

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

CHILTERN RAILWAYS' REBUTTAL PROOF OF EVIDENCE

IN RELATION TO

THE OBJECTION AND EVIDENCE OF

THE TRAP GROUND ALLOTMENT ASSOCIATION

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 objection and evidence of The Trap Ground Allotment Association.
- 1.2 In particular, The Trap Ground Allotment Association has raised new points in their proof of evidence provided for the inquiry that Chiltern Railways had not previously addressed 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 be a composite response by Chiltern Railways to those new points raised in the evidence of The Trap Ground Allotment Association (TGAA) and referred to above. 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 letters and emails exchanged between Chiltern Railways and The Trap Ground Allotment Association, being a letter of objection dated 28 January 2010 and email correspondence with TGAA on 21 to 29 June and 7 October 2010. appended to this rebuttal proof as Appendix A;

“the Objector”	means The Trap Ground Allotment Association;
“the Objector’s evidence”	means the proof of evidence of The Trap Ground Allotment Association;
“the Order application”	means the application for the proposed Order submitted on 6 January 2010 and the Proposed Modification dated 9 September 2010; and
“the proposed Order”	means the proposed Chiltern Railways (Bicester to Oxford Improvements) Order.

3 Chiltern Railways Rebuttal of the Objector’s Evidence

Exceptional Nature of the Crossing at Aristotle Lane – Aidan Nelson

- 3.1 The Trap Ground Allotment Association objects to the closure of the level crossing and defends its retention as the best means of access to the allotments. The Objector recognises that as recommended by Network Rail, level crossings are not to be constructed on new railway lines except in exceptional circumstances. The Objector outlines a number of points which characterises the ‘exceptional nature’ of the level crossing at Aristotle Lane, namely:; the inconvenient, narrow and crowded access across the Aristotle Lane bridge which is stated to be steep, prone to flooding and habitually neglected and the use of which increases the walking distance to the allotments.
- 3.2 The Objector states that the closure of the Aristotle Lane Crossing is unnecessary on safety grounds based on the following points: the allotments are fenced and locked; the members are regularly warned to respect safety rules and there is no record of any accidents during many decades of use.
- 3.3 The extant Aristotle Lane private footpath level crossing does not have excellent sightlines when considered in the context of encumbered users and is protected additionally by whistle boards to extend the available warning time. While the rail industry’s Safety Management Information System (SMIS) does not record physical harm to the users as having occurred, SMIS does detail a number of near-miss events, most recently on 10 October, 2008 [**CRCL/P/7/A**, paragraph 138].
- 3.4 The evidence of Aidan Nelson [**CRCL/P/7/A**, paragraph 141] sets out the All Level Crossing Risk Model (ALCRM) score for this level crossing as C3. This risk ranking indicates that in terms of both individual and collective risk, the extant Aristotle Lane level crossing is in band three of 13 and therefore towards the top of the risk rankings for all Network Rail level crossings. The historic and present wish of the railway authorities to close this level crossing was an appropriate response within a strategy to minimise risk so far as is reasonably practicable.
- 3.5 Given that the Order Scheme provides a viable route via the existing to be improved Aristotle Lane footbridge over both the existing and to be reconstructed railways, there are no exceptional circumstances justifying retention of either the existing level crossing or the provision of a new level crossing. The distinction between the

existing level crossing and a new level crossing is significant as the distance between the existing tracks and that which is to be constructed precludes extension of the existing level crossing [**CRCL/P/7/A**, paragraph 143].

3.6 *Proposals for an Alternative Level Crossing Layout at Aristotle Lane, Aidan Nelson*

3.7 The Objector suggests that the space between the existing and proposed rail line could be used as 'breathing space' for those wishing to cross enabling the retention of a level crossing in this location. The Objector states that this would be feasible as the sight lines are excellent and the tracks will be empty for most of the day. The Objector makes mention of improvements to the local railway signalling system due in 2015 which could provide an opportunity to reinforce safety systems.

3.8 The existing Aristotle Lane private footpath level crossing does not have excellent sightlines. It is only the addition of a whistle board and the consequent sounding of train horns which provides a total warning time that is greater than the time needed to cross the railway.

