

DEPARTMENT FOR TRANSPORT 2010
Transport and Works Act 1992
Transport and Works (Applications and Objections Procedure)
(England and Wales) Rules 2006
Chiltern Railways TWA Application 2010 to the Secretary of State

STATEMENT OF CASE

The proposed project should not go ahead for the following reasons:

1. The process is unfair;
2. The environmental impacts of the scheme have not been properly assessed and the proposed mitigation is inadequate; and
3. The project is not supported by the business case.

1. Process

Chiltern Railways has made various representations which give the impression that this project will go ahead regardless of objections. The relative strengths of the parties in this process are unequal; residents cannot afford their own experts, do not have the same resources as Chiltern Railways and are intimidated at the thought of having to stand up and speak against trained professionals. The volumes of TWA documents are littered with mistakes and misleading information giving the impression that they are produced purely for appearance rather than content. The TWA documents refer to other documents that are inaccessible and include many unsupported statements and conclusions. Guidelines are used as rigid rules when it benefits Chiltern Railways. Like pixels on a computer screen, each error in isolation has little significance; however, taken together, a clear picture of complacency emerges.

Chiltern Railways was informed that residents in Blenheim Drive, Bladon Close, Woodstock Road, Carey Close and Lakeside had not been directly informed about the project in time to attend the public exhibitions but it organised no further public exhibition¹. The meeting in Wolvercote on 25 March this year was organised by residents and not Chiltern Railways and it was the first opportunity for many people to hear about the project.

Chiltern Railways asserted at the meeting in Wolvercote that an 1846 Act of Parliament gives it the power to do whatever it likes with the Bicester branch line. When I requested a copy of this Act, ERM, Chiltern Railways' consultants, would not provide it².

(1) I spoke to residents on these roads and no-one had received any information from Chiltern Railways. I also sent a letter, 24 April 2009, to Chiltern Railways signed by all the residents (except one or two who were not in residence at the time) who live next to the railway line along Lakeside.

(2) E-mail from ERM, 30 March 2010 (direct cut-and-paste from the e-mail):

"The Acts referred to are The Oxford and Bletchley Junction Railway Act, 1846 (9 & 10 Vic. Cap. lxxxii) and The Buckinghamshire Railway Act, 1847 (10 & 11 Vic. Cap. ccxxvi). These in turn refer of the Railway Clauses Consolidation Act, 1845.

These acts do not form part of the TWA documentation, as the TWA addresses our proposals and the relevant supporting acts for these rather than what Chiltern already has powers to undertake. For this reason we do not have copies of the act available."

Chiltern Railways is already asserting its rights over a railway line that it neither owns nor along which it operates any trains.

5 The TWA documents cost many hundreds of pounds to purchase and are no longer on public display. They now need to be viewed on a computer or printed. The A2 and A0 maps and plans are difficult to view as my screen and printer are approximately A4 size. Whilst I was sent, on request, a CD with the TWA document files on it, I was not told that a further document was available; this is document 19 Addendum to the Environmental Statement which is protected and will not print from my computer. This document also contains a table, D1, which gives the existing situation for train services. This table 10 shows a non-existent passenger train between midnight and 1am³. On Mondays to Thursdays the last trains run between 9pm and 10pm yet this table, supposedly an accurate reflection of the current situation, also shows a train between 11pm and midnight. This train runs only on Friday.

15 We should not have to check every detail to make sure that an accurate and fair picture is presented. Who is going to do this on behalf of residents worse affected by the scheme?

20 There are many incorrect statements. Chiltern Railways says that the current line speed on the Bicester branch line that runs along Lakeside is 40mph⁴ but Network Rail has confirmed that the line speed is still 30mph.⁵

25 The Environmental Statement uses *draft guideline* noise impact thresholds which give the value as the average noise LAeq for the day from 07.00 to 23.00 and night 23.00 to 07.00. The noise insulation trigger levels assume the day is from 06.00 to 00.00 and the night from 00.00 to 06.00. It is confusing to keep interchanging between noise levels which use different definitions of day and night hours.⁶ Surely if the noise impact threshold figures are merely *draft guidelines*, the values can be converted to the same time scale as the statutory figures to make the numbers easier to compare. If there is some advantage to using a different time scale, it should be stated. Guidelines are meant to provide merely guidance, and each situation should be considered on its own merits. It appears that over time these *draft guidelines* 30 have been allowed to become rules because they are presented as a statement of fact and continue to use a different definition of daytime and night-time to the statutory levels.

