

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

CHILTERN RAILWAYS' REBUTTAL PROOF OF EVIDENCE

IN RELATION TO THE OBJECTION AND EVIDENCE OF

IAN EAST

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 Ian East.
- 1.2 In particular, Ian East has raised points in his written representation 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 Ian East and referred to above. 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 Objector" means Ian East;

"the Objector's evidence" means the written representation of Ian East;

"the Order" means the application for the proposed Order submitted on 6 January 2010 and the Proposed Modification dated 9

application” 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

Context

- 3.1 The Objector lives at 57 Kidlington Road, Islip and the objection covers the proposed bridge at Mill Lane, Islip.

Level of Support for a Subway at Mill Lane, Islip, Ian Gilder

- 3.2 The Objector calls into question the support for a subway at Mill Lane as cited in the evidence of Islip Parish Council in its objection [OBJ/294/1]. The Objector states that he is unaware of support for the subway from regular users of Mill Lane, who live in Kidlington Road. Conversely, the Objector states that he is aware of strong opposition to a subway from individuals who had not been consulted in the Islip Parish Council’s survey. The Objector concludes that the Parish Council’s survey was ‘selective’ and ‘possibly conducted persuasively’.

- 3.3 The Objector states that the case of a subway has been ‘pursued with exceptional vigour by a small handful of loud individuals’ concerned with their own individual concerns rather than public amenity and conservation issues. The Objector calls upon the Inquiry to respect the professional assessment made by Chiltern Railways’ consultants in support of a bridge.

- 3.4 Paragraph 3.27 of **CRCL/R/OBJ294** notes that the survey appended to Islip Parish Council’s evidence (Appendix F) cites support for a subway from 94.5% of the people surveyed. The number of people who support the subway only represent 37% of residents of Islip Parish, based on the 2001 Census population.

- 3.5 The Objector submitted a petition on 20 July 2010 of 156 signatories supporting a footbridge over Mill Lane (Appendix F to **CRCL/R/OBJ294**). Based on the 2001 population, this represents support of 25% of residents in the Parish for a bridge solution. Chiltern Railways view is that opinion is divided and is certainly not as overwhelming as the percentages quoted by the Parish Council implies.

Concerns Regarding Alternative Subway Proposal by Islip Parish Council and Other Islip Residents, Ian Gilder

- 3.6 The Objector states that he has real concerns with a subway in this location as it will flood when it rains, will act as a sink for leaves and rubbish at will attract petty crime and drug use. The Objector raises questions regarding who would be responsible for maintenance. The Objector cites first hand evidence of drug related detritus along Mill Lane.

- 3.7 The Objector states that Network Rail does not have a good track record regarding maintenance for such structures and questions whether Islip Parish Council, who is

promoting the subway option, will commit to being responsible for its maintenance in perpetuity.

- 3.8 The Objector states that a subway, together with its retaining walls, bollards and other associated features will result in the urbanisation of Islip, leading to a creeping blight.
- 3.9 For reasons set out in Islip Mill Lane Level Crossing Replacement Alternatives Report [Appendix IMG19 in **CRCL/P/12/B**] Chiltern Railways does not support a subway at Mill Lane, and therefore agrees with the view of the Objector in this instance.

Support for a Bridge at Mill Lane, Islip, Ian Gilder

- 3.10 The Objector supports the construction of a bridge at Mill Lane as it does not attract antisocial behaviour in the same way as subways do.
- 3.11 The Objector states that subway is an urban feature, whereas rail bridges have been part of the landscape for over a century and blend in.
- 3.12 For reasons set out in Islip Mill Lane Level Crossing Replacement Alternatives Report [Appendix IMG19 in **CRCL/P/12/B**], Chiltern Railways, in agreement with the Objector, supports a bridge at Mill Lane.

4 Conclusion

- 4.1 This rebuttal proof responds comprehensively to the evidence presented by the Objector. Chiltern Railways has presented evidence to the Inquiry in support of a replacement bridge at Mill Lane, Islip, which is in agreement with this Objector.