

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

CHILTERN RAILWAYS' REBUTTAL PROOF OF EVIDENCE

**IN RELATION TO
THE OBJECTION AND EVIDENCE OF**

NICOLA BLACKWOOD MP

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 Nicola Blackwood MP.
- 1.2 Nicola Blackwood MP has raised new points in her statement of case 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 the points raised in the evidence of Nicola Blackwood MP 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 emails exchanged between Chiltern Railways and Nicola Blackwood MP dated 27 August 2010, 1 October 2010 and the letter from Chiltern Railways dated 20 October 2010 attached as Appendix A to this rebuttal proof;

<i>“the Objector”</i>	means Nicola Blackwood MP;
<i>“the Objector’s evidence”</i>	means the letter of Nicola Blackwood MP dated 1 October 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

General Statement

- 3.1 Nicola Blackwood, MP for Oxford West and Abingdon, states her support for the Order Scheme. She states that she has received representations from concerned constituents on a number of issues.

Public Consultation, Ian Gilder

- 3.2 The Objector represents a number of concerned constituents who claim that despite Chiltern Railways’ proactive approach to community consultation they did not receive the house to house leaflets that formed part of the public consultation. She also notes that some constituents are frustrated at the lack of evidence provided by Chiltern Railways either in general publications or correspondence on specific queries.
- 3.3 Chiltern Railways submitted a Statement of Community Consultation as part of the TWA Order Application Documents [CD/1.5]. This document describes and tabulates the consultation that has taken place before the application was submitted to the Department for Transport, which includes mail shots and meetings. Following the submission of the TWA Order Application every objector has been sent an individual letter in response to their concerns. Chiltern Railways and their representatives have also held meetings with individual objectors to discuss their objections and attended a meeting held for North Oxford Residents on 25 March 2010. All documents of general interest and evidence produced by Chiltern Railways are published on the Chiltern Railways website <http://www.chiltern-evergreen3.co.uk/>

Noise Impacts from Freight, Allan Dare and Michael Fraser

- 3.4 The Objector notes that her constituents are concerned that the Order Scheme will lead to an increase of freight traffic on the line, details of which Chiltern Railways has not provided as they state that they are not responsible for the level of freight services on the line.
- 3.5 Under the Railways Act 1993 [CD/5.10] and successor legislation the railway network must be available for use by all rail operators, subject to their having the necessary licence, to their paying the requisite track access and to line capacity being available. Parliament has not sought to limit train numbers, type or speed in the original

authorising Acts of Parliament of 1846 and 1847 [CD/5.1 and CD/5.2] nor in any subsequent legislation. This is the general position for all railways in the UK. Chiltern Railways has always made it clear that Phase 2B of the Order Scheme will facilitate the East-West Rail (EWR) project, and that this may result in more freight trains (see proofs of Graham Cross [CRCL/P/1/A], Allan Dare [CRCL/P/2/A], Neil Gibson [CRCL/P/3/A] and Patrick O'Sullivan [CRCL/P/4/A]).

- 3.6 Freight trains operate in accordance with market demands. It would be impractical to restrict freight operation at night and this would also conflict with the statutory provisions for access to the rail network by freight train operators. The number of freight trains will however be constrained by the capacity of the line, and the capacity of connecting lines and junctions.
- 3.7 The potential for operation of freight trains at night, and the likely number of such trains, is also considered in the Chiltern Railways' Noise and Vibration Mitigation Policy [CD/1.29].
- 3.8 The Objector believes that the uncertainty on levels of freight traffic has led to concerns that the increase in rail traffic may be higher than indicated by Chiltern Railways modelling work. The Objector suggests it would be helpful if Chiltern Railways was to model 'best' and 'worst' scenarios for increased rail traffic and its effect on noise and air quality.
- 3.9 Freight train operations are referred to in Allan Dare's evidence [CRCL/P/2/A] and Appendix [CRCL/P/2/B].
- 3.10 The frequency of freight trains in Phase 1 is expected to be the same as at the current time and can be modelled with reasonable certainty.
- 3.11 Phase 2 is dependent on the East West Rail (EWR) project proceeding. The planning assumption for EWR is one freight train path per direction per hour. This assumption takes account of the projected increase in rail freight traffic nationally, and has been discussed by the EWR Consortium with Network Rail and the Department for Transport (DfT) in the context of the DfT's 'Strategic Freight Network' report (CRCL/P/2/B Appendix 6), which recommends the proposed use of the Oxford-Bicester-Bletchley line for container trains from Southampton to the Midlands. The length and weight of freight trains for Phase 2 are, therefore, based on those for existing trains from Southampton. Day-to-day variations in demand mean that typically not all train paths are used, and the ES therefore assumes that only 50% of paths will actually be used on any given day. This is line with experience with respect to freight operations on the main line through Oxford, and on the existing Oxford to Bicester line. Chiltern Railways, therefore, believes that the assumptions used are a 'reasonable worst case', which meets the Objectors' point.