Sometimes the figures in the tables make no sense or have been copied incorrectly. Table 6.12⁷ provides a good example. It is extremely confusing. Who are these figures for? If residents are not meant to make sense of them, who should check that the correct calculations are being made? Who 35 really protects our interests and ensures that the process is being conducted in a fair and even-handed manner?

2. Environmental Impacts

40 The current method for assessing environmental impacts is inherently unfair, biased against the general public, based on *draft guidelines*, out of date and has blatant disregard for public health.

Noise Pollution

45 The impact of a new scheme is assessed on the difference between the predicted noise level with the new scheme in operation against the existing background environment. Therefore, if the existing background environment is noisy, the impact will be much less than when compared against a quiet background environment. This means that noisy areas will get noisier. Existing noise sources appear to

(3) Bicester Link timetable, <http://www.bicesterlink.info/times.htm>

(4) Environmental Statement, volume 2, page 8-65

(5) E-mail from Network Rail 19 July 2010. "I am writing to inform you that I have raised your query with our Signalling Schemes Specialist who has confirmed that the current line speed is 30mph. In addition, there are currently no temporary speed restrictions in place on this line."

(6) Environmental Statement, volume 2, part 6, Table 6.13 and Table 6.14.

(7) Environmental Statement, volume 2, part 6

lessen the duty of care that has to be shown to an area. Unless something is done about this now, all transport schemes will continue to be vigorously opposed by residents who are not taken in by developers' comforting assurances; they will have seen what happens in other developments⁸ and how difficult it is to rectify problems once the scheme is operational. Too much money will continue to be spent dealing with objections that could be better spent on noise mitigation⁹. If a fairer system was instigated, there would be less resistance and hopefully an easier, fairer and quicker approval process.¹⁰

The method for assessing the noise impact of the scheme is based on *draft guidelines* from the Institute of Environmental Management and Assessment (IEMA)¹¹. Using these *draft guidelines*, the levels at which environmental noise is considered to start being an annoyance to the general public are:

- Daytime 55dB, and
- Night-time 45dB.

The World Health Organisation (WHO)¹² has published guideline levels which pre-date by three years the levels used by the IEMA. The figures are the same except that WHO uses them as the **maximum recommended community noise levels**. Above these levels, noise starts to have a negative impact on health. WHO recommends that noise should be kept below these threshold levels to avoid damaging health and the threshold levels should be lower if low frequency noise and/or vibration is also present. Why do these levels continue to be ignored by the IEMA and anyone who uses the IEMA *draft guideline* levels? I have been told by the IEMA that it is "going to publish a revised set of guidelines on the environmental assessment of road traffic"¹³ but these guidelines are only going to be available to members of the IEMA and the date of publication is not yet known. The effect of noise on health is now well known and well documented.¹⁴ To carry on using the IEMA *draft guideline* levels in the face of this evidence is nothing short of disgraceful. If any proposed scheme has predicted noise levels that are above the WHO levels, then mitigation should be used that bring down the levels.

The current approach is that if the background level is already high then any new noise source will just blend in and no-one will notice. To be allowed to do this makes the assessment biased and unfair. On this basis, if a development is being planned, that when operational will have high noise levels, a developer knows to position it next to an existing loud noise source. The new source is then not judged on its own merits but is compared against the existing background noise. Parking your dirty car next to an even dirtier one does not make your car any cleaner. If the new noise source is considered on its own merits only, noise mitigation would be a fundamental issue regardless of the existing environment. Why should a developer's duty of care over noise pollution be reduced if an area is already blighted? Everyone should have a basic human right to a relatively peaceful environment. It is not a right that should be stamped on by a transport scheme over which residents have no choice even if the transport scheme is in the wider public interest. The result of this should not remove residents' rights to noise mitigation when the next transport scheme comes along. If anything, such an area should be carefully protected to make sure that it does not get even noisier. The background level should only be considered when the predicted noise level under the new scheme would raise the background noise level to above the WHO maximum noise levels. Chiltern Railways uses the IEMA *draft guideline* levels as the starting line and then applies various calculations in the hope that the end noise level (existing

(8) At the Public Inquiry for the A34, planners said that the noise of traffic would not be more than 60dB but noise levels were as high as 78 dB. Residents had to take their case to the European Parliament to get the road resurfaced.