3.9 Notwithstanding the additional controls, referred to by the Objector, relating to the education of the authorised user and those authorised by him/her to use the extant private footpath level crossing and the space available, the Order Scheme does not, and should not, provide for a new level crossing over the reconstructed railway. National policy [**CD3/18** and **CRCL/P/7/A**, paragraphs 24 to 27] is that new level crossings should be provided only in exceptional circumstances. Similarly it is Network Rail's policy [**CRCL/P/7/B** and **CRCL/P/7/A**, paragraph 33] that new level crossings will only be provided in exceptional circumstances. Network Rail has undertaken a theoretical ALCRM risk ranking exercise for a new level crossing over the railway to be provided in accordance with the Order Scheme. This risk ranking is C3 in respect of a train service of two trains in each direction per hour and B3 if the frequency is doubled [**CRCL/P/7/A**, paragraph 142].

The Need for Level Access to be Maintained to the Allotments and the Value of Port Meadow, Ian Gilder

3.10 The Objector states the need for a level and convenient access to the allotments to allow for the transportation of raw materials. The Objector goes on to state that Port Meadow is a particularly valued area of water meadow for wildlife and recreation for local people.

3.11 The TWA Order seeks powers to acquire rights for allotment holders along the existing track across Port Meadow. As set out in **CRCL/P/12/E**, Chiltern Railways is dependent on reaching an agreement with Oxford City Council to implement the management of these rights. In the event that agreement is not reached with the City Council, Chiltern Railways will withdraw the request for these powers.

3.12 As stated in paragraph 2.94 of Andy Coates' proof of evidence [**CRCL/P/10/A**], the Order Scheme will not have an adverse impact on the integrity or conservation objectives of the Port Meadow SAC or SSSI.

The Adequacy of Proposed Mitigation Measures at Aristotle Lane, Ian Gilder

- 3.13 The Objector is concerned that the mitigation measures proposed are uncertain and do not provide a solution to the problem of allotment holders having to push loads up and down slopes over long distances. The evidence includes statements from two witnesses, Stella Boswell and Joe Lee, who are allotment holders who state that the proposed improvements would act as a disincentive to using their allotments. They express particular concern about having to use the existing Aristotle Lane bridge with wheelbarrows or to make a longer journey to come across Port Meadow.
- 3.14 Paragraph 11.66 of Ian Gilder's proof **[CRCL/P/12/A]** sets out the mitigation measures for the closure of the Aristotle Lane crossing which were proposed as part of the Order Scheme. These include improvements to the Aristotle Lane bridge as set out in para 4.472 of Stephen Barker's proof of evidence **[CRCL/P/6/A]**.
- 3.15 As set out in **CRCL/P/12/E**, Chiltern Railways has been engaged in discussions with the Oxford City Council, as freeholders of the allotments, of Port Meadow and of the land over which the present access to the crossing runs, to seek agreement to measures which might improve access for the allotment holders after the crossing has been closed.
- 3.16 Figure 1 in Appendix B , provides distances measured on a verifiable basis from the eastern end of Aristotle Lane bridge to a central location within the allotments, via the existing crossing and via the Aristotle Lane bridge. These take account of the Chiltern Railways preferred option to raise the existing path across Port Meadow rather than via the bridge ramp originally proposed. The distance from Point A via the existing crossing to the centre of the allotments is 293 metres, while that via the bridge is 479 metres. It is clearly difficult to provide a comprehensive assessment of the convenience, or inconvenience, of particular allotment holders as a result of the crossing closure. Chiltern Railways understanding is that the great majority of allotment holders live to the east of the railway, but at widely varied distances. Their individual circumstances will vary as will their choice of modes of travel. A majority are believed to walk to the allotments although some use cycles or cars, regularly or occasionally.
- 3.17 The distances on Figure 1 are verified and reflect the additional distances for walkers or cyclists accessing the allotments from the east. For those allotment holders who have been in the habit of parking their cars in the car park adjacent to the level crossing, the walk distances to their plots are approximately 169 metres when using the existing level crossing and 376 metres from the proposed car park via the improved Aristotle Lane Bridge as shown in Figure 2 in Appendix B.
- 3.18 All of the mitigation measures proposed by Chiltern Railways will improve accessibility for allotment holders. In particular, Chiltern Railways is prepared to construct parking spaces and steps up to the Aristotle Land bridge (as shown indicatively on Figure 2 in Appendix B).
- 3.19 Chiltern Railways' position has been, and remains, that the use of the Network Rail land to the east of the crossing for parking by allotment holders is unlawful. Were the parking and steps to be provided at Point A, this would be a betterment of the

allotment holders' rights and would clearly benefit those who wish, on occasion, to drive to Aristotle Lane to transport tools or produce.