Noise Impacts linked to Train Speeds, Stephen Barker and Michael Fraser

- 3.12 The Objector states that her constituents have questioned why trains could not be slowed down to 40 mph through residential areas such as Wolvercote and Summertown when other residential areas close to Oxford station and on the Bicester Chord line have received more stringent speed restrictions.

- 3.13 The Objector states that residents do not believe Chiltern Railways' assurances that noise levels will not be affected by the Order Scheme and request further testing to prove that predicted noise levels are not too low. Residents claim that even if Chiltern Railways' predictions of noise are accurate, they may have serious health implications for residents and at local schools. In this regard they believe that every option available should be used to mitigate the noise including slowing the trains and providing sound barriers.
- 3.14 The issue of train speeds is discussed in Section 5 of Stephen Barker's proof of evidence [CRCL/P/6/A]. A number of alternative speed profiles were examined in response to questions raised by Objectors. The increased running time associated with each of these speed profiles was modelled using specialist computer software. Although a 40 mph speed restriction in the built up area is not one of the profiles that was modelled, Chiltern Railways would expect such a profile to add around four minutes to a round trip. This would not only adversely impact on journey times but would also be unacceptable for timetable reliability as it reduces the layover at Oxford (ie. the period between the arrival of a train and its departure on the return trip). The layover not only allows for the train to be cleaned and prepared for its return trip but also provides recovery time in the event of a late arrival. The additional four minutes of running time would reduce the typical layover period to eight minutes, which is less than desirable for the operation of a reliable service.
- 3.15 Noise from the operation of the railway has been predicted using the Calculation of Railway Noise procedure (CRN) developed by the Department of Transport in 1995 [CD/5.12]. CRN is based on real measurements of many of the types of trains that are expected as a result of the Order Scheme. Additional measurements have been made to supplement CRN source data in some cases and outlined in Annex D of the ES [CD/1.18]. Predictions are based on the following:
- expected passenger and freight train service frequency;
 - train types;
 - expected train speeds;
 - train lengths;
 - track type (Continuously Welded Rail (CWR) or jointed);
 - location of bridges, structures and cuttings;
 - gradients and likely areas of acceleration; and
 - additional noise source terms provided in the Additional Railway Noise ¹..