<http://www.timesonline.co.uk/tol/news/uk/article848874.ecc>

(9) *Do public inquiries for noise control serve a useful purpose? - an acoustics consultant's point of view*, I H Flindell.

[http://www.noisecandhealth.org/article.asp?issn=1463-](http://www.noisecandhealth.org/article.asp?issn=1463-1741;year=2003;volume=5;issue=18;spage=31;epage=38;auiast=Flindell;type=0)

[1741;year=2003;volume=5;issue=18;spage=31;epage=38;auiast=Flindell;type=0](http://www.noisecandhealth.org/article.asp?issn=1463-1741;year=2003;volume=5;issue=18;spage=31;epage=38;auiast=Flindell;type=0)

(10) The idea being that if the system is fairer, developers would have to be more careful about the long term effects and this would hopefully deter the unscrupulous.

(11) Institute of Environmental Management and Assessment and Institute of Acoustics (April 2002) Guidelines for Noise Impact Assessment, consultation draft.

(12) <http://www.who.int/docstore/peh/noise/guidelines2.html>. WHO Guidelines for Community Noise 1999.

(13) E-mail from IEMA, 20 July 2010

(14) *Environmental Noise*, Parliamentary Office of Science and Technology, July 2009, Number 338.

background and predicted new noise) does not fall above the statutory levels at which they have to provide noise mitigation. Chiltern Railways is starting from levels above which, by WHO's definition, health is adversely affected. This is immoral and now that the health consequences of our increasingly noisy environment are known, as with smoking, something positive should be done about it. Just because developers got away with this approach in the past should not mean that this bad practice should continue.

Europe

The European Centre for Environment and Health has published Night Noise Guidelines for Europe¹⁵. This paper contains a detailed analysis of the detrimental health effects of night-time noise and suggests interim measures to bring noise levels down. The interim measures should only be considered as an intermediate target which means that noise levels will have to be reduced further. It is likely that the tax payer will have to foot the bill for reducing these noise levels further. However, should the tax payer be expected to pay the cost of reducing noise levels in areas where the levels should not have been allowed to increase in the first place? The noise levels in residential areas next to the proposed mainline are already high due to road traffic noise. For the past few decades the trains along the single track Bicester branch line have been infrequent and slow. It goes against everything that the European Commission and WHO are trying to achieve to allow Chiltern Railways to actually **increase** the noise levels further above WHO maximum levels. To endorse even a 1dB increase is irresponsible, reckless and against the public interest.

Noise mitigation

It is well known and documented that noise mitigation is most effective at the source of the noise¹⁶. This can be achieved by using quieter engines, infrastructure, braking systems, etc. Noise barriers are most effective next to the source of the noise, that is next to the track and not on the boundary between residents' gardens and Network Rail land. Reducing the environmental noise should be prioritised over extra operating costs incurred, for example, by providing noise barriers next to the track. There should be no excuses. This should form part of the business plan as the railway could be in place for decades. We know that noise has become a sensitive issue. We know that we will have to reduce noise levels to below WHO **maximum guidelines**, which will be lower where low frequency noise and/or vibration are also present. Do we take the initiative now or be forced to take more expensive retrospective measures in the foreseeable future? Profits of a company, particularly a foreign state-owned company, should not be given higher priority than the health of the UK public. If the scheme becomes less attractive as a result then either the wrong operator is in place or the scheme should not go ahead.

Maximum noise levels

The passing of a train is an intermittent noise event. This means the maximum noise that is perceived as it passes by is important. WHO recommends that for a good night's sleep, the noise average levels inside a bedroom should not exceed 30dB and that any single noise event should not exceed 45dB. These levels should be lower if low frequency noise and/or vibration is also present¹².

