red

Dear Jean

Good to hear from you again. We'd be happy to meet you and your colleagues to discuss matters at the southern end of the route, and I'll come up with some suggestions on dates; does a morning or afternoon meeting suit you best?

In the meantime I'll prepare some material which shows what we are proposing, and hopefully get this to you in the next couple of days.

Best regards

Allan

Allan Dare
Strategic Development Manager

Chiltern Railways

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From: Cllr Jean Fooks [mailto:Jean.Fooks@Oxfordshire.gov.uk]
Sent: 10 July 2010 18:48
To: Allan Dare
Cc: Jim Campbell
Subject: Evergreen 3 proposals at the southern end, in Oxford

Dear Allan

We had two very helpful meetings with you and ERM colleagues, mainly concerned with the effects on the northern stretch within Oxford, Wolvercote and Aristotle Lane areas. Cllr Campbell represents St Margaret's ward, including Stone Meadow and points south to Ss Philip and James School. This is part of my county division too.

We have been looking at the plans for the works and confess that we are not quite clear just what lines are proposed where – and we have had considerable concern from some

29/07/2010

REP 7

Charlene Baker

From: Allan Dare [allan.dare@chilternrailways.co.uk]
Sent: 27 July 2010 10:35
To: Cllr Jean Fooks
Cc: Jim Campbell; Stephen Barker; Michael Fraser; Natasha Gough; Paul Clarke; Charlene Baker
Subject: RE: Evergreen 3 proposals at the southern end, in Oxford

Jean

Thanks for getting back on the dates – can we go for 1200-1400 on Tuesday 24/8, at the ERM offices in North Hinksey Lane (i.e. same place as before). If you could let us know how many people will be attending we will lay on a buffet lunch.

With regard to the new line nearer the houses in north Oxford, I can confirm there will be NO freight trains on this line. This is because it will only lead to the 2 new passenger platforms we are planning to build at Oxford station, and will not link to any other line, so quite simply there is nowhere for any freight trains to go to! I hope this helps.

See you on the 24th

Best wishes

Allan

Allan Dare
Strategic Development Manager

Chiltern Railways

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From: Cllr Jean Fooks [mailto:Jean.Fooks@Oxfordshire.gov.uk]
Sent: 23 July 2010 21:20
To: Allan Dare
Cc: Jim Campbell
Subject: RE: Evergreen 3 proposals at the southern end, in Oxford

Thank you very much for the slides – they are very helpful indeed. When you say that any freight trains will use the main lines, not the new line – does that mean that freight trains will not use the new line nearer the houses?

Best wishes

27/07/2010

Jean

Jean Fooks
County Councillor for Summertown and Wolvercote
9 St Bernard's Road
Oxford OX2 6EH
01865 310351

From: Allan Dare [mailto:allan.dare@chilternrailways.co.uk]
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27/07/2010

We have been looking at the plans for the works and confess that we are not quite clear just what lines are proposed where – and we have had considerable concern from some residents next to the boundary with rail land.

Would it be possible for us to have a brief meeting with one of the team to clarify just what is proposed, to avoid unnecessary alarm while having the facts clear? It would be very much appreciated.

Best wishes

Jean

Jean Fooks
County Councillor for Summertown and Wolvercote
9 St Bernard's Road
Oxford OX2 6EH
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