¹ Source: Terms For Calculation of Railway Noise 1995

- 3.16 This methodology is that which is required for predicting railway noise under the Noise Insulation (Railways and Other Guided Systems) Regulations 1995 [CD/5.12], and is the standard methodology used for railways in the UK. This methodology is based on measured source terms and so reflects railway noise realistically.
- 3.17 The noise assessments reported in the Environmental Statement have been carried out at the three locations, called receptors, which are closest to the tracks and are representative of those properties that are likely to be most affected by noise increases. The receptors used in North Oxford were numbers 14 (Lakeside), 15 (Wolvercote Primary School) and 16 (St Peters Road). Updated predictions are included for Phase 2 of the Order Scheme in the Appendices to the Proof of Evidence of Michael Fraser [CRCL/9/P/B] in Table 2.1 and 2.2. This has also included further measurement of ambient noise levels in the area. The predictions at these locations continue to be refined during detailed design, and the results are currently being communicated to individual residents. Current predictions show that noise impacts will be slightly lower than predicted in this document at Lakeside, and similar to the ES values at the second floor of Quadrangle House. However, based on the levels in **CRCL/9/P/B**, it is clearly shown that noise levels would be increased as a result of the Order Scheme in Table 2.1 without noise mitigation. The introduction of noise mitigation effectively reduces noise in North Oxford, and the effect of this is shown in Table 2.2 of **CRCL/9/P/B**. Therefore, Chiltern Railways recognises that noise changes may occur in some locations even with mitigation.
- 3.18 Where potential noise impacts are predicted, effective noise mitigation measures such as track based mitigation, noise barriers or noise insulation will be applied, which will meet or exceed statutory requirements. Since publication of the ES, Chiltern Railways has developed a Draft Noise and Vibration Mitigation [CD/1.29]. This document reflects the commitments that were made in the ES. The Draft Noise and Vibration Policy will be applied by both Chiltern Railways and the promoters of EWR, if and when it progresses. This will be enforced through planning condition 16 [CD/1.12.1].
- 3.19 Mitigation is likely to be very effective at most locations, and at Lakeside, the maximum or peak noise levels from individual trains is likely to be reduced by about 15 dB, offsetting the increases in noise relating to train frequency and speeds that occur in this area.

Feasibility of a Partial of Full Tunnel Solution in the Vicinity of Lakeside, Stephen Barker

- 3.20 The Objector, on behalf of the Lakeside residents, requests that Chiltern Railways provide robust costing and analysis of providing a full or half tunnel along the railway line in the vicinity of Lakeside.
- 3.21 Chiltern Railways has not produced cost estimates for the construction of a tunnel over the railway at Lakeside. In order to provide a reliable cost estimate, a considerable amount of design work and site investigation work would be required. Any such structure would be sizeable. The internal dimensions of the structure would need to provide adequate clearances for future electrification of the route and for safe evacuation trains in the event of an emergency. The cost of constructing

such a structure would be likely to run to several millions of pounds and would substantially increase the ongoing maintenance costs as a result not only of the cost of inspecting and maintaining the tunnel structure itself but also because of the additional costs of maintaining the rest of the infrastructure within the confined space within the tunnel.

Vibration Impacts, Michael Fraser

- 3.22 Lakeside residents, in particular, have raised concerns with the Objector that freight traffic using the line during the M40 construction caused their homes to vibrate and disturbed their sleep. Their concerns relate to levels of proposed freight traffic on the line with the Order Scheme.
- 3.23 In terms of vibration Page 6-42 of the ES highlighted that levels of ground vibration are not expected to exceed the levels in BS 6472 at or below which the probability of adverse comments is low (page 6-8 of the ES) beyond approximately 10 metres from the tracks. The properties in Lakeside are all beyond this distance from the proposed tracks and vibration is not expected to result in significant disturbance based on these stringent thresholds. These thresholds apply to both day and night time. Measurements of existing vibration carried out since the publication of the ES have confirmed that no structural or cosmetic damage to property will occur as a result of train vibration whether within 10m of the line or further away.

Railway Safety, Stephen Barker

- 3.24 The Objector reiterates the concerns of Lakeside residents about the danger of train derailment given the proximity of their property to the railway line.
- 3.25 Railways in the UK have one of the best safety records of any land based transport system anywhere in the world. The chances of such a derailment occurring are negligible. The railway works will be constructed and maintained in compliance with all current safety standards.

Traffic Impacts at Water Eaton, Paul Tregear

- 3.26 The Objector reports the concerns of her constituents about the increase in traffic levels around the Water Eaton Parkway station approach junction and the Kidlington roundabout as a result of the Order Scheme as these already experience high levels of congestion. The Objector reports that her constituents believe that an independent evaluation of the remodelled road layout around the Water Eaton Parkway station is required for them to be assured that it will function properly.
- 3.27 Mr Tregear deals with the impact of the Order Scheme on road traffic around Water Eaton Parkway Station, including the Water Eaton Parkway Station/Bus P&R junction and the Kidlington Roundabout, in his Proof of Evidence (his reference **CRCL/P/8/A**) at paragraphs 6.15, 6.19, 6.25-6.26, and 6.27-6.29. The assessment work is reported in detail in **CD/2.23** and **CD/2.25**.
- 3.28 Specifically, the A4165 Banbury Road corridor in the vicinity of the proposed Water Eaton Parkway Station is modelled in detail by the S-Paramics micro-simulation

