

Minutes of Public Meeting

Oxford-Bicester Rail Improvements

Merton Village Hall, 31st March 2015, 7.30pm

The meeting was convened by Merton Parish Council, and was opened by Cllr. Fred Foxon (FF). He thanked everyone for attending, and explained that the meeting was an opportunity for everyone to express their concerns, and to give Network Rail and the Local Authorities a chance to learn from their mistakes. A briefing note was provided, with a tear-off slip for comments on '*How the project has Affected You & Your Community*'; this would be made available via the website for anyone unable to attend the meeting; he encouraged everyone to complete.

Present:

- Acting Chairman Dr John Howell (JH, former MP)
- District Cllr. Tim Hallchurch (TH)
- Mr Andy Milne (AM, Senior Programme Manager, East West Rail)
- Ms Stella Whyte (SW, Communications manager & stakeholder liaison, East-West Rail Phase 1 core works)
- Mr Mike Healy (MH, Stakeholder/Community Liaison & Facilities Engineer, East-West Rail)

Representatives of O.C.C. Highways had been invited, but declined to attend.

JH thanked the Parish Council for inviting him to act as Chairman; he would try to ensure that fair play was exercised. He invited AM to speak.

AM stated that he came to the project in September 2014. His role was to deliver the East-West Rail project; he was not involved in the three or four years of planning prior to this. At the date of the meeting, the project was almost at the point where the remaining materials would be brought in by rail.

SW made it clear that she was not unaware of the impact that the work had caused, and had worked hard to alleviate any problems:

- The information provided in their 'Newsletter' is up to date and accurate (access through website);
- Lorries have been stopped during the school holidays to mitigate any problems;
- After the holidays there are two more weeks of deliveries but there will be less movement; thereafter concrete wagons and tarmac will be carried by the project's own drivers and will be under their control;
- They have monthly meetings with O.C.C. and will be working in conjunction with them to reinstate the roads and verges (timing for this will be partially down to O.C.C.);

- They are currently looking for community investment initiatives and are inviting groups to approach them with ideas;
- She acknowledged that when they were looking at the route, Merton-Ambrosden to Oddington, they should have given more consideration to landowners and apologised for not providing more factual information regarding the haulage.

JH invited questions from the floor in an orderly fashion (two or three at a time):

Q: Who is responsible for employing the HGV drivers?

Q: Why are the drivers still speeding?

Q: What is the classification of 'convoy'; signs stating that they should not travel in convoy are pointless when they have no choice but to travel in convoy?

A: Materials are sourced from different places and the drivers are provided by the supplying companies; speed signs have been erected stating '30mph' and 'no driving in convoy' and speed guns have been used in the area; drivers are briefed regularly and some have been thrown off of the job as a result of reported speeding, driving while on mobile phones etc. A convoy constitutes four to five lorries; witnesses should report any more than this so that Network Rail can inform the haulage companies.

Q: As on the entrance to Mansmoor Lane, why not use Network Rail men to 'police' the villages?

Q: Why are notices positioned to notify drivers of a police speed check?

Q: Could Network Rail not control the drivers by threatening the companies by saying that they would use other suppliers?

Q: Why, as was provided during construction of the M40, was the road surface not upgraded, prior to work commencing, in order to carry larger loads than the current village weight limit allows? Mr Honour (Mansmoor Lane Charlton-on-Otmoor) queried why Charlton-on-Otmoor PC, when consulted, had not contacted O.C.C. to request the upgrading of the road prior to works starting as he had done with Mansmoor Lane where forty-five thousand tons came in by road to do the bridge. He was unaware whether or not Merton PC had been consulted.

Q: Why couldn't supplies be brought in by rail?

A: Network Rail has no legal right to police the roads through the villages; they can only control where traffic enters or leaves a site; as above, men are briefed regularly; Network Rail have used information provided (i.e. registration numbers of lorries) to have men thrown off of the job by informing the companies. They would not be in a position to threaten the companies themselves, as there are a limited amount of suppliers. SW stated that they are obligated to restore the conditions of the roads and verges and will be working with O.C.C. to share the costs (or share with someone else working in the area); O.C.C. surveyed the area prior to the work starting and there is photographic evidence to support that. TH stated that most of the work for the M40 was done along the line of the motorway and therefore people did not suffer as much; he had been disappointed and embarrassed that having had a firm assurance from the consortium that most of the heavy materials would be brought in by rail and contractors should finish in September, that this was extended to November and will now be a further two weeks; he did not know the details regarding the bridge at the end of Mansmoor Lane. He was not aware, and did not believe that, O.C.C. would be sharing the

costs of any repairs to roads and verges. AM stated that the supplies could not be brought in by rail once the track had been lifted, unless they had built track alongside; their ability to do this was also limited by the presence of newts, the risks of flooding etc.

Q: Who will carry out the repairs and approve standards; a long term plan would be required as some road issues will not be evident until the winter frosts have arrived; there should be a caveat that the road maintains its 7.5 ton limit and Ploughley Road in Ambrosden its HGV limit?

A: Do not know which contractor will carry out the works; Chiltern Railway will see that the reinstatement is carried out and will involve O.C.C. Highways when this happens. It is the job of O.C.C. to see that the work is done properly and carried out to the Local Authority National Standard. A Highways Officer monitors the condition of the road once a week. There is no risk of an upgrade enabling larger vehicles to utilise the road.

Q: If down to O.C.C. Highways, will the work be put into a repair programme; it will require supervision otherwise the work will not get done and the road is dangerous?

A: TH advised that he has regularly seen the condition of the roads; the work would not form part of normal road repairs but would be dealt with as a special case and he was unaware of any proposals to upgrade the roads.