- 3.20 In conclusion, Chiltern Railways' evidence is that the closure of the crossing and the diversion over Aristotle Lane bridge will not result in disproportionate inconvenience to allotment holders in terms of their access to the allotments. In addition, measures to mitigate any inconvenience will be undertaken with the cooperation of Oxford City Council, the freeholder of the allotments.

4 Conclusion

- 4.1 The Objector has not provided any substantive evidence which supports a safety case for keeping the crossing open and creating a new crossing. Aidan Nelson's evidence in terms both of policy and safety is that the closure of this crossing is both essential and entirely justified.
- 4.2 CRCL has been engaged in extended discussions with the allotment holders, the City Council, who is the owner of the allotments and the statutory agencies. Chiltern Railways is, as set out in Stephen Barker's evidence and in **CRCL/P/12/E**, prepared to improve the surfacing of the bridge and ramps, raise the footpath/bridleway from the western end of the ramp to avoid localised flooding and, if the City Council agrees to formalise the rights of allotment holders to use the track across Port Meadow and provide parking spaces on the eastern side of the railway. Even if CRCL fails to secure the agreement of the City Council to these last two measures, Chiltern Railways' evidence is that the closure of the crossing and the diversion over Aristotle Lane bridge will not result in disproportionate inconvenience to allotment holders in terms of their access to their allotments.

Appendix A

CRCL/R/OBJ13

Relevant Correspondence
between Chiltern Railways
and the Objector

OBS/13

The Trap Ground Allotment Association
23 Chalfont Road,
Oxford
OX2 6TL

28th January 2010.

The Secretary of State for Transport
c/o The Transport and Works Act Orders Unit
Department of Transport
Zone 1/31
Great Minster House
7 Marsham Street
London SW1P 4DR

**Re: The Transport and Works Act 1992
The Transport and Works (Applications and Objections Procedure) (England and Wales)
Rules 2006
Proposed Chiltern Railways (Bicester to Oxford Improvements) Order.**

Dear Sir,

I am writing on behalf of the members of the Trap Ground Allotment Association to object formally to the above Application dated 6th January 2010. This is not an objection to the project as a whole, but to the powers sought by article 17 of, and Part 1 of Schedule 9 to, the draft Order to close the accommodation crossing at Aristotle Lane.

Please note that while Rule 15 notices have been served on four individuals as trustees of the Trap Ground Allotment Association, three of those individuals are no longer trustees and the business of the Association is in practice conducted through its committee of which I am the chair. The Committee pays rent to the City Council, the freeholder, for the Trap Ground Allotment land. The Committee is affected by the proposals both as a tenant/occupier of some of the land required for the scheme, and because the members of the Association would be affected by the closure of the crossing. We would request that a public inquiry be held.

On 8th May 2009 we submitted a case for keeping open the level crossing at Aristotle Lane, Oxford, to Ardent Management Limited, as requested by their Director acting for Chiltern Railways, and I append this by way of amplification of our position. Our formal objections below include some of the material submitted in this earlier document.

Our objection concerns (a) the closure of the level crossing, and (b) the proposed mitigation measures.

In summary:

- (a) The closure of the level crossing.
 - (i) This is unnecessary on safety grounds and
 - (ii) Its effect would significantly prejudice the use of the allotments.

- (b) The proposed mitigation measures.
 - (i) These are uncertain in the absence of detailed plans
 - (ii) They would not provide a reasonably convenient alternative and
 - (iii) The effect they would have on the land over which the mitigation measures are to be provided is unacceptable to the allotment members and the wider community in Oxford.

To enlarge on these:

(a) The Closure.

(i) Safety.

There has been a crossing here since the 19th century when two further lines ran in the area designated for the proposed single additional line.

The crossing is not used by the general public, being restricted to allotment users.

There has never been an accident involving allotment users, members being familiar with it and the need to exercise due caution.

The sight lines are very good and train warnings punctiliously observed.

Allotment members are reminded in twice-yearly newsletters and elsewhere to observe strict safety procedures.

Additional safety mechanisms could be installed e.g. warning lights, gates and a keypad lock.

(ii) Prejudice to allotment use.

The current access is appropriate to allotment use being level and short. None of the alternatives provides this.

The proposed alternative bridge path does not provide this convenient and level route.