traffic model. The model development and forecasting is reported in **CD/2.25**. The model has been built in accordance with the 'Micro-simulation Good Practice Guide' produced by SIAS Ltd, the developers of the S-Paramics package. The 2009 base year model has been validated in accordance with the criteria specified in the DMRB Volume 12 'Traffic Appraisal in Urban Areas' and has been deemed suitable for forecasting future traffic conditions and for testing of future highway and development proposals in the study area.

3.29 In summary, the traffic modelling demonstrates that the introduction of the Order Scheme and the associated improvements to the existing Park and Ride access junction significantly improves the operation of both the junction and the local A4165 highway corridor as a whole.

3.30 The remodelled road layout has been subject to an independent Stage 1 Road Safety Audit and no significant design issues were identified. Chiltern Railways is in on-going discussions with Oxfordshire County Council, as the local highway authority, working towards an agreement regarding the details of the junction design.

Air Quality, Ian Gilder

3.31 The Objector states that local residents in the vicinity of the railway line, who claim already to suffer from poor air quality, remain concerned that air pollutants would have a negative impact locally.

3.32 As stated in paragraph 10.2 of Ian Gilder's proof of evidence **[CRCL/P/12/A]** the conclusion of the Environmental Statement is that pollutant concentrations at residential properties closest to the railway will not experience significant air quality impacts from either rail movements or idling trains.

Trap Ground Allotments, Ian Gilder

3.33 On behalf of the Trap Ground Allotment Association, the Objector is concerned that the alternative bridge access to the allotments will be difficult to access for allotment holders, in particular those pushing wheelbarrows and carrying gardening equipment. The Objector also notes that the current Aristotle Lane bridge is unsuitable as a sole point of access due to flooding.

3.34 The Objector notes that previous concerns about the closure of the crossing before an alternative access has been provided have been addressed by Chiltern Railways through an assurance that the level crossing will not be closed before an appropriate replacement is put in place.

3.35 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. This includes improvements to the Aristotle Lane bridge including a raised footpath that will maintain access even in times as flooding as set out in paragraph 4.472 of Stephen Barker's proof of evidence **[CRCL/P/6/A]**. The re-profiled eastern approach ramp to Aristotle Lane bridge would achieve an average gradient of 1 in 17 and on the western approach the resulting ramp gradient would be on average 1 in 15. As such the requirements of the Disability Discrimination Act,

1995 are met and the gradients are within the limits set out in BD29/04 and are considered acceptable for use by users with wheelbarrows.

- 3.36 The position in relation to the mitigation measures is updated in **CRCL/P/12/E**.
- 3.37 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.

4 Conclusion

- 4.1 This rebuttal proof responds comprehensively to the evidence presented by the Objector.
- 4.2 All consultation undertaken has been catalogued in a Statement of Community Consultation [**CD/ 1.5**] and all documents produced by Chiltern Railways is available on the website (www.chiltern-evergreen3.co.uk). Chiltern Railways considers that the consultation undertaken to date has been comprehensive.
- 4.3 The noise assessment methodology, and proposed mitigation, have been undertaken in line with best practice and established industry standards.
- 4.4 The particular concerns raised about noise and vibration mitigation have been addressed. Chiltern Railways has adopted an effective policy for delivery of noise mitigation for Phases 1 and 2 [**CD/1.29**]. Chiltern Railways' evidence is that it would be undesirable and unnecessary to adopt highly restrictive speed limits for trains through North Oxford and Wolvercote.
- 4.5 Chiltern Railways consider that a tunnel in the vicinity of Lakeside is prohibitively expensive and confirm that operation of the proposed Order Scheme would be undertaken following all current safety standards.
- 4.6 The traffic modelling set out in Paul Tregear's Proof of Evidence [**CRCL/P/8/A**] demonstrates that the introduction of the Order Scheme and the associated improvements to the existing Park and Ride access junction at Water Eaton will significantly improve the operation of both the junction and the local A4165 highway corridor as a whole.
- 4.7 As stated in Ian Gilder's proof of evidence [**CRCL/P/12/A**] it is not predicted that pollutant concentrations at residential properties closest to the railway will not experience significant air quality impacts from either rail movements or idling trains.
- 4.8 A number of mitigation measures are proposed to ensure impacts of removing the crossing at Aristotle Lane are minimised. Resurfacing and reprofiling of the bridge will meet the requirements of the Disability Discrimination Act, 1995 and will be suitable for use by wheelbarrow users and the proposed diversion will not result in disproportionate inconvenience to allotment holders in terms of their access to the allotments and it is not considered that this would be a deterrent to their continued use and enjoyment.

