



**THE NETWORK RAIL (EAST WEST RAIL BICESTER TO  
BEDFORD IMPROVEMENTS) ORDER**

**STATEMENT OF COMMON GROUND**

**NETWORK RAIL INFRASTRUCTURE LIMITED,  
OXFORDSHIRE COUNTY COUNCIL &  
CHERWELL DISTRICT COUNCIL**



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## **Introduction**

Network Rail Infrastructure Limited (Network Rail) is promoting a Transport and Works Act Order to construct, operate and maintain East West Rail Western Section Phase 2 (EWR2) – the Network Rail (East West Rail Bicester to Bedford Improvements) Order (the Order). EWR2 is situated within the administrative boundaries of several local authorities, which include Oxfordshire County Council (OCC) and Cherwell District Council (CDC). Network Rail and OCC and CDC have been in dialogue in respect of the scope and potential impacts of EWR2 for several years prior to submission of an application for the Order on 27 July 2018 and have continued to engage in meaningful discussions since that date.

Network Rail and OCC and CDC have entered into this Statement of Common Ground which is intended to provide a succinct summary of the matters that have now been resolved along with those that are outstanding.

OCC and CDC submitted a joint objection to the Order (OBJ/221) on 7th September 2018. The issues raised in this objection are captured and recorded in table form along with Network Rail's response; and whether OCC and CDC accept the response that has been given. A copy of the OBJ/221 Issue Tracker is provided with this Statement (at Appendix 1).

## **Statement of Common Ground**

Network Rail and OCC and CDC are in agreement that there are no points of disagreement between them relating to the following:

- Matters relating to construction traffic, highways and Public Rights of Way, by means of provision of a draft highways planning condition (on the basis that the highways planning condition provides that no development can commence in any authority area until a CTMP is approved by each relevant authority whose administrative area construction traffic is routed through);
- Matters relating to signalling improvements at the Bicester London Road level crossing.

Network Rail and OCC and CDC have not reached agreement on the following;

- Matters relating to the temporary use of land at Mill Mound and the potential effects on the archaeological feature; and
- Matters relating to the approach of the Order scheme to the delivery of a net gain in biodiversity.

All parties intend to continue discussions with a view to resolving all outstanding matters of disagreement.



Signed by (on behalf of Network Rail Infrastructure Limited):

*[Handwritten signature]*

Position: Head of Consenting & Environment  
Date: 14 February 19

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Signed by (on behalf of Oxfordshire County Council):

*[Handwritten signature]*

Position: Infrastructure Strategy & Policy Manager  
Date: 1st March 2019

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Signed by (on behalf of Cherwell District Council):

*[Handwritten signature]*

Position: Assistant Director - Planning & Economy  
Date: 28<sup>th</sup> February 2019.



