



Company Secretary
Network Rail Infrastructure Limited
40 Melton Street
London NW1 2EE

16 September 2004

NETWORK LICENCE CONDITION 26: DISPOSAL OF LAND - CONSENT TO DISPOSAL OF LAND AT LYDNEY, GLOUCESTERSHIRE

1. Network Rail Infrastructure Limited (Network Rail) has given notice of its intention to dispose of land at Lydney, near Lydney Junction, Gloucestershire (the land) in accordance with paragraph 2 of Condition 26 of its network licence. The land is more particularly described in its submission of 22 June 2004, a copy of which is attached (the submission).
2. The Office of Rail Regulation has considered the submission and further information supplied by Network Rail and responses received from industry third parties consulted as part of its decision-making process.
3. For the purposes of Condition 26 of Network Rail's network licence, the Office of Rail Regulation consents to the disposal of the land in accordance with the particulars set out in the submission.

Signed on behalf of the Office of Rail Regulation by

JOHN THOMAS

Deputy Director of Economic Regulation

PROPOSED PROPERTY DISPOSAL

APPLICATION BY NETWORK RAIL INFRASTRUCTURE LIMITED FOR REGULATORY CONSENT UNDER CONDITION 26 OF NETWORK LICENCE

I. PROPERTY	
Description	<p>Lydney Former siding land near Lydney Junction – 12,057 sq m of overgrown land about ½ mile South of the town centre.</p> <p>Adjoining the Site to the South West is the depot of the Dean Forest Railway Co (the prospective buyer). North of that is a field allocated for “outdoor recreation”. Adjoining most of the Northern boundary is a designated nature reserve.</p>
Plan No.	55295: sale area coloured blue
Ordnance survey co-ordinates	N363897,E202091
Photographs (if attached)	None available
2. PROPOSAL	
Type of disposal	Freehold Sale
Person taking disposal	Dean Forest Railway Company Limited
Proposed use/scheme	Sidings and open storage area for use in connection with a private railway preservation company. The detailed scheme has yet to be worked up by Dean Forest Railway.
Access arrangements	From the Buyer’s adjoining depot to the West only
Replacement rail facilities (if appropriate)	There are no rail facilities currently on the sale area
Rail benefits	<p>The sale will assist the Dean Forest Railway Co Ltd in developing its business of transporting customers from Lydney into the Forest of Dean.</p> <p>It may encourage additional passengers to use the national railway system to Lydney where they can transfer to the private railway</p>

Non-rail benefits	It will bring an area of derelict brown-field land into beneficial use in line with Government policy.
3. TIMESCALES	
Comments on timescales	It is intended to complete the sale shortly after this consent has been issued. Dean Forest Railway have given no definitive information as to the timescale required to bring the land back into railway use
4. RAILWAY SITE ISSUES	
History of railway use	The land was probably used for holding sidings for the line to Parkend.
When last used for railway purposes	Not known: the land has been disused for many years and is now heavily overgrown.
Any railway proposals affecting the site since that last use	We have not been able to identify any proposals to bring the land into railway use, other than the Buyer's proposal.
Impact on current railway proposals	The Buyer requires the sale to proceed if it is to develop its railway preservation business to its maximum potential. We are not aware of any other railway proposals for the land.
Potential for future railway use	We have been unable to envisage any possible future railway uses of the land other than the Buyer's proposal
Any closure or network change issues	There is no Network or passenger facility on the land
Whether land required to meet any TOC access needs	No; the land is a significant distance from the nearest station and the TOC has no other need for access in this area.
Position as regards safety/operational issues on severance of land from railway	1. The disposal includes arrangements under which the other party will install new boundary fencing along the railway boundary 2. The disposal is on a basis under which Network Rail has had due regard (where applicable) to impact of the disposal on lineside works, including railway troughing, signalling and their maintenance.
5. PLANNING & CONTAMINATION	
Planning permissions/Local Plan allocation	The land does not have planning permission and is unallocated in the Local Plan

Contamination/ Environmental Issues (if any)	We are unaware of any unusual contamination issues affecting the land, although it is possible that historic railway operations may have contaminated the land and Dean Forest Railway will be permitted to carry out intrusive investigations for contamination prior to the sale if it wishes to do so.					
6. CONSULTATIONS						
	Regulatory	The site is not in any depot or station lease and contains no network				
	Railway	Full technical clearance has been received within Network Rail. We have not consulted other industry companies				
	Other	None				
7.	INTERESTED PARTIES	NAME OF MAIN CONSULTEE (S)				
	TOCs/FOCs	Arriva Trains Ltd Central Trains Ltd Wessex Trains Ltd Virgin Trains Ltd EWS				
	LOCAL TRANSPORT AUTHORITIES	Gloucestershire County Council				
	OTHER RELEVANT LOCAL AUTHORITIES	Forest of Dean District Council				
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