Appendix A

CRCL/R/OBJ312

Relevant Correspondence
between Chiltern Railways
and the Objector

27th August 2010

Nicola Blackwood MP
House of Commons
London
SW1A 0AA

Dear Miss Blackwood

Project Evergreen 3

Thank you for your letter of 18th August.

Your constituent raises a number of technical issues regarding the approach we have taken to noise measurement. I have therefore asked our noise specialists (Messrs ERM, Oxford) to prepare a detailed response, which is attached. I trust this meets your constituent's concerns; meanwhile, please be assured that we take the noise impacts of our scheme very seriously, which is why we are proposing to implement mitigation measures such as noise barriers to a much greater extent than is required by statute.

With regard to paragraphs 3 & 4 of Allan Dare's letter, I presume that you mean the sections on "Road traffic surveys" and "Noise in the Lakeside/Wolvercote area". The surveys referred to are now largely complete, and I am arranging for the relevant predictions and data to be sent you under separate cover as soon as they are ready.

I will be away on annual leave from 1st September, but if you need to discuss anything after that date please contact Allan Dare, who will be able to answer any queries or arrange for responses from our technical staff.

Yours sincerely

Adrian Shooter CBE
Chairman

Technical response on issues raised by Nicola Blackwood's constituent

Use of Logarithmic Measures to Describe Noise

Since the use of logarithmic metrics to describe noise has been criticised by your constituent, it is probably helpful to provide some general clarification on the standard metrics that are used to assess noise. Noise is measured and quantified using decibels (dB). This scale is logarithmic, which means that noise levels do not add up or change according to simple linear arithmetic. For example, any two equal noise sources added together give only an increase of 3dB higher than the individual levels (e.g. 60 dB + 60 dB = 63 dB, not 120 dB). This represents what happens in practice when two equal sounds coincide; the ear perceives only a slight increase in noise and not a doubling. This aspect of the decibel scale has been correctly highlighted by the resident who has written to you.

However, if the existing noise was, say, 55 dB and a new noise was introduced which was 60 dB the resultant overall level would be 61 dB which would be a 6 dB increase over the existing noise. Therefore, increases of greater than 3 dB are, reported in environmental noise studies. Within the North Oxford area we have predicted noise changes of up to 12 dB at some locations prior to mitigation, although at most receptors the increase will be much less than this. These increases will be reduced substantially with the extensive noise mitigation that Chiltern Railways propose to implement as part of the Scheme. This mitigation will also reduce noise from existing sources in some locations.

Selection of L_{Aeq} Parameter to Assess Effects of Noise

Detailed surveys have been carried out into people's responses to different sources of noise and these have been used to define which noise metrics provide good relationships with perceived noisiness. PPG 24 (which is the relevant Planning Policy Guidance note issued by the Department for Communities and Local Government) which deals with the assessment of environmental noise from different sources, recommends the use of the metric $L_{Aeq, Period}$ for all types of transportation noise.

It is important to appreciate that whilst L_{Aeq} does give a measure of the accumulated noise over a period of time it is not like a conventional (arithmetic) average. It is in fact a logarithmic average. The effect of this is to give a high weighting to high noise levels even if they are relatively short lived or infrequent peaks.