Appendix 1: OBJ/221 Issue Tracker

Transport						
Response ID	Item Number	Page No.	OCC/CDC Comment/ Objection	Section	NR Response	Point resolved
OBJ_221_005	5	8	Link assessment conclusions are based on temporary status of impact on each link. Profiles in appendix show traffic volumes remain at much higher than normal for several months after the peak, whereas text states this is only experienced for one month. Greater consideration should have been given to the overall profile for the increased traffic levels over the period during which each link is affected.	Traffic - Environmental Statement	The peak construction period has been assessed to consider the realistic worst case to determine assessment thresholds. This is considered to be an appropriate approach to understand the impact of construction traffic. Adopting this approach will result in a robust study area and ensure that the effects of the Scheme are assessed for a realistic worst case scenario.	Yes
OBJ_221_006	6	8	Absence of local facilities in an area is given as reason for low impact on pedestrians - not considered appropriate for Launton village. Fails to take into account that people walk to visit other residents and for recreation.	Traffic - Environmental Statement	This follows IEMA guidance on assessing levels of pedestrian activity. The lack of key services is used as a proxy to suggest lower pedestrian levels, the effect of construction traffic is less likely to have a severance impact. Importantly, there are no construction access routes through Launton Village. The forecasts in the TA estimate an additional 18 staff and operative vehicle trips during the peak. This is not considered to have a severe traffic impact.	Yes
OBJ_221_007	7	8	Assessment discriminates against pedestrians who would be using the highway during the daytime (which includes the period after the end of the school day) during the week, stating that there would be less HGV movements in the evenings and weekends.	Traffic - Environmental Statement	The assessment follows the methodology presented in IEMA guidance and is therefore considered to be appropriate. Any schools have been identified as sensitive receptors and assessed accordingly.	Yes
OBJ_221_008	8	9	Sensitivity criteria uses presence of alternative to determine sensitivities, type of use plus vulnerable user types. This is based on desk study only. No differentiation for equestrians which is an important omission given their sensitivities to traffic.	Traffic - Environmental Statement	The methodology for identifying sensitivity of receptors is considered to be appropriate based on IEMA guidance. Equestrian activity for leisure is considered to have a reasonable ability to absorb change. However, suitable pre warning information would be provided to equestrians so they can choose appropriate routes, and suitable signage will be provided.	Yes
OBJ_221_009	9	9	Description of road network - two A roads near Bicester are not mentioned (A4421 and A4095) which are, in part, HGV construction routes.	Traffic - Environmental Statement	Baseline information has been considered and provided although descriptions of the A4421 and A4095 aren't included. This will not impact on the conclusion of the TA.	Yes
OBJ_221_193	193	8	Use of route through Stratton Audley Village for LGVs - no justification provided as to why traffic cannot also use the haul route adjacent to railway between main Bicester compound and Launton compounds. Insufficient width for LGVs to pass without overrunning verges. Request for route to be reconsidered, or consider new passing places.	General	The forecast is for 0 HGV's (using A1 to A2), 15 LGV's and 13 staff and operative movements (cars essentially), the base traffic volume on the road is 915 vehicles per day (6 of which are HGV's). We do not have the no split on the LGV's. EWR2 amounts to a very small increase in overall volumes with the LGV quota equating to one vehicle every 44 minutes (over a typical construction day). Given that this road will take around ten minutes to drive down then there is (using crude statistics) a 25% chance they will meet another LGV at one location along the route, this feels very low.  Provision of a part off-line and part on-line haul route in this area is already a compromise to the speed and cost of the delivery of the project. The route from A1 to A2 is over 40% on-line as the land take does not facilitate the entire route to be off-line. Works in this area will have to be carried out in small sections to avoid throttling the route and subsequent delivery of the Section 2A2 sub-section of works. Were we to introduce LGV's in their entirety to this route then this sub-section of works would be further delayed. In addition, it would mix the heavy construction-focused plant and vehicles with lighter courier type vehicles which would constitute a greater health and safety risk. The project believes the separate LGV route through Stratton Audley remains the most economic and preferred route.	Yes

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					However we believe OCC's concerns over damage that may be caused to the road edge can be dealt with through condition surveys and monitoring before and during construction (this will be specified in the CTMP) and by way of an undertaking to make good any damage attributable to the use of the route by EWR2 LGV's.	
OBJ_221_194	194	9	Parking provision at stations - statement 'without an increase in car parking the additional passengers would need to use more sustainable modes of travel to the stations', fails to acknowledge the risk that drivers would leave cars in residential streets.	General	Refer to additional Technical Note D18 for details of average car park occupancy at stations. The Technical Note demonstrates that the station car park average occupancy is 75%, with 61 spaces available on average. Therefore, the station car park does not have capacity to accommodate additional demand from passengers. It is also noted that the nearest residential street of Priority Road already has a resident parking permit scheme in place.	Yes
OBJ_221_195	195	10	Peak hour junction capacity assessment - The principle of justification for no physical mitigation due to temporary nature is accepted. However, this justification is based on short duration of peak, whereas traffic volumes remain much higher than normal for months after the peak. Greater consideration should be given to the overall profile of the increased traffic levels over the period during which each junction is affected.	General	The peak construction period has been assessed to consider the realistic worst case to determine assessment thresholds. A sensitivity test assessing average construction trips on each link has been conducted with the results presented in a accompanying technical note.	Yes
OBJ_221_196	196	10	Bicester London Road Level Crossing - TA references section 14.5, where no assessment is provided. No reference to Appendix 14.6 where assessment is provided.  Bicester London Road Level Crossing Assessment - Impact of queuing could be underestimated due to use of TEMPRO rather than model factors to growth the background traffic. It is considered that the model factors more accurately reflect the growth in traffic on Bicester's network. Bicester London Road Level Crossing - assessment focusses on delay to northbound traffic, whilst impact on southbound traffic is not discussed. Bicester London Road Level Crossing - Alternative routes suggested are heavily congested and increase in crossing downtime would also have an impact on bus, walking and cycling journey times and as a result, the attractiveness of these modes. Bicester London Road Level Crossing - assumes mitigation would be in place, in the form of additional rail signals. Without this, the situation would be much worse.	General	Network Rail will provide OCC with an undertaking that the alterations will be made prior to the opening of the scheme.	Yes on the basis that the signalling work is completed prior to the running of EWR2 train services.
OBJ_221_197	197	10	See 196 above	General	The model does not assume any traffic at the London Road crossing and is therefore not considered to be accurate.	Yes
OBJ_221_198	198	10	See 196 above	General	The impact to southbound traffic has been presented in Table 4.5 and Table 4.6. The figures provided in Appendix A of this report show potential routes/journey times and distances for northbound traffic (based off the origin and destination points), but these would also apply for southbound traffic.	Yes



