

10. HOPE VALLEY CAPACITY IMPROVEMENT SCHEME PROPOSED FORMAL RESPONSE PROCESS (A8613/ EF)

1. Purpose of the report

This report makes Members aware that the Transport and Works Act Order for the Hope Valley Capacity Improvement Scheme was submitted to the Secretary of State on 25 September 2015. It goes on to outline a proposal for involving Members in the Authority's response to the Order and seeking approval for submitting the final response to the Order.

2. Key issues

- Network Rail proposes to increase capacity on the Hope Valley line between Sheffield and Manchester by providing two passing loops, one of which is within the National Park.
- The proposed location for the loop that is within the National Park is between Bamford station and the overbridge where Jagers Lanes crosses the railway line to the west of Hathersage.
- The Authority has responded to all appropriate public consultations on the scheme, most recently a June consultation and on the draft Environmental Statement for the scheme.
- At paragraph 7, the report outlines a number of comments and concerns that are likely to remain as we enter into the process of responding to the formal Orders on the scheme.
- The Authority has until 6 November to respond to the Orders, which unfortunately does not fit with our existing Authority or Planning Committee dates.
- Therefore, at paragraph 9, the report outlines a process of ensuring that Members are engaged with and approve the response to the Orders.

3. Recommendations

- 1. It is noted that the Transport and Works Act Order for the Hope Valley Capacity Improvement Scheme has been submitted to the Secretary of State, and that a formal consultation on the Orders has begun.**
- 2. That the Authority delegates the Authority's response to the Hope Valley Capacity Improvement Scheme Transport and Works Act Order to officers to develop in consultation with the Director of Planning (as Management Team lead for this project) and the Chair and Deputy Chair of the Authority.**

How does this contribute to our policies and legal obligations?

4. The Hope Valley Capacity Improvement Scheme could contribute to delivering a number of National Park Management Plan outcomes and corporate objectives 2015-16, specifically, as follows:

National Park Management Plan Outcomes

DL4: Greenhouse gas emissions will be reduced and a healthy national park will adapt to the effects of climate change.

TV2: Communities and individuals will feel inspired to live sustainably and help shape the place they live in.

TV3: Residents will have sustainable access to local services and employment.

WI3: Visitors and residents will be inspired to act in a way that sustains the environment and the special qualities of the Peak District.

ES2: There will be a diversity of thriving businesses supporting and contributing to the economy and local communities which are critical to the long term future of the national park.

ES4: Traditional and modern economic development that is innovative, well managed and appropriate to the landscape will be supported.

Corporate Objectives

D4b: Improve access to the National Park for less represented audiences – young people and health opportunities

5. Background

This scheme was previously known as Hope Valley Passing Loops. As some Members will be aware from informal briefing notes, Network Rail proposes to increase capacity on the Hope Valley line between Sheffield and Manchester. At present, slow moving freight and passenger trains are a constraint to capacity on the line. To overcome this in 2013 Network Rail proposed provision of two passing 'loops', one at Grindleford and one at Dore, to allow fast trains to pass slow freight and passenger trains. The 'loop' is a length of additional track running adjacent to the existing track, so that it acts as a passing place. Since then, the Department for Transport changed the specification for the project, which meant that Network Rail could assess other locations for the passing loops. Network Rail is now proposing one passing loop between Bamford and Jaggars Lane, Hathersage (replacing the proposed loop at Grindleford), and one at the original location at Dore. The proposed location for the loop that is within the National Park is between Bamford station and the overbridge where Jaggars Lanes crosses the railway line to the west of Hathersage. It would be approximately 1km in length and to the north of the existing tracks, which runs straight for this length of line.

6. The Authority has engaged with the project team within Network Rail from the start of the project. A number of different specialist teams have been involved in this work, including transport policy, planning, rights of way, ecology, cultural heritage, archaeology and landscape, to ensure all potential impacts of the scheme on the National Park are considered. The Authority has responded to all appropriate public consultations on the scheme, and outlined our expectations in terms of the evidence that Network Rail need to provide to enable officers to assess the impact of the proposal on the National Park.
7. Most recently, the Authority responded to a public consultation in June 2015 and in August 2015 provided confidential comments on the draft Environmental Statement for the scheme. Our responses to both these consultations outlined a number of areas where we require further information or clarity on the information provided in order to ascertain the impact of the proposal on the National Park or satisfy tests within planning policy. Due to the project timescales being extremely tight, we have been informed by Network Rail that they have been unable to take account of our response to the draft Environmental Statement before the document was finalised. Therefore, it is extremely likely that our comments and concerns will remain for the final Environmental Statement. A summary of the points made in our responses to the last two consultations are as follows.
 - Any major development within a National Park, which the Bamford to Jaggars Lane loop is considered to be, should only take place in exceptional circumstances. Network Rail still need to outline what the exceptional circumstances are, which should be partially determined through the alternatives that they have examined. Paragraph 116 of the National Planning Policy Framework states that planning permission should be refused for major

developments in designated areas (including National Parks) except in exceptional circumstances and where it can be demonstrated they are in the public interest.

