

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

16 January 2004

NETWORK LICENCE CONDITION 26: DISPOSAL OF LAND - CONSENT TO DISPOSAL OF LAND AT THE FORMER STATION BUILDINGS, PENMAENMAWR, NORTH WALES

1. Network Rail Infrastructure Limited (Network Rail), has given notice of its intention to dispose of land constituting the former station building on the down platform at Penmaenmawr, North Wales (the land), in accordance with paragraph 2 of Condition 26 of its network licence. The land is more particularly described in its submission of 24 October 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 section 2 of the submission subject to the following conditions:

- (a) Network Rail ensures that in the conveyance or transfer of the former station building to the purchaser, Network Rail reserves:
 - (i) a right of support for the down station canopy; and
 - (ii) a right to retain any service media and associated works or equipment attached to or secured upon the former station building and used for the benefit of Network Rail's retained land.
- (b) Network Rail ensures that:
 - (i) such rights are reserved on terms that if the former station building is demolished or replaced the purchaser and the purchaser's successor in title will provide such replacement support as shall be approved by Network Rail and that meets the reasonable requirements of the Station Facility Owner for the time being; and

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Director of Infrastructure & Economic Regulation

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- (ii) the sale documentation contains a provision by which the purchaser undertakes that he will maintain such part of the building as affords such support and attachment (and any replacement of that part) and a provision that the purchaser (and any future purchaser) will procure from his successors in title a direct deed of covenant in favour of Network Rail to maintain such part of the building as affords such support and attachment (and any replacement of that part) to enable the building (or any replacement support) to continue to provide such rights of support.

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Duly Authorised by the Rail Regulator

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PROPOSED PROPERTY DISPOSAL

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

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| 1. | PROPERTY: FORMER STATION BUILDINGS AT PENMAENMAWR | |
| Description | The property is all of the former station buildings on the Down platform at Penmaenmawr in North Wales. The building lies next to the station platform but is completely separated from the railway operation as all accesses into it are from the adjoining public highway. It has been in use since 1992 for a furniture sales and restoration business. The building is grade 2 listed and is a two storey building. The platform canopy is attached to the building and forms no part of the disposal site. Penmaenmawr is on the Chester to Holyhead railway line approximately 6 miles west of Llandudno Junction. The site area is 148 sq. m. | |
| Plan No. | Plan No. 32625 is attached and shows the sale area by blue colour. | |
| Ordnance survey co-ordinates | E271815, N376548 | |
| Photographs(if attached) | Two attached showing location of building relative to the station. | |
| 2. | PROPOSAL | |
| Type of disposal | Sale of the freehold interest in the site. | |
| Person taking disposal | Not known. Site to be placed on the open market. | |
| Proposed use/scheme | Existing commercial use. | |

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|---|---|------|--|------------------|--|
| Access arrangements | Access will be from Station Road - the adjoining public highway. | | | | |
| Replacement facilities (if appropriate) | <table border="1"> <tr> <td>rail</td> <td>N/A - no rail facilities are affected by the disposal.</td> </tr> <tr> <td>(if appropriate)</td> <td></td> </tr> </table> | rail | N/A - no rail facilities are affected by the disposal. | (if appropriate) | |
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| (if appropriate) | | | | | |
| Rail benefits | No rail benefits. | | | | |
| Non-rail benefits | N/A | | | | |

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| 3. | TIMESCALES | |
| Comments on timescales | on | The site will be marketed for sale once the application is determined. |
| 4. | RAILWAY SITE ISSUES | |
| History of railway use | | The building was the station building at Penmaenmawr. The ground floor was in use for station purposes and the Station Master used the first floor as a residential property. |
| When last used for railway purposes | | The site was last used for railway purposes in 1987 when the station became unstaffed. |
| Any railway proposals affecting the site since that last use | | None. |
| Impact on current railway proposals | | None. There are no current railway proposals in the immediate locality. |
| Potential for future railway use | | Consultation within Network Rail has been undertaken and there are no plans for railway use. |
| Any closure or network change issues | | No. |
| Whether land required to meet any TOC access needs | | No. The building has been let since 1992 and the letting has no effect on access to the platforms as the platform access is separate from the disposal site. |

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| <p>Position as regards safety/operational issues on severance of land from railway</p> | <ol style="list-style-type: none">1. The disposal includes arrangements that will maintain the separation of the building from the operational platform to ensure no access from the building to the operational railway.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.3. The disposal is on terms that will not affect the existing access to the platform as this is separate to the disposal site..4. The disposal is on terms that will maintain the existing position whereby Network Rail continues to attach the canopy to the building and to attach service media and signs to the building. |
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| 5. | PLANNING & CONTAMINATION | |
| Planning permissions/Local Plan allocation | The existing business has planning consent for retail type use. | |
| Contamination/ Environmental Issues | No known issues. | |
| 6. | CONSULTATIONS | |
| | Regulatory | None. |
| | Railway | Consultation has only been within Network Rail |
| | Other | None. |
| 7. | INTERESTED PARTIES NAME & E-MAIL ADDRESSES -WITH NAME AND TELEPHONE NUMBERS FOR ANY PERSONAL CONTACT AT MAIN CONSULTEE(S) | |
| | TOCs/FOCs | |
| | LOCAL TRANSPORT AUTHORITIES | |
| | OTHER RELEVANT LOCAL AUTHORITIES | |
| | ORR | Manager, Network Rail Regulation Policy Executive, Network Rail Regulation Policy |