The bridge path is steep, narrow, crowded, prone to flooding, so preventing access to the allotments, and the route is considerably further from the proposed replacement car park.

(b) Proposed Mitigation Measures.

(i) Absence of detailed plans.

By virtue of Art 17(2) and Part 1 of Schedule 9 to the draft Order, the Aristotle Lane crossing could not be closed until the accommodation facility specified in relation to it in column (4) of the Schedule has been provided. While the application for the Order mentions two elements of mitigation (improvements to the bridleway bridge and to provide a new bridge link into the allotments and vehicular access over Port Meadow) there is no mention of the latter in column

(4) of Part 1 of Schedule 9, and the former is not described in any detail: it is unreasonable to ask for approval for the scheme in the absence of clarity as to what would need to be in place before the crossing could close.

(ii) failure to provide a reasonably convenient alternative:

Chiltern Railways have made some suggestions outside the Transport Works Act application; these will need modification before they are acceptable as even a partial mitigation. They do not address the main requirement of level access.

(iii) Effect on land over which mitigation measures would be provided:

Within the application Chiltern Railways propose to acquire rights 'to provide a means of vehicular access for the benefit of the owners and occupiers of land affected by the closure of Aristotle Lane Crossing.' It is extremely unlikely that such rights would be granted because of the effect they would have on Port Meadow.

Vehicular access across Port Meadow has always been restricted to essential bulk loads. Cars have been considered unacceptable in this public space and Site of Special Scientific Interest. There is even less likelihood that alternative allotment car parking would be allowed on the meadow without which enhanced vehicular access would be of no benefit.

For the reasons given we submit that the closure of the level crossing is not necessary on grounds of safety, that mitigating measures are imprecise and unsatisfactory, and that the closure of the crossing would seriously impair the working of an allotment site which currently meets the needs of a large and active segment of the local community. The allotments currently provide benefits to the local community which include: good fresh vegetables, grown economically in a sustainable and environmentally friendly manner, local to the point of need, without the need for high carbon footprint transport; a pleasurable pastime for the 120 or so plot-holders and their friends and family; and the associated health benefits both from the exercise of running an allotment, and eating the produce.

Yours faithfully,

Tony Hollander, Chairman of the Trap Ground Allotment Association Committee.

Attached:

Case for retention of the crossing submitted to Chiltern Railways on 8 May 2009

TRAP GROUND ALLOTMENT ASSOCIATION
23 Chalfont Road,
Oxford.
OX2 6TL

Response to Consultation on the proposal by Chiltern Railways to close the existing Aristotle Lane Level Crossing as part of the construction of the proposed new line to Bicester and London.

The Trap Ground Allotment Association considers that, for the reasons outlined below,

- a) the existing crossing should be retained for use by members of the allotment association;
- b) a new crossing should be provided over the proposed new line; and
- c) the two crossings should be separated by a gated waiting area, and be protected by eg a predictor miniature stop light warning system.

It is understood that such arrangements may not technically fully comply with Railway Safety Standards. However in view of the lack of an acceptable alternative it is not reasonably practicable to comply with RSS in full. This proposal reduces the risks involved so that they are as low as reasonably practicable and we would suggest that any necessary derogations should be sought to permit it.

The existing crossing

1. Its use by members.

The level crossing has been used by members of the TGAA for at least fifty years. It gives the nearest and most direct route to the allotment site from Aristotle Lane, the approach for the great majority of the association's members. Readily accessible by cars, it provides a convenient point from which to transport small loads. Being more or less level, its convenience is also that loads are carried easily. There has never been an accident on this crossing.

2. Its character and features.

The crossing is within a mile of Oxford Station so most trains are accelerating away from the station or slowing down to reach it, i.e. not at full speed. A few yards beyond the crossing both on the up-line and the down-line, there are sidings where trains wait to move on in both directions, so these too will be moving slowly. A few hundred yards up-line the junction to Bicester also reduces train speeds to and

from this line.

The crossing lies on a slight curve of the main line, concave to the west where sight lines are restricted compared to the eastern approach where sight lines are extensive. In recent years the crossing has been decked making its use trouble-free for pedestrians and wheeled vehicles like wheel barrows.

Metal guide fences help indicate approach lines from each side.

Without knowing the precise number of trains passing through or their precise speeds, it is nevertheless estimated that the average daily sum of trains occupies the track at the crossing for not more than ten or maybe fifteen minutes. For most of the day it is evident that the track is empty of trains and safe to cross.

