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TWA ORDERS UNIT

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y/r TWA/10/APP/01/OBJ/293

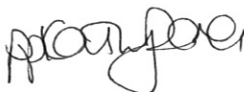
10<sup>th</sup> March 2010

**Transport and Works Act 1992 ( TWA ) : Application for the proposed Chiltern Railways  
( Bicester to Oxford Improvement ) Order**

Dear Madame

Further to the above please find attached the statement of case in respect of the Chiltern inquiry  
by the deadline of 6<sup>th</sup> August as requested

Yours Faithfully



David Bryett  
Head of Property Management

**Transport and Works Act 1992 – Application for Proposed Chiltern Railway  
(Bicester to Oxford Improvements) Order in respect of Plots 22012, 23018 and  
23025 (“the Application”)**

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**Statement of Case**

DB Schenker Rail (UK) Ltd (“DB Schenker”) in a letter dated 17<sup>th</sup> February 2010 objected to the Application specifically in relation to the new station proposed at Water Eaton.

DB Schenker holds a 125 year lease of the property at a peppercorn rental from Network Rail dated 27<sup>th</sup> March 2008. In the interim DB Schenker has granted an underlease to Hanson Quarry Products Europe Ltd (“Hanson”) dated 27<sup>th</sup> March 2008, for a term of 20 years (from 31<sup>st</sup> October 2005) initially at £33,709 per annum for a demise of c. 2 hectares.

I attach Plan No. 44129 which shows the extent of the demise at a location known locally as “Oxford Banbury Road”, comprising c. 2 hectares. This lease is as a rail served depot for aggregates brought to the site by rail, with supplies generally arising from the Mendips. The materials are used in the locality for construction related activities sold on the open market.

This is regular business and an important strategic location for rail supplies in the area, both for DB Schenker and Hanson. Both DB Schenker and Hanson have objected to the subject the Application.

**Application**

The Application itself includes within it a proposal for a new station at Water Eaton, which links up with the park and ride facilities which already exist at this location. This scheme will link the park and ride facility with the proposed improved railway by Chiltern Railways Ltd subject to the Application.

**Objection**

The objection relates to the loss of an existing rail freight facility which is valuable in the area and part of the minerals plan for this locality. As an existing active rail freight facility, this is a scarce resource as to connect new sites with signalling is a very expensive operation with costs likely to exceed £3.5 million assuming resources are available for design. DB Schenker and Hanson wish to safeguard this facility going forward. This facility carried 40,000 tonnes of rail transported materials in 2009. with 32 trains averaging 1250 tonnes per train. This figure was projected to be higher with tonnage over 50,000 tonnes anticipated but reduced due to the effects of the recession.

**Negotiation with Chiltern Railways**

It is the intention of both DB Schenker and Hanson to reach agreement with Chiltern Railway Ltd regarding a replacement facility at the site. The DB Schenker and

Hanson would agree to move to a new location at Water Eaton with a new connection on a site to be acquired by Chiltern Railways Ltd alongside the existing park and ride facilities. The location is shown approximately on plan AL821 (attached). This will have a new dedicated road access suitable for HGV access, be rail connected and of a comparable size to the existing facility. Chiltern Railways Ltd will need to obtain an interest in the site and construct road and rail access leaving a suitable surfaced site to allow the rail operation to continue from the new site. It is important that the new rail facility is ready for operations prior to the existing facility being surrendered.

It is the intention [of DB Schenker and Hanson] to attempt to enter into a legal agreement with Chiltern Railways Ltd in order to hopefully facilitate the withdrawal of the objection prior to the inquiry, which is due to commence on Tuesday, 2<sup>nd</sup> November 2010.

David Bryett  
Head of Property Management  
DB Schenker Rail (UK) Ltd  
5<sup>th</sup> August 2010