Decibels use a logarithmic scale as this is how the ear perceives sound. The addition of two noise sources with decibel levels dB(1) and dB(2) is calculated with the following formula:

$$dB(1) + dB(2) = 10 \log [10^{dB(1)/10} + 10^{dB(2)/10}]$$

(15) 2007. http://www.euro.who.int/_data/assets/pdf_file/0017/43316/E92845.pdf

(16) *Railways: noise and vibration issues*, Paul Eade, Noise Notes, vol. 1, no. 2, page 3

The maximum number of dB to be added to the louder of the two noise sources (X dB) will be when the two sources are the same:

$$\text{dB}(1+2) = 10 \log [2 \times 10^X] = 10 \log 2 + 10 \log 10^X = 3.01 + X$$

Therefore, 3dB is added to whatever X was in the first place. A 3dB increase equates to a doubling of the sound power which we can only just perceive. Human hearing is subjective so an A-weighted filter is used which approximates the sound signal in the different frequency areas according to the sensitivity of the hearing mechanism. However this is only accurate at low levels, less than 40 dB, as above this level the A-weighted filter cuts out too many low frequencies¹⁷.

If the two noise sources differ by more than 10dB the noise is dominated by the louder noise source. Therefore regardless of whether you live next to a very loud road (75dB) or in the country (45dB) an 85dB train will dominate:

$$\text{Next to loud road} = 10 \log [10^{85/10} + 10^{75/10}] = 85.4\text{dB}$$

$$\text{In the country} = 10 \log [10^{85/10} + 10^{45/10}] = 85.0004\text{dB}$$

Even if you live in an area that is very noisy, you will hear a passing train as loudly as if you were in a quiet cottage in the country.

Low frequency noise

Low frequency sound and solid vibration disturb us physically and not just through our ears. There is no evidence to suggest that our bodies perceive these low frequency vibrations logarithmically which is probably why vibration, even at relatively low levels, affects our sleep more easily. The A-weighted scale, used to measure noise levels, pretty much eliminates low frequency noise¹⁸ from the measured level. Low frequency noise can be more noticeable inside than outside as the insulating effect of buildings increases with sound frequency¹⁹. Low frequency sound, 'infrasound', also travels further which means that more people are affected by the noise.

Freight trains produce both low frequency noise and vibration. The freight trains and the proposed faster passenger trains have maximum noise levels, measured by the A-weighted scale, close to and often exceeding 80dB which means that the real noise level will be significantly higher. Double glazing and the noise barriers that Chiltern Railways has proposed, at this stage along the railway boundary, will not bring the maximum noise level of the trains down sufficiently. Noise barriers next to the track (within 3m) must be considered and if these do not bring the maximum level down to below 45dB, then the track must be enclosed in a tunnel. Again, the health of residents, school children and workers in the area should not be compromised in order to maximise a company's profits.

Intermittent noise

As previously commented, the passing of a train is an intermittent noise event. These are moving noise sources, such as a passing low-flying jet plane, which from a fixed point appear to generate noise which increases and decreases rapidly in volume. As an analogy, if you held a dinner party at which your guests produced a steady 60dB noise, their conversations, concentration and mood would be interrupted if someone loud, for example, Brian Blessed, entered the room every 10 to 15 minutes (Phase 1) or every 5 minutes (Phase 2) and declaimed at 80dB. This is how Chiltern Railways expects us to live the rest of our lives day and night.

(17) <http://www.sengpielaudio.com/calculator-levelchange.htm>

(18) http://www.ukna.org.uk/index_files/page0010.htm. *Tackling Low Frequency Noise*, 2003, Hazel Guest

(19) <http://www.environmental-protection.org.uk/noise/environmental-noise/low-frequency-noise/>. Low frequency noise. Environmental Protection UK

Next time you are in the cinema or at a concert, don't get annoyed with the people chatting next to you as it has been determined by "experts" that you cannot possibly be disturbed by them. After all, any noise of -10dB compared to the film, by their definition, provides an essentially imperceptible increment to dB level. Ludicrous.