The difference between arithmetic and logarithmic (L_{Aeq}) averaging can be illustrated by considering the average age of a class of 30 children and their teacher. Suppose the children are 5 years old and the teacher is 40 years old. The arithmetic average age is just 6, whereas the logarithmic (L_{eq}) average is 16. This partly explains why L_{eq} has been found to be a good indicator of the effects of noise that comprise a series of varying signals over a period of time, such as railway noise.

An L_{Aeq} can be calculated over different time periods depending on the characteristics of the noise and how people are exposed to it. If the noise is steady, a relatively short measurement period will be sufficient to characterise it. If it fluctuates randomly or has cyclical elements, then a longer measurement period will be required to obtain a representative sample. Some standards specify a measurement period, but 10 to 15 minutes is often adequate to obtain repeatable results. In terms of train noise for Chiltern Railways, the approach that has been

taken is to identify the noise levels from individual trains and to use these to calculate the noise levels over suitable day and night periods.

Increases in Current Noise Level from the A34 in 1990

The letter from your constituent has stated that the noise levels in North Oxford increased as a result of opening of the A34 in 1990, and it is suggested that taking this as the baseline noise from which noise changes are predicted unreasonably limits the noise change that has been predicted from the Chiltern Railways Scheme in North Oxford. Whilst noise levels may have increased when the A34 opened, this noise environment has now been established for 20 years, and we believe that is appropriate to consider changes in this actual baseline situation as an indicator of the noise impact of the proposed improvements to the railway in North Oxford.

Where noise from road traffic, such as the A34, adds significantly to the noise environment, even if it were practicable to reduce railway noise to negligible levels, the overall reductions in noise in the area would be limited by the road traffic. Chiltern Railways would not be permitted to seek powers to reduce noise from roads that are outside of the Scheme boundary such as the A34, and this would be a matter for the relevant highways authority (the Highways Agency).

Para 2 –Use of Guideline Levels

The guidance levels on which we are basing the mitigation 45 dB $L_{Aeq, day}$ and 55 dB $L_{Aeq, night}$ (outside a building) are based on the WHO guidelines which your constituent has also advocated. It should be noted that the WHO notes that these guidelines are not planning standards, and highlights that particular technological, social, economic and political factors need to be considered when applying guidance to a particular country. These guidance levels are widely adopted as the levels which represent the onset of community noise effects. Therefore, they provide a stringent lower threshold below which impacts may not occur, rather than an appropriate upper limit for noise levels from a new railway.

Although WHO notes that lower guideline levels might be considered for low frequency noise, this is not very relevant to railways. Passenger and freight trains have the same source of primary noise generation, i.e. the rail/wheel interface and neither type of train is expected to be a significant source of low frequency noise.

Your constituent's letter suggests that a guidance level for a single train of 45 dB also applies in the WHO guidelines. Whilst the WHO does refer to a maximum or peak noise level of 45 dB L_{Amax} , this is applied only inside the building. Noise levels outside the building would be approximately 15 dB higher even with partially open windows, giving an external guidance level of 60 dB L_{Amax} . However, as explained above the WHO guidance is not intended to be used as planning guidance, and we have used a standard that we believe to be more relevant in this context in the assessment of train noise in the Environmental Statement. The Environmental Statement states that if maximum pass-by free-field noise regularly exceeds 82 dB, a significant impact is considered to occur, based on guidance on the prevention of sleep disturbance in PPG24, except where ambient maximum noise levels are already above the predicted train noise level.

Confirmation of Statutory Noise Insulation Levels

I note your constituent's comment regarding the apparent ambiguity in the noise levels quoted for Statutory Noise Insulation for a previous ERM report. If you could make us aware of the report in question we would be happy to ask ERM to confirm the reason for any apparent ambiguity. It should be noted that noise levels can be quoted in different ways, and this may account for the difference, but we will be please to confirm this for you.