3. Safety measures.

Sight lines are good, about a mile in each direction from the east and slightly less from the west.

Trains of average speed take about thirty seconds to arrive at the crossing from where they can be seen in either direction.

Train drivers are punctilious about hooting as they approach the crossing, mostly giving warning before they are within sight.

Normal pedestrian walking allows one to cross the three lines in about six seconds.

Wheelbarrows hardly take any longer.

The very few fast goods trains passing through Oxford without stopping give slightly less approach time but have never been a problem to crossing users.

The TGAA website, the spring and autumn newsletters, and our meetings are used to remind members of the need for safety precautions when using the crossing, it being emphasised that train drivers need to see long distances of completely clear track to feel safe in their work.

Notwithstanding the last observation in section 2. above, the element of uncertainty when crossing railway lines could be reduced by installing warning lights and/or sounds on each side to alert people to the approach of trains.

The new crossing

It appears that the new Chiltern Railways line will be built on the gravel track east of existing lines with a space of several yards separating them, and that the intention is to run four trains each hour on this new line and its immediate existing neighbour.

Given the close proximity of the junction to the Bicester Line, the speed of these trains will be less than maximum as they negotiate this part of the track.

A separate crossing of this new line would offer a safe access to the main level crossing, with adequate safe ground between the lines on which a gated waiting area could be sited. Once again, the element of uncertainty when crossing railway lines could be reduced by installing warning lights and/or sounds on each side to alert people to the approach of trains.

Possible alternatives

1. The Aristotle Lane Bridge.

On previous occasions when closure of the crossing was considered it has been argued that the bridge offers a suitable alternative access to the allotments.

The TGAA's opposition to this, hitherto supported by Oxford City Council's Members, has rested on the following considerations:

The distance from cars to the site's entrance is about eight times as far. To most plots it will be much further as the Port Meadow gate is in the SW corner of the site.

The slope to and from the bridge is a serious obstacle to hand transport of heavy loads of fertilizer, produce, shed materials and so on.

Paths on each side of the bridge are narrow, muddy, slippery, dog-fouled, overgrown and often crowded, this being the main route to the meadow for a large segment of the local population, particularly at week ends.

Cyclists and occasional horses add to the traffic hazards of the paths.

During winter floods the western approach to the bridge is unusable, some members of the public having used the allotment route as an unofficial alternative access to the meadow.

The City Council has this year fenced the allotment site and provided locked gates, so this alternative route is no longer available to the public.

Attempts to raise the level of the western end of the bridge path have so far proved ineffective.

Any improvements to the bridge to make it wider/easier to negotiate/less steep or to correct the flooding problem are likely to be a) difficult to achieve without taking in a significant area of extra land; and b) unacceptable on aesthetic grounds in view of the sensitivity of the bridge's situation as the gateway to Port Meadow.

2. Other Alternatives.

Network Rail Officers have proposed that the allotment site is approached across Port Meadow from Walton Well Road to provide vehicular access. This is used by TGAA for deliveries of heavy loads for our shop, machinery, or bulky items like skips, manure and hardcore for paths.

Such traffic is restricted and minimised, the meadow's status as a SSSI and a natural recreational area being respected by the community as a whole.

The distance involved in this proposal would be unacceptable for the allotments' effective use.

It is, in any case, most unlikely to be approved by the City Council, given the meadow's importance in the life and history of Oxford.

OBJ/13

Nicola Finlay

From: Paul Clarke
Sent: 29 June 2010 10:33
To: 'Ian@salisbury.uk.com'
Cc: 'Jonathan Clark'; Tony Hollander; Peter Gibbard; 'ERM UK Chiltern Objections'; 'Stephen Barker'
Subject: FW: Aristotle Lane crossing [Scanned]
Attachments: COCP full.pdf; SS Philip James - 5359 Rev B plan.pdf

Ian

I have gathered answers to the points you raised, they are shown coloured below. I hope this is what you needed.