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Airports

If the maximum noise levels of trains are allowed to be massaged away by using averaged figures then Oxford, Bicester and the intermediate residential areas and other areas subjected to similar rail projects will have inflicted upon them loud disturbing sound events similar to those endured by residents near airports. Flight paths are varied so as to give limited respite but with a railway line this is not possible. It is in the public interest that the impact on public health is given serious consideration now and the attitude to assessing noise levels changed accordingly.

15 *Switches*

"Properties which lie in close proximity to switches or crossings may receive higher levels of vibration as a result of discontinuities in the track."²⁰

20 The exact locations of switches have not yet been revealed so will not have been included in the predicted impacts of the scheme. If, as is likely, switches are located near residential dwellings and noise levels will be even higher, sleep disturbance will increase.

Air pollution

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Most areas within Oxford are within Air Quality Management Areas (AQMA) which means that the levels of air pollution are already at or near undesirable levels. It is not hard to find this information²¹. Wolvercote roundabout is within an AQMA. If Water Eaton Parkway is a success there will inevitably be more traffic, from cars using the extra 850 parking spaces, and more buses serving central Oxford and the John Radcliffe hospital. If the traffic is congested around the Parkway it is probable, human nature being what it is, that some traffic will divert to the already heavily congested Peartree roundabout and then onto Wolvercote roundabout. Pollution levels will rise. **This needs to be given careful consideration.** Basing air quality on an assumption that people will switch from driving their car between Oxford and Bicester to using the train because the train time has been reduced is to make an irresponsible assumption. Enhancing the existing service has not had this effect (this is discussed later on page 8). The time saved is insufficient to be attractive to Bicester-Oxford commuters as the shorter train journey will be lost easily by the time it takes these commuters to get to the station. People prefer the comfort and practicality of their own cars. Expecting people to drive to a station, take a train for 15 minutes and then walk or take a bus to work, when they could just drive to a car park and then walk or take a bus, is unrealistic and shows a fundamental lack of insight into human nature.

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3. Business Case

This project is being presented as an alternative passenger service to London. Chiltern Railways is keen to emphasize that it does not operate freight trains. But, Chiltern Railways is owned by Deutsche Bahn. Deutsche Bahn owns English, Welsh and Scottish Railways (EWS) which runs freight trains along the Bicester to Oxford branch line. I think that whether or not Phase 2 EastWest Rail proceeds the numbers of freight trains will be increased regardless of what is written in the Environmental Statement. The key objectives of the project include:²²

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(20) Environmental Statement, volume 2, page 6-42

(21) <http://consultation.oxford.gov.uk/consult.ti/AQMA> Consultation/consultationHome

(22) Environmental Statement, volume 1, 2.1.3

To increase rail capacity on the Oxford-Reading-London corridor

5 “By providing an additional and alternative route to Oxford the Chiltern proposals will add extra capacity in this corridor. This will benefit both passengers between Oxford and London, and the substantial freight business from the Midlands via Oxford to the Solent ports.”

The new passenger service does not use the Great Western mainline. Therefore, the only way rail capacity can increase on this line is by attracting passengers away from the existing London Paddington service to such an extent that the London Paddington service is reduced or stopped altogether.

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Presumably the freight business from the Midlands via Oxford to the Solent ports is already running. Freight trains could be diverted north of Oxford along the Bicester branch line to free up capacity on the Great Western mainline north of Oxford. If this is the intention, this should be stated explicitly.

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To provide improved access to the rail network for Oxford and north Oxfordshire

20 The initial idea for Kidlington’s railway station, which I was told about in 1994 when I moved there, was a platform on the Great Western mainline which runs next to a large residential estate. Such a platform would have been within easy walking distance of a significant proportion of Kidlington’s residents. The fact that more than 15 years later, the platform has still not been installed indicates that a clear business case for it has not been made.