Post Note from Parliamentary Office of Science and Technology

I note your constituent's reference to the publication from the Parliamentary Office of Science and Technology. Whilst this summary document highlights that noise is a subject that is being seriously considered on a European level and that governments have obligations to create strategic noise maps and generate action plans to focus the need for noise control across Europe, these are not matters which can be addressed by a Scheme promoter. Chiltern Railways has gone beyond statutory provisions for mitigating noise from the Scheme and has taken into account all relevant planning guidance. It has also followed the suggestions for railway mitigation in the publication which is referred to, including the use of Continuously Welded Rail (CWR) and the provision of noise barriers. The line will be laid with CWR throughout, and over 1.5 km of noise barriers will be implemented to minimise noise in North Oxford. Also, the scheme is being promoted through Transport and Works Act, and will thus be subject to planning conditions that will include a requirement for a detailed mitigation study for approval by the relevant authorities before the scheme progresses.

OBJ312/1

Statement of case for Transport and Works Act 1992 Public Inquiry

Nicola Blackwood MP
Member of Parliament for Oxford West and Abingdon
House of Commons
London SW1A 0AA

1 October 2010

General

1. I am the Member of Parliament for Oxford West and Abingdon. The Chiltern Rail proposal being discussed involves Water Eaton Station and a rail line which travels directly through several residential areas of my constituency. I am also a resident of the Waterways development in Summertown.
2. I support the Chiltern Rail proposal in principle, as it has the potential to bring several environmental and economic benefits to the constituency and the region.
3. However, I have received representations from many concerned constituents, contacting me by telephone, e-mail and letter, during surgeries and small community meetings.
4. These constituents, the majority of whom live in the vicinity of the rail line, have stated their properties are already affected by a high level of noise and pollution from the rail line as well as by nearby roads. They are concerned about the potential for a deterioration of their quality of life caused by the impact proposed double track, the increased amount of traffic on the line, and the higher speed of the trains.
5. Constituents have also expressed concerns about the effect the proposal will have on local traffic levels, especially around the A40/A34/M40 interchange, one of the most congested traffic routes in the county.
6. Chiltern Rail has made many good efforts at reaching out to the community to discuss its proposal, including meeting with local councillors, holding public meetings, and responding to my correspondence quickly and comprehensively. I myself have spoken with the Chairman of Chiltern Rail, Adrian Shooter, on the phone, met with Allan Dare and corresponded with them on behalf of a number of constituents over the last few months.
7. However, some residents claim they did not receive the house to house leaflets that formed part of the consultation and others have expressed frustration at the lack of evidence provided for some of the company's claims, either in general publications or correspondence on specific queries.

Noise concerns

8. Constituents are particularly concerned about whether or not these plans will lead to an increase of freight traffic on the line. They tell me they have repeatedly asked Chiltern Rail for an estimate of the effect the expanded line will have on freight traffic, but are told Chiltern Rail is not responsible for the line's freight traffic. This has led to concerns the increase in rail traffic, especially larger freight trains, may be higher than indicated by Chiltern Rail's models. It would be helpful if more efforts were made to model potential best case and worst case scenario models for increased freight traffic and its effect on noise and air pollution.
9. Chiltern Rail has proposed that trains on the line will travel between 75mph to 100mph through residential stretches. Constituents have questioned why trains could not be slowed to 40mph while passing stretches of residential housing, such as in Wolvercote and Summertown. This will, I understand, increase travel times by small amounts but I am informed that other residential areas receive more stringent speed restrictions, including near Oxford Station and on the Bicester Chord line.
10. Residents do not believe Chiltern Rail's assurances that noise levels will not be affected by the proposed expansion. They believe further testing must take place in order for them to be assured the company's figures are not too low.
11. They also note that even if Chiltern Rail's predictions of noise levels were accurate, they may have serious health implications for local residents and schools. Because of these health concerns, they believe every option available should be used to reduce noise levels, including slowing trains and adding sound barriers.

Lakeside residents

12. I have received a particularly high number of representations from Lakeside residents, where track levels are above ground level and some of whom have houses which sit less than 8 metres from the proposed expanded line. Some remember freight traffic travelling the line during the construction of the M40 which caused houses to vibrate and disturbed sleep.
13. These residents are also concerned about the dangers of train derailment because of their proximity to the line, although this is a highly unlikely scenario. But given the catastrophic potential for such an incident residents require reassurance.
14. To mitigate the pollution, noise and danger, Lakeside residents have expressed to me their desire for Chiltern to provide robust costing and analysis of providing a full or half tunnel along this specific stretch of rail line as I believe is common in some European countries.

