



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

22 September 2004

NETWORK LICENCE CONDITION 26: DISPOSAL OF LAND - CONSENT TO DISPOSAL OF LAND AT CARDIFF, NINIAN PARK.

1. Network Rail Infrastructure Limited (Network Rail), has given notice of its intention to dispose of land adjoining Ninian Park football stadium, Cardiff (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 subject to the following condition:

Network Rail may not proceed with the disposal until it provides evidence satisfactory to the Office of Rail Regulation (which satisfaction shall be expressed in a Notice given to Network Rail) that the disposal will not compromise or frustrate Network Rail's ability or the ability of the station facility operator as the case may be to ensure that access to Ninian Park station for persons of reduced mobility is compliant with relevant legislation (including EC legislation (or domestic legislation introduced to implement such EC legislation) and incoming technical specifications in so far as the content of such technical specifications can be anticipated) and industry codes of practice.

Signed on behalf of the Office of Rail Regulation by

ANDREW BURGESS
Head of Network Regulation

ANDY BURGESS
Head of Network Regulation

Doc # 184423.01

PROPOSED PROPERTY DISPOSAL

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

1. PROPERTY	
Description	Cardiff: 1.94 acres (7,832 sq m) adjoining Ninian Park Football Stadium
Plan No.	52461: coloured blue
Ordnance survey co-ordinates	E316778, N175870
Photographs (if attached)	None available
2. PROPOSAL	
Type of disposal	Freehold Sale
Person taking disposal	Redrow Homes
Proposed use/scheme	Residential Development
Access arrangements	The existing access via St. Donats Road will become secondary. The main access to the development site and Network Rail's adjoining land will be via the stadium site, which will be redeveloped.
Replacement rail facilities (if appropriate)	The informal storage of permanent way materials awaiting use in the vicinity will be concentrated on the retained land to the East. A power cable will be diverted.
Rail benefits	Network Rail will be able to clear an untidy area infested with Japanese Knotweed and rid itself of the ongoing maintenance responsibility.
Non-rail benefits	A significant urban brown field site will be brought into beneficial use in line with Government policy.
3. TIMESCALES	
Comments on timescales	The residential development which includes Network Rail's land cannot commence until Spring 2005 and then only if the replacement stadium programmed to be ready in August 2005 is complete.

4. RAILWAY SITE ISSUES	
History of railway use	<p>The North Western half of the site may never have been used save as an embankment supporting Ninian Park Halt and allotments. There is a CCTV camera on a post in this area, which is used to monitor the platform. This will be retained together with the necessary access and service rights.</p> <p>The remainder has been partially used for the storage of permanent way materials and as access to a relay room and the track. Prior to this, it provided rail access to a depot to the South East, which was sold to Barratt (South Wales) in 1988 for residential development.</p>
When last used for railway purposes	See above
Any railway proposals affecting the site since that last use	None
Impact on current railway proposals	None
Potential for future railway use	None
Any closure or network change issues	No
Whether land required to meet any TOC access needs	No
Position as regards safety/operational issues on severance of land from railway	<ol style="list-style-type: none"> 1. The disposal will include arrangements under which the developer will install new boundary fencing along the railway boundary. 2. The disposal is on the basis that Network Rail has had due regard to impact of the disposal on lineside works, including railway troughing, signalling and their maintenance.
5. PLANNING & CONTAMINATION	
Planning permissions/Local Plan allocation	The Site is unallocated in the local plan. The developer will obtain planning consent prior to the sale.
Contamination/ Environmental Issues (f any)	The developer will be permitted to carry out intrusive investigations of the contamination if appropriate. None have been carried out to date although no significant previous contaminative uses have been identified.
6. CONSULTATIONS	
Regulatory	The site is not in any depot or station lease and contains no Network.
Railway	Network Rail Great Western Route has been consulted and has given full technical clearance for the sale. Arriva Trains (the SFO for Ninian Park Halt) initially suggested a footpath connection be provided from the Eastern end of the platform through the new development. Redrow Homes said this would not be acceptable and Arriva have now dropped the requirement having considered it further. Arriva does not object to the sale in principle. The RPC has raised no objections. We have been able to identify no other party in the railway industry that is likely to be interested.
Other	None: Redrow Homes are handling the planning application.

7.	INTERESTED PARTIES	NAME & E-MAIL ADDRESSES -WITH NAME AND TELEPHONE NUMBERS FOR ANY PERSONAL CONTACT AT MAIN CONSULTEE(S)	
	TOCs/FOCs	Wales & Borders Trains	
	LOCAL TRANSPORT AUTHORITIES	Cardiff County Council Highway and Transportation Department	
	OTHER RELEVANT LOCAL AUTHORITIES	Rail Passenger Committee HSE (Her Majesty's Rail Inspectorate)	
	ORR	Executive, Network Enhancements Manager Network Rail Regulation Policy Executive, Network Rail Regulation Policy	