25 Water Eaton Parkway is not in an area that is within easy walking distance for the majority of Kidlington’s residents because the Sainsbury’s/Kidlington roundabout, the A34 and some greenbelt land separates it from Kidlington. The site is located in a known traffic black spot. Chiltern Railways has proposed 850 parking spaces and only 100 bicycle spaces which implies that they expect more than eight times as many people to drive to the station than cycle. If the station is not within easy cycling distance, then it is not within easy walking distance either. This means that the majority of users of the Parkway wanting to catch a train to London will drive which will dramatically increase the numbers of cars on the roads in this area. The proposed change in the junction will make little impact on easing the existing traffic problems as one of the current two junctions is unused (the businesses that used to operate there closed). CPRE, Oxfordshire County Council, Kidlington residents and other groups are concerned about increased traffic in an area that is already heavily congested. I support their concerns and will not repeat their arguments against Water Eaton Parkway here.

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Chiltern Railways, at the meeting in Wolvercote this year, told residents that the project is not dependent on building a station at Water Eaton so attracting commuters to this new station is, by this admission, not integral to its business case.

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To provide a sustainable alternative to the car, particularly for commuting journeys into Oxford

45 Based on the number of people who commute between Oxford and Bicester and between Oxford and London, the number of people that use the train is “low by comparison with similar-corridors elsewhere”²³. Many London commuters currently use the Thornhill Park & Ride to the east of Oxford as a London Park & Ride and take the excellent, frequent and affordable coach service which provides a comfortable, direct service straight into central London. A new station at Water Eaton will make little difference to those commuters. If a station had been put on the M40 Junction 8 as considered in the proposal for a southern corridor²⁴, then this would have provided a very attractive service.

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Many London commuters already use the Chiltern line. I lived for ten years in Kidlington and regularly commuted to London. It was easier for me to drive 15 minutes to Bicester North than it was to get to Oxford Station. It makes little sense to drive to Water Eaton Parkway and essentially be increasing the

(23) Environmental Statement, volume 1, page 2-2

(24) Environmental Statement, volume 4, part 1, Annex C, Figure C1

journey length and time when I could still drive to Bicester. Many people also drive to Haddenham and Thame Parkway as this is even nearer to London. It makes sense to drive to the station that will provide the overall quickest commuting time. Cars are comfortable, we are in control, we can listen to the radio and we can choose who to sit next to. As such, time spent in the car is seen as a luxury compared with having to sit next to strangers on a crowded train.

The timetable that came into force in May 2009, for trains between Bicester and Oxford, introduced more passenger trains but completely failed to attract enough passengers onto the train to have any impact on the number of people who continue to use their cars on the A34. The peak time total numbers of passengers over three days²⁵ was between 145 and 158. Recent figures²⁶ show that in the year 2009-2010 there were 105,329 passenger journeys made on the Bicester to Oxford line (and this presumably includes the launch weekend when travel was free and the trains appeared full for the first and only time). The current service takes 26 minutes and there are 22 trains per day Monday to Thursday, 24 trains on Friday, 26 trains on Saturday and 18 trains on Sunday. For every two-carriage diesel train there are on average 13 passengers on board. A cynic might suspect that if it were not for the proposed Evergreen 3 scheme, the enhanced service would not have been introduced. It is shameful that Oxfordshire County Council money is being used to prop up a train service for the benefit of a handful of passengers.

To extend the use of an environmentally friendly and safe form of transport

The current Bicester to Oxford passenger service is not environmentally friendly. The Varsity line was closed in 1967 because it was uneconomic due to competition from cars and lorries. The way we shop, buy goods and work²⁷ is rapidly changing. Chiltern Railways does not appear to have grasped this. Nor have they considered that often there is more than one person in each car. It is more environmentally friendly to keep a car in a garage and only drive it when necessary than to run empty trains. Chiltern Railways asserts that rail "also has an excellent safety record". How is this assessed? Mile for mile, the space shuttle is probably the safest way to travel and walking is the least safe. However, as with normal air travel, if there is an accident with trains, there is the potential for many more fatalities than with a car due to passenger numbers, speed and weight. Where the railway line runs high speed trains through residential areas, will the proposed security fencing and/or noise barriers keep children safe in adjoining gardens in the event of a derailment?