Traffic Concerns

15. Chiltern Rail's traffic studies have found there will be reductions in traffic in many areas of the region. However, Chiltern Rail found that traffic around Water Eaton station approach junction will increase by significant measures, and the Kidlington roundabout will also see an increase. As mentioned above this area is already one of the most congested in the county and it is important that in providing one transport solution we do not create another problem.
16. The company has proposed remodelling the existing road layout around the Water Eaton station approach to mitigate the increase in traffic. Constituents believe an independent evaluation of these proposals must occur for them to be assured the proposal will function as expected.

Pollution concerns

17. Chiltern Rail states that pollutant concentrations at residential properties near the rail line will not increase significantly. This area already suffers from poor air quality, however, and residents remain concerned that diesel particulates and other pollutants may, in fact, have a negative impact locally.

Aristotle Lane Allotments

18. I have also been contacted by the Trap Ground Allotment Association concerning access to the Trap Group Allotments and the level crossing at Aristotle Lane, Oxford.
19. At the moment the allotments are accessed either via a level crossing or via a long bridge which accesses the allotments in a corner which is frequently flooded in winter. This flooding makes the bridge unsuitable as a sole point of access.
20. There has been some concern on the part of allotment owners that the level crossing would be closed before an alternative was in place and that, therefore, if that coincided with flooding allotment owners would be unable to access the site for an indefinite period.
21. After discussing this with Chiltern Rail, I have been assured that the level crossing will not be closed before an appropriate replacement has been constructed and is operational.
22. Allotment owners were also concerned about the difficulties of providing an alternative bridge that will be accessible enough for owners to push wheelbarrows and gardening equipment across.

23. The Trap Ground Allotments are a valuable community resource in an area where many properties have been converted into flats or are without gardens. I would not like to think that Chiltern Rail's plans would make it more difficult for local residents to access the allotments.

Conclusion

24. Constituents understand and accept that the effects of this proposal on their quality of life cannot be entirely mitigated. However, it would be helpful if Chiltern Rail could provide more robust and independent data on how this proposal will affect traffic, noise and air pollution. While some quality of life impacts are inevitable with the proposal, and some of those may be acceptable in return for major transport improvements, this proposal will have a significant effect on the quality of life of residents of North Oxford for decades to come and it is reasonable to expect that everything possible will be done to mitigate that impact for current and future generations.

Chiltern Railways

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Nicola Blackwood, MP
House of Commons
London SW1A 0AA

20th October 2010

ENC: Chiltern Railways Noise & Vibration Mitigation Policy

Dear Nicola

Chiltern Railways' new route to Oxford

At our meeting in July I mentioned that we were preparing an overall noise policy statement, and undertook to send you a copy. The work has taken somewhat longer than anticipated, but I am now pleased to be able to fulfil that promise. We are also sending copies of the policy to all households and individuals who have submitted objections to our scheme.

As you will see, we are committing to deliver noise insulation wherever this is required by statute. We are also committing to undertake noise mitigation measures (such as noise barriers and/or prevention of noise "at-source" through track design) at many other locations, even where this is not legally required. This high standard of mitigation is comparable with other British rail schemes, and reflects our desire to be a good neighbour.

The policy document is of course generic, and we will be following it up with individual letters to those householders living near the line who have objected to the scheme or have otherwise contacted us. These will set out the mitigation measures that we are proposing for their location, and the predicted change in noise levels that will occur once the mitigation is in place and the trains are running. The barriers, etc. will of course also cut out existing noise as well as that resulting from the increased train service, and in many cases the actual noise levels that will be experienced by your constituents will be little, if any, greater than now. We hope to send out these letters by next Tuesday, 26th October.

I trust that the policy document is of interest; please contact me if you need any further information.

Yours sincerely

Allan Dare
Strategic Development Manager