

Network Rail Infrastructure Limited
40 Melton Street
London
NW1 2EE

13 November 2003

For the attention of Iain Brown, Company Secretary and Solicitor

NETWORK LICENCE CONDITION 26: DISPOSAL OF LAND - CONSENT TO DISPOSAL OF LAND AT HAIRMYRES, SOUTH LANARKSHIRE

1. Network Rail Infrastructure Limited, (Network Rail), has given notice of its intention to dispose of land at Hairmyres, South Lanarkshire (the land) in accordance with paragraph 2 of Condition 26 of its network licence. The land is more particularly described in its submission of 13 August 2003, a copy of which is attached (the submission). The Regulator has considered the submission and further information supplied by Network Rail.

2. For the purposes of Condition 26 of Network Rail's network licence the Regulator consents to the disposal of the land in accordance with the particulars set out in the submission subject to the following conditions:

- (a) Network Rail ensures that a right of way with or without vehicles at all times and for all purposes reasonably required for the carrying out of works of maintenance repair or renewal to the railway network is:
- (i) reserved in perpetuity in favour of Network Rail so as to benefit the network over and across the land; and
 - (ii) granted to or acquired by Network Rail in perpetuity so as to benefit the network over those roads and footpaths that may from time to time connect the land to the adopted public highway (known as Eaglesham Road);

in such a manner that the rights reserved or granted (as the case may be) will together provide in perpetuity sufficient access to the network across the land and the land lying between the land and the adopted public highway (known as Eaglesham Road) and will bind any future owner and/or occupier of lands made subject to such rights; and

TIM MARTIN

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Director of Infrastructure & Economic Regulation

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- (b) Network Rail complies with the contractual procedures under Parts B and C of the National Stations Access Conditions 1996 (Scotland) (as amended) prior to the disposal.

TIM MARTIN

Duly Authorised by the Rail Regulator

PROPOSED PROPERTY DISPOSAL

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

1. PROPERTY		HAIRMYRES, SOUTH LANARKSHIRE
Description	The site proposed for sale forms part of the public car park serving Hairmyres station. The majority of the existing car park lies immediately to the west and is owned by South Lanarkshire Council. Sale area is approximately 465 sq m (0.11 acres). The site is shown coloured blue on the attached plan.	
Plan No.	31256	
Ordnance survey co-ordinates	260802, 654268	
Photographs (if attached)		
2. PROPOSAL		
Type of disposal	Feehold Sale	
Person taking disposal	South Lanarkshire Council.	
Proposed use/scheme	The land will be used for the formation of a new transport interchange.	
Access arrangements	Access to the area being sold will be via the adjacent land already in the ownership of South Lanarkshire Council, having direct access onto Eaglesham Road.	

Replacement facilities (if appropriate)	rail	<p>The land to be sold forms part of the existing public car park serving Hairmyres station. The majority of land forming the existing car park is however in the ownership of South Lanarkshire Council. The Council propose to improve the car park layout to form a new transport interchange. The new car park will have an improved layout and will relieve congestion as well as permitting integration with a bus service.</p> <p>The number of car parking spaces available will be increased from 32 to 86.</p>
Rail benefits		Rail users will benefit from an improved transport interchange and car park.
Non-rail benefits		
3. TIMESCALES		
Comments on timescales		<p>Detailed planning consent was granted on 10th June 2003. The matter was immediately referred to the Scottish Executive for consideration.</p> <p>Subject to planning matters being successfully determined construction is likely to be completed prior to 31st March 2004.</p>

4. RAILWAY SITE ISSUES		
History of railway use		The land was formerly the main access into the station.
When last used for railway purposes		The land ceased to be used as the station access in 1987 or thereabouts when the existing public car park was built.
Any railway proposals affecting the site since that last use		No.

Impact on current railway proposals	There are no current railway proposals that will be affected by this sale.
Potential for future railway use	The land to be sold could not be used for rail purposes in isolation of the Councils adjoining land since it no longer has road access.
Any closure or network change issues	Station Change will be required . This should not be an issue since the proposal is supported by the Strathclyde Passenger Transport Executive and the TOC.
Whether land required to meet any TOC access needs	Network Rail will be reserving servitude rights of access over the land sold.
Position as regards safety/operational issues on severance of land from railway	1. 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 sale will be subject to planning consent. Planning consent has been granted but has been called in for review by the Scottish Executive.
Contamination/Environmental Issues (if any)	It is anticipated that the land to be sold may have some contamination due to its previous railway use. The proposed use as a public car park will have to deal with this issue.
6. CONSULTATIONS	
Regulatory	Discussions have been held with Strathclyde Passenger Transport Executive and ScotRail who support the proposal.
Railway	Network Rail: Operational and business clearance has been granted following conclusion of Network Rail's internal clearance procedure.

	Other	South Lanarkshire Council are promoting the scheme and are in support of the proposal.	
7.	INTERESTED PARTIES	NAME & E-MAIL ADDRESSES -WITH NAME AND TELEPHONE NUMBERS FOR ANY PERSONAL CONTACT AT MAIN CONSULTEE(S)	
	TOCs/FOCs	ScotRail	
	LOCAL TRANSPORT AUTHORITIES	Strathclyde Passenger Transport Executive	
	OTHER RELEVANT LOCAL AUTHORITIES	South Lanarkshire Council	
	ORR	<i>Manager, Network Rail Regulation Policy</i> <i>Executive, Network Rail Regulation Policy</i> <i>Executive, Network Rail Regulation Policy</i>	