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OBL_221_199	199	11	See 196 above	General	The London Road Level Crossing is not part of the Order scheme and the assessment is provided for information only.	Yes
OBL_221_200	200	11	See 196 above	General	Noted.	
OBL_221_201	201	11	15.2.23 - junctions listed as experiencing congestion appear to be incorrect. (Junction 13/15)	General	Junction 013 is not listed at paragraph 15.2.23. Noted that J015 should be included in list, however, this does not change findings in TA.	Yes
OBL_221_202	202	11	Mitigation for temporary junction congestion - further discussion required to establish the detail of this process to provide signage and temporary traffic signals, to ensure the Alliance takes a proactive role rather than sending the highway authority report to check and waiting for our feedback before mobilising the temporary measures.	General	It is proposed to put in place a liaison group that meets regularly to ensure the details of proposed mitigation measures are agreed by OCC/CDC.	Yes
OBL_221_203	203	11	Suggested that detailed CTMPs are drawn up for individual construction compounds. Needs to be strong commitment to suction sweep mud from the highway, explicit commitment for vehicles to travel away from the work sites via construction routes only. Further work required to revise Framework CTMP on which compound CTMP can be based.	General	We have proposed a new highways condition that is intended to address OCC's (and other highway authorities) concerns over an authorities ability to approve details relating to highways and traffic management during construction. The condition affords the authority the ability to approve CTMP's and also the design of highway works as a pre-commencement condition. Proposed changes to the new highways condition as currently drafted would have the effect that no works shall be carried out except in accordance with the CTMP as approved.  The Project has set out its approach to managing construction traffic firstly in the Code of Construction Practice (ES, Vol 3, Appendix 2.1, Section 12) and further in the Framework Construction Traffic Management Plan (ES, Vol 3, Appendix 2.2). The CoCP and FCTMP give an overview of the information/detail that the Construction Traffic Management Plan would contain as a "minimum" and is not intended to be an exhaustive list. As the approving authority OCC can request that additional and / or alternative detail on specific areas is included in the CTMP.  The scheme will be subject to the same controls as any development authorised by permission under the TCPA. Planning conditions form part of the deemed planning permission for the Order scheme, confirmation of discharge of which will lie with each local authority, as will the power to take any enforcement action as a result of any breach of conditions. CDC (in consultation with OCC) will have the same level of influence and control over traffic associated with the construction of EWR2 as it would over any other development approved under a planning permission.	Yes on the basis that the condition provides for the monitoring of congestion and the provision of non infrastructure (e.g. variable messaging signs etc) mitigation where required.
OBL_221_204	204	11	Section Traffic Management Plans - considered that these will be required.	General	See response to 203.	
OBL_221_205	205	12	Passing Bays and Widening - concerned that these are based on OS only rather than topographical data. Understood that detailed design is currently being undertaken using topographical data, must be agreed with OCC as soon as possible.	General	Detailed design is currently underway and further details, based on a topographic survey, will be available in due course. Approval of details covered under the new highways condition.	Yes



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OBJ_221_206	206	13	Noted that wing walls of the Charbridge Lane overbridge will be built to accommodate future extension of bridge deck to accommodate a dual carriageway.	General	Agreed.	Yes