Regards,

Paul



Paul Clarke | Associate Director
Arden Property Consultants
 Tel: +44 (0)870 443 9100 | Mobile: +44 (0)7900 052307
PaulClarke@arden-management.com | www.arden-management.com

From: Ian Salisbury [mailto:Ian@salisbury.uk.com]
Sent: 21 June 2010 23:23
To: Paul Clarke
Cc: Jonathan Clark; Tony Hollander
Subject: RE: Aristotle Lane crossing [Scanned]

Dear Paul

I have just received a notice that the inspector wishes to have a skeleton argument from me by 6 August. I need to obtain some facts about the line and would be grateful if you would provide me with the information that I shall request below. As you will see, it is necessary to ask the railway company these questions as I suspect it will be the unique holder of the information. If you are unable to answer my questions, I would be grateful if you would either forward them to a person or persons who can answer them, or else provide me with contact details.

Historical facts.

1. Please confirm that I am correct in saying that the empty trackway that runs under the east span of the Aristotle Lane footbridge ("the footbridge") and parallel to the main lines on the east side ("the old trackway") used to carry the tracks of the Varsity Line ("the old tracks") operated first by Buckinghamshire Railways, then (from 1851) by the London and North-Western Railway and then (post 1923) by the London, Midland and Scottish Railway. If my assumption is incorrect, please provide the correct information. Yes you are correct.
2. Please may I know when the old tracks were laid, and when they were lifted. Laid in 1851. Lifted some time between 1954 (when LM passenger trains were diverted from Rewley Road station into the main Oxford station) and 1987 when Rewley Road coal depot closed. Best guess in 1973 as part of Oxford resignalling

20/09/2010

3. It appears there were two lines (presumably an "up" and a "down") that ran along the empty trackway. Please confirm. Correct

4. Please may I know when the other lines were laid. (There are three lines at the level crossing. The two lines to the west are, I presume, the lines laid by Great Western Railway ("the main lines"). Laid in The third line, recently re-laid, turns to the east at the junction, and I presume was also therefore part of the Varsity Line. I shall call this line "the third line. Bit more complicated than he makes out. Originally 2 lines for the GW (Up Main, Down Main). These date from 1844. Sometime between 1876 and 1925 2 extra lines laid so that layout became (from east) Up Goods, Up Main, Down Main, Down Goods. Down Goods removed (probably as part of 1973 resignalling). Up Goods redesignated Down Jericho (i.e. used by passenger trains to Bicester) in 2008-9

5. If there are any plans or maps showing the old tracks between the footbridge and the junction a few hundred yards to the north ("the junction"), may I please have copies. I have none

6. Please may I know the precise position of the former Port Meadow halt. (Please see the photograph of it at <http://www.trapgroundallotments.org.uk/portmeadowhalt.html> , which also shows the allotment gardens beyond and the level crossing - then clearly vehicular). The north end of the platforms were near to or abuted the Aristotle Lane crossing. The platforms extended approx 80' (1 ½ old coach-lengths) south, with a footpath from the end of the to-Oxford line and parallel to the running lines for ca. 50' running lines to the station approach path.

7. Please may I know the distance between the old tracks and the third line at the level crossing. No details to hand sorry

The current arrangements

8. Please may I know whether there are speed limits on either of the main lines or the third line between the footbridge and the junction. Please distinguish from speed limits attached to the points crossings. All railway lines everywhere have speed limits

9. Please may I know the maximum speed limit allowed for goods trains on the main lines (both "Up" and "Down") at the crossing. These are limited to 60mph or 75mph according to the type of wagons in the train

10. Please may I know the maximum speed limit allowed for passenger trains on the main lines (both "Up" and "Down") at the crossing. Up 90mph, Down 90 mph

11. Please may I know the maximum speed limit for any train using the third line. Down Jericho 25mph

12. Please may I know the maximum speed limit for any train using the points crossings that connect the main lines to the Varsity Line in the region of the level crossing and including the crossing to the siding west of the main line to the south of the footbridge. 25mph

13. Please may I know the stopping distances for each of the types of trains that cross the level crossing when they are fully laden and travelling at the maximum speeds permitted at the level crossing. Steve? Sorry, we don't hold specific information on other operator's rolling stock. I might be able to lay my hands on some generic data used for signalling design calculations but I don't think that that is what is being asked..

14. Please may I know whether any passenger trains travelling up from the level crossing do not stop at Oxford. There are no trains that do not stop in the current timetable, but this not mean that this will always be so. Charter trains probably run non-stop through the station from time to time as well as "empty stock" movements.

15. Please may I know the distance that an unladen train of typical formation (that is, towing the usual number of carriages or trucks) and of each of the types currently in use on this stretch of line must travel in order to reach a speed of 75mph. Steve? As for 13.

