

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

CHILTERN RAILWAYS' REBUTTAL PROOF OF EVIDENCE

**IN RELATION TO
THE OBJECTION AND EVIDENCE OF
THE FRIENDS OF THE TRAP GROUNDS**

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 Friends of the Trap Grounds.
- 1.2 The Friends of the Trap Grounds submitted a Proof of Evidence on 12 December 2010 which raised points that Chiltern Railways wishes to address.
- 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 points raised in the evidence of the Friends of the Trap Grounds 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 the Friends of the Trap Grounds;

"the Objector's evidence" means the proof of evidence of the Friends of the Trap Grounds;

“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

Context

3.1 The evidence on behalf of the Friends of the Trap Grounds has been written by Catherine Robinson, the Honorary Secretary of the Group. The Objector notes that despite its name, the Town Green has no connection with the Trap Grounds Allotment Association.

3.2 The Objector states that the Trap Grounds Town Green in north Oxford is an area of woodland and wetland immediately to the east of the railway tracks, and immediately to the north of the SS Philip and James Primary School. The Friends of the Trap Grounds (the Group) manage the Town Green in partnership with the owner, Oxford City Council, and that members of the local community use the land for informal recreation such as bird-watching and dog-walking.

Impact on Access to the Trap Grounds Town Green, Stephen Barker

3.3 The Objector states that although the only official access to the Town Green is a track known as Frog Lane, leading from the canal towpath in the north-east corner of the site, there is also an informal path which leaves the Town Green at the south-west corner, running behind the school playground, between the acoustic boundary fence and the railway fence, and ending in the triangle of rough land immediately to the north of the Aristotle Lane railway bridge.

3.4 The Objector states that this path has been in use by local people since 2002/2003, when the construction of the school removed another long-established, informal path between the Trap Grounds and Aristotle Lane. The Objector states that because it constitutes the only alternative exit from the Town Green, and because she believes that on safety grounds there should be two access/exit points, the Group is anxious to preserve this path.

3.5 The Objector notes that a diagram of the Illustrative Mitigation Design Plans in Appendix C of **CRCL/INQ/13**, shows a proposal to construct a car park for the use of allotment holders on the triangle of land [Plot 29003] next to the railway bridge. The Objector requests that the design of the car park should not block the informal path behind the school fence; and that if entrance to the car park is to be controlled by a lockable gate or rising barrier, a small space should be left at one side of it for the unimpeded use of pedestrians.

3.6 Nothing that is presently proposed within the Order Scheme would completely block the informal path to which the Objector refers. However, it should be noted that the security fence along the eastern side of the railway, adjoining the informal path does

not presently follow Network Rail's land boundary. It might be necessary as part of the Order Scheme to realign the fence along the land boundary in order to provide sufficient space for certain works associated with the railway. If this proves to be necessary, the width of the corridor through which the path runs will be narrowed as a result.

- 3.7 Whether or not a barrier is to be erected at the entrance to the access road and, if it is to be constructed, the parking area, is a matter for Oxford City Council to decide. However, Chiltern Railways will keep in mind the Objector's views regarding this barrier in any discussion with the City Council regarding the parking area.

4 **Conclusion**

- 4.1 This rebuttal responds comprehensively to the evidence presented by the Objector. The Scheme will not completely obstruct this informal path. If any barriers are to be erected this will be subject to permission from Oxford City Council.