- The landscape section of the draft Environmental Statement was missing three elements we would expect to see within it.
- Many of the policy sections of the draft Environmental Statement were incomplete, as they lack reference to a number of National Park policies that are relevant.
- The most recent draft design of the footbridge that will accommodate the Hathersage West footpath was unacceptable within a National Park setting. We therefore await a response to our most recent correspondence on this.
- Given the scale and impact of the proposed development within a National Park, the archaeological assessment of the affected area is still considered to be inadequate.
- To date, we have not been provided with an outline landscape and ecology plan.
- To date, we have not been provided with the risk assessment report of all footpath crossings on the route.
- We have sought clarification that all site compounds will be located in species poor grassland and whether there is the potential for night time lighting during the construction phase which could impact on foraging bats and nesting birds.
- To date, we have not been provided with the proposed design of underbridge MAS 25, as the design needs to be sympathetic to its National Park setting.
- We have requested that further noise surveys are undertaken within Hathersage, as we believe accelerating and decelerating trains will be audible from within in the village; without the noise survey information that we have requested the impact on the residential amenity of the area cannot be assessed.

It can be seen from the above summary that there are a number of concerns and some of them are significant to the Authority, for example the failure to outline the reason for major development in a National Park, an inadequate archaeological assessment and design of the footbridge. Therefore, although the Authority may wish to support the proposal in terms of the principle of this scheme encouraging sustainable travel within the National Park, we may be obliged to object to the proposal on points of technical detail. It will not be until officers have had sufficient time to comprehensively assess the information provided in the Orders that we will be able to come to a view, but at this stage, Members should be aware of the level of concerns we have previously had on this scheme.

Proposals

8. The Transport and Works Act Order is the statutory process for gaining approval for works on the railway, with the decision being made by the Secretary of State rather than the planning Authority. Network Rail submitted their order on 25 September 2015, and there is now a consultation period of 42 days for anyone to make their views on the scheme known to the Secretary of State. This means that the consultation closes on 6 November 2015. Subject to approval being given, works would begin in summer 2017, with a completion date of December 2018.
9. Unfortunately, the consultation timescales outlined in paragraph 8 do not fit with our existing committee dates. Therefore, this report proposes a way of engaging with Members (of which, this paper is the first step) in advance of submitting our formal response, and also gaining Authority approval for the response, as set out below.
 1. This report outlines (at paragraph 7) a number of areas of concerns that we are led to believe are likely remain within the Orders, as the project timescales have not allowed Network Rail sufficient time to take our previous responses into account. Therefore, the summary above provides Members with a good indication of the

level of concern we have with the scheme.

2. We will engage with Members on this scheme on the day of the Strategic Finance Workshop on 23 October, when most Members will be at Aldern House. This meeting will provide an update on the concerns outlined in paragraph 7 of this report, and any further ones that may have arisen. At this point in time, officers will be able to advise Members on the Authority's likely response to the scheme, and receive feedback on this so we can take account of it in advance of submitting the response to the Secretary of State on 6 November.
3. We will bring an information report to the 4 December Authority meeting with our response on the scheme, as submitted to the Secretary of State, as an attachment. We can also provide Members with any response or further information that Network Rail may have provided.

It is therefore requested that officers thoroughly assess the Order documents, and develop the Authority's response to the scheme in consultation with the Director of Planning (as Management Team lead for this project) and the Chair and Deputy Chair of the Authority. As outlined above, there will be an opportunity for all Members to engage with the response on 23 October.

Are there any corporate implications members should be concerned about?

10. **Financial:** Staff time is the only financial implication of responding to the Hope Valley Capacity Improvement Scheme Transport and Works Act Order.
11. **Risk Management:** Risks associated with responding to the Hope Valley Capacity Improvement Scheme Transport and Works Act Order have been minimised by actively engaging with the project team within Network Rail from the start of the project. The Authority has responded to all appropriate public consultations on the scheme, and outlined our expectations in terms of the evidence that Network Rail need to provide to enable officers to assess the impact of the proposal on the National Park.
12. **Sustainability:** The Hope Valley Capacity Improvement Scheme has the potential to enable more residents and visitors to access and travel within the National Park by sustainable means.
13. **Background papers** (not previously published)
None.
14. **Appendices**
None.
15. **Report Author, Job Title and Publication Date**
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