Chiltern line proposals Steve could you answer these below as you will be the most up-to-date

16. It is understood that a single replacement line is proposed for the old trackway ("the replacement line").

Please correct me if I am wrong. Please confirm that this replacement line will turn to the east at the junction. If there are intended to be points crossings to connect the replacement line with either the third line or with the third line and the remainder of the lines between the footbridge and the junction, please describe where the crossings point will be. Correct, it follows the Bicester line alignment beyond the junction. There are no connections between the "replacement line" and any other line at any point between the junction and Oxford station.

17. Bearing in mind the proximity of the bend on the junction and beyond, please may I know if there will be a speed limit on the replacement line at the level crossing. 75mph

18. Please may I know the speed limit or likely speed limit on the replacement line at the junction. 75mph

19. Please may I know whether the replacement line will be an up-line or a down-line. It will be a bi-directional line – i.e. trains will run in both directions over it.

20. Please confirm that the self-sown trees and scrub that lie between the replacement line and the third line from Oxford station to the junction will be removed. If any such trees and scrub are not to be removed, please identify those areas that will be unaffected by the proposed development. Trees will only be removed where they directly conflict with the new track or they present a safety hazard (for example because they obscure the views of signals / signs etc or because the potential for an accident if they were to be blown down or otherwise fall on to the track is unacceptably high). At this point it has not been established which trees will be affected. There is however an obligation on Chiltern set out in para. B9.6.7 of the Code of Construction Practice. copy attached. This will be enforceable as compliance will be a planning condition.

21. Please state the distance between the replacement line and the third line at the level crossing. The distance between the centrelines of these two tracks is currently proposed to be approximately 14m. The exact distance might change slightly during the detailed design phase.

22. Please may I know what difference in level there will be between the replacement line and the third line. The "replacement line" is currently proposed to be approximately 0.75m lower. Again, this could change during the detailed design phase.

23. We have been informed that 11 replacement car-parking spaces will be provided for those on the old trackway that will be lost. Please provide a plan showing the position of these replacement car-parking spaces, the approaches and the turning area. Paul, I assume you will provide this. The plan provided by the County Council is attached.

Many thanks
Ian Salisbury

OBJ 13

Nicola Finlay

From: Tony Hollander [tony.hollander@virgin.net]
Sent: 07 October 2010 17:35
To: Paul Clarke; Martin Lyons
Cc: 'Ian Salisbury'; Jonathan Clark; Peter Gibbard; ERM UK Chiltern Objections; chiltern objections; Ian Gilder; Sarah Goodall; Stephen Barker; 'Charlotte Frizzell'
Subject: Re: ARISTOTLE LANE LEVEL CROSSING CLOSURE - MITIGATION MEASURES
Follow Up Flag: Follow up
Flag Status: Red

Many thanks, Paul. That makes sense.

Tony

----- Original Message -----

From: Paul Clarke
To: 'Tony Hollander'; Martin Lyons
Cc: 'Ian Salisbury'; Jonathan Clark; Peter Gibbard; chiltern.objections@erm.com; chiltern objections; Ian.Gilder@erm.com; 'Sarah Goodall'; Stephen Barker; 'Charlotte Frizzell'
Sent: Thursday, October 07, 2010 2:54 PM
Subject: RE: ARISTOTLE LANE LEVEL CROSSING CLOSURE - MITIGATION MEASURES

Tony

The intention would be to make sure that the path didn't flood, so it would need to be to the level of the concrete track. This would then have to be culverted to address NE's hydrology issues.

Regards,

Paul



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From: Tony Hollander [mailto:tony.hollander@virgin.net]
Sent: 07 October 2010 14:19
To: Paul Clarke; Martin Lyons
Cc: 'Ian Salisbury'; Jonathan Clark; Peter Gibbard; chiltern.objections@erm.com; chiltern objections; Ian.Gilder@erm.com; 'Sarah Goodall'; Stephen Barker; 'Charlotte Frizzell'
Subject: Re: ARISTOTLE LANE LEVEL CROSSING CLOSURE - MITIGATION MEASURES

Paul,

What I unfortunately cannot see from your plans is by how much the surface level of the extended path to the west of the railway bridge has been raised. Unless it is more or less as high as the concrete trackway from Walton Well Road to Burgess Field - and presumably culverted - it will serve little purpose as mitigation or public access.

Regards.