Further considerations

Why does Chiltern Railways consider the current London Paddington service to be inadequate? Granted, there is a short-term need for an alternative route during the Reading Station upgrade, track changes at Reading and electrification of the Great Western mainline. This short-term need does not justify the long-term debt that Network Rail will incur in financing the project.

It is a profligate waste of dwindling natural resources to run diesel trains on a longer new route when a shorter, faster route already exists.

The current London Paddington line is itself being upgraded to relieve known bottlenecks at Reading.²⁸ Are these upgrades going to benefit Oxford to London Paddington commuters? If by providing an alternative route to London, Oxford commuters will not reap the benefits of the upgraded Great

(25) Table 11.10 Environmental Statement, volume 2, page 11-17. This table provides the passenger numbers after the launch and advertising campaign of the new Bicester Link service.

(26) *Bicester rail improvements boost passenger numbers*, June 24, 2010, Oxfordshire County Council's website.

(27) Workplace surveys have shown that if people have a commute of one hour or more, they want flexible working which includes a compressed working week and working from home. <http://www.flexibility.co.uk/flexwork/general/commuters-leave-jobs.htm>

(28) Two new high speed lines and platforms, the freight from the solent ports will no longer have to cross the Great Western mainline.

Western mainline then they should be provided with the opportunity to properly consider the impacts of the London Marylebone route on their daily lives.

There appears to be no real advantage to enter London at Marylebone rather than at Paddington. There will, however, be an advantage and desire to enter London at Paddington when Crossrail is completed. From 2017²⁹, Crossrail will provide a frequent service that connects Maidenhead and Heathrow to the east; in particular it will connect Paddington with the West End, the City and Canary Wharf. This will dramatically reduce many people's commuting times; that is, if they can still catch a fast, direct, train service from Oxford to London Paddington.

Some London commuters from the south and east of Oxford already drive along the A34 to Didcot as the train service is both frequent and faster than from Oxford. Regardless of Chiltern Railways' new alternative route, it is inconceivable that these commuters will then choose to drive to Oxford or further to Water Eaton Parkway in preference to Didcot. Once Crossrail is complete, this is even less likely if the train service from Oxford to London Paddington has been reduced in any way.

The new service is not going to change the habits of local users³⁰ of the Bicester Retail Park. Shoppers who currently use their cars will continue to do so. People prefer to load shopping into their cars rather than have to transport it by train. People living near Oxford Station are unlikely to take the train to Water Eaton Parkway to do their weekly food shopping at the Kidlington Sainsbury's for similar reasons.

Conclusions

Over the course of the last century, transport infrastructure, mainly for road vehicles and air travel, has been allowed to expand in the public interest. Until recently the side effects of air and noise pollution had not been fully appreciated. Now that we are aware of the impact on our health, we should make every effort to do something about it. It is not just about the health of the existing public but the health impacts and learning abilities of our next and future generations. At the Public Inquiry in November this year, we have a unique opportunity to halt the current trend and ensure that any new projects and upgrades are installed to a new high standard and in line with current European proposals. We know the health risks. We have the technology to stop noise and air pollution at or near the source. We know we will have to conform to WHO maximum noise levels at some point in the foreseeable future. We know that if we do not stop new schemes³¹ adding noise and air pollution to our environment we are just deferring the cost of measures to reduce noise and air pollution. We also know that companies are not altruistic when there is a profit to be made. If a company cannot introduce a scheme without having a negative impact on our environment because it would be too expensive, it should not go ahead. Chiltern Railways should embrace the opportunity to lead the rail industry in a positive direction. Please consider:

- allowing the scheme to proceed only if the train noise impacts, with proven effective mitigation, are within the maximum WHO guidelines taking into account low frequency noise, vibration and maximum noise levels of faster trains,
- granting permission for only Phase 1 so that the real noise impacts of fast trains and the effectiveness of the mitigation can be assessed after the line has been operational for one year,
- imposing a ban on night-time freight trains, and
- limiting the number and speed of passenger and freight trains to the values upon which noise impacts and mitigation have been assessed.

(29) <http://www.crossrail.co.uk/>

(30) Such as those from Oxford, Kidlington, Islip, etc.

(31) This includes enhancements/improvements that will add to existing noise and air pollution levels.