12/10/2010

Tony

----- Original Message -----

From: Paul Clarke**To:** Martin Lyons**Cc:** 'Ian Salisbury'; Tony Hollander; Jonathan Clark; Peter Gibbard; chiltern.objections@erm.com; chiltern_objections; Ian.Gilder@erm.com; 'Sarah Goodall'; Stephen Barker; 'Charlotte Frizzell'**Sent:** Thursday, October 07, 2010 10:41 AM**Subject:** ARISTOTLE LANE LEVEL CROSSING CLOSURE - MITIGATION MEASURES

Martin

The attached plan shows what Chiltern would be able to construct to mitigate the effects of the closure of the level crossing. As we have discussed, this has been the subject of discussions with Natural England (NE) in respect of the impacts on Port Meadow and the attached meets its requirements.

The mitigation measures shown on the plan and additionally considered appropriate are:

- **Bridletrack Raising.** NE would not accept the formerly proposed bridge link into the allotments. This could not be provided at a height that would allow cattle to freely pass beneath it. This was essential to maintain the nature of the site as grazed land. The attached plan shows an embankment to raise the track, with drainage pipes incorporated within it to maintain the possible flow of flood water. This was more acceptable to NE than a raised walkway.
- **Parking Area.** The parking spaces as shown on the plan could be provided, to replace the informal parking on Network Rail land that takes place on the city side of the railway. This would be surfaced to match the standard of the current spaces.
- **Steps.** New steps could be provided from the parking area to the top of the embankment. This is intended to shorten the walk from the cars to the allotments.
- **Bridge Surfacing.** Chiltern will improve the surface of the slopes leading up the bridge and the bridge deck:
 - On the city side of the railway the surface can be surfaced with tarmac.
 - On the Port Meadow side this would not be acceptable to NE, as the lack of permeability of the surface could affect the hydrology of the area. This could therefore be improved and newly surfaced with a loose surface,
 - The bride deck can be renewed, in a similar fashion to the existing deck.
- **Vehicular Access.** As discussed, the allotment holders already appear to drive along the surfaced track across Port Meadow to stock the on site shop. Chiltern has included powers in the draft Order to extend whatever rights that the Association has to include those with mobility impairment who cannot negotiate the slopes up the current bridge. Such use would need to be controlled to protect Port Meadow from damage by over use and from cars leaving the track. The security of the entry gate would also need to be protected. We would welcome your input into how best these aims can be achieved. My thought would be to grant new rights to the allotment association that have this conditionality and to make a limited number of keys available.

I propose asking Chiltern to enter into an agreement with OCC to provide the above mitigation measures, as freeholder of the allotments. Please let me know if the City would agree to this and if you would require any changes to what I have set out above.

Regards,

Paul



Paul Clarke | Associate Director

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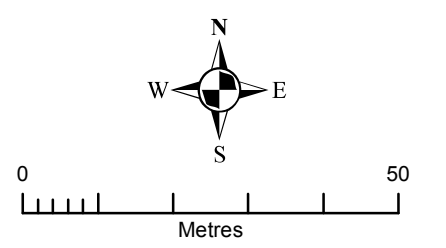
Appendix B

CRCL/R/OBJ13

Figures



KEY:
— Access via Aristotle Lane Crossing
— Access via Aristotle Lane Bridge



TITLE:
Figure 1
Distances to Trap Ground Allotments

CLIENT: Chiltern Railways	SIZE: A3
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DATE: 28/10/2010	CHECKED: SG	PROJECT: 0110147
DRAWN: IG	APPROVED:	SCALE: As Scale Bar
DRAWING: TrapGrounds.mxd		REV: 0

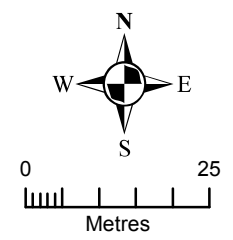
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 PROJECTION: British National Grid



- KEY:
- Proposed Car Park
 - Access via Aristotle Lane Crossing
 - Access via Aristotle Lane Bridge



TITLE:
Figure 2
 Distances to Trap Ground Allotments From Existing and Proposed Car Parks

CLIENT: Chiltern Railways		SIZE: A3
DATE: 28/10/2010	CHECKED: SG	PROJECT: 0110147
DRAWN: IG	APPROVED:	SCALE: As Scale Bar
DRAWING: TrapGrounds_CarParks.mxd		REV: 0

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