Q: Although the contractors are not directly employed by Network Rail, is it not the case that Network Rail still bears vicarious liability for the actions of its subcontractors?

A: Network Rail takes its responsibility seriously, hence men being taken off of the job by communicating its displeasure to sub-contractors. It insists on terms with drivers but is not involved with pay.

Q: The chairman of Ambrosden PC stated that the PC is aggrieved at the lack of consultation, and the means to which the PC has had to resort in order to obtain information i.e. the Freedom of Information Act. Network Rail needs to consult with all bodies, i.e. farmers, landowners, owners of footpaths etc., to get the repairs done and address immediate issues and negotiate any grants they may award?

JH agreed that consultation has been poor and asked MH to ensure that if parish councils wished to be involved with the repairs to the roads and verges, that arrangements be made for them to meet with O.C.C. and Network Rail. SW gave an undertaking to inform O.C.C. Highways that parish councils wished to be invited to meetings. She advised that the project had been in discussion for seventeen years, the improvement of the road was part of the granting of permission in 2012/13; the consultation period predates the people on the ground for the project; it is a Local Authority issue; O.C.C. declined the invitation to the meeting and C.D.C. is responsible for planning. TH made an undertaking to ask for a representative of O.C.C. Highways to attend parish council meetings to give an explanation and also to speak to a Cabinet Member for roads to ask if they would attend; this met with the approval of the parish councils present.

AM gave an undertaking to allow parish councils to comment on the schedule of repairs agreed with O.C.C. and had taken on board comments regarding frost damage.

Q: If and when the line is electrified, will parishes have to go through the same experiences again?

Q: When the major project was set up, what were the results of the review of possible haulage routes which were considered as part of the project planning and the communities' application studies? The Team Access documents for the Evergreen Project refers to the Environmental Report: in Appendix I, 'Strategy': the blue route access sites shows six to ten lorries per hour maximum; there is no reference to how long the process will take; there are three hundred or more movements every day; how is this put into the O.C.C. process; it is the job of the officers to look at these details with a fine toothcomb; no issues were raised except for a height problem at the bridge on the Botley Road; the weight limit was not considered an issue, due to the exemption for access.

A: AM stated that ninety percent of the materials will be delivered by rail and there will be no effect when the line is electrified.

Comments from the floor:

- If the purpose of this meeting is to draw the attention of C.D.C., O.C.C. and Network Rail to the shambles that has been endured, they need to recognise and understand the effects that having a twelve mile track laid have had before undertaking to lay miles more track for the 'High Speed Rail' project and the affect that is going to have on the surrounding villages. C.D.C. and O.C.C. granted permission without examining the situation.
- The comment "*sorry you know more than I do*" is not acceptable; you are working for the community; you need to take responsibility and act.

JH: The haulage companies will be finished in a couple of weeks; consultation has been appalling and comments have been taken on board. Network Rail and TH have taken on commitments to reinstate to standard; Network Rail to pay for repairs including protection from frost. Network Rail is talking to numbers of villages regarding grants for projects.

Q: Why is a new road being laid from Merton Village to join the railway?

A: AM stated that when a 'scheme order' is in place, access tracks have to be provided to allow a landowner access to his land when it may be cut off due to the laying of the track.

Comment from floor:

- FF stated that in relation to "lessons learned", he had provided photographs of other projects i.e. the Borders Rail Project in Scotland, to show how projects can be run effectively.

Q: Chairman Ambrosden PC: Advised that any communications that the PC has had have been copied in to the Police who take action directly. How much longer will it take for the muck to be taken away and tarmac delivered? Immediate issues need addressing; muck on roads needs clearing; stop driving on verges and footways.

A: SW stated that there is nothing in their newsletter regarding the remaining vehicle movements; the muck and tarmac will be moved with their own waggons and will be trickled in and out.

Q: Would it be possible to get a road cleaner that doesn't suck the muck in at the bottom and back out at the top.

A: SW took on board comment and would sort out.

Q: Could mobile phones be kept on at all times so that the public can contact them?

A: AM mobile phones are kept on at all times but it is not always possible to answer them.

A: SW the roadside ditches are part of the reinstatement of roads. The Rail Industry is regulated and has undertaken a risk assessment and is under legal obligation to meet/comply with standard.

Comment from floor:

- Resident from Main Road Merton would welcome JH and associates for a cup of tea in order that they may witness how close to the wall of her property the drivers come.

Q: Should the drivers be limited to a 20mph speed limit?

A: SW it would not be legal for Network Rail to impose a speed limit; they repeatedly hold briefing with drivers asking them to comply with and observe speed limits.

Q: The Environmental Statement says nothing about regulations for vehicles or effects on villages. Its main area of concern is protecting newts etc. This matter should be under Network Rail's control and should have been considered within the statement; why not when it is against standards and law?

A: AM they do have a 'code of conduct' for drivers and use a 'card' system; they would have to revisit the Environmental Statement.

Q: Have you considered the 'health' affects the project has i.e., vehicle emissions?

A: AM was not in a position to give an answer; he would look at.

Q: Residents have continually suffered dirty cars; would you considered compensation?

Q: Would there be any recompense for a wall should it fall down once work is completed? Would surveys have needed to be carried out before work commenced in order to qualify for compensation?

A: AM there is a window of opportunity for you to get repairs done whilst the project is still here (next summer); normal process would have been to have a survey prior to works starting. A clear process for compensation can be found on the Network Rail website.

Q: JH asked what is the certainty that they would finish when they say they will?

A: SW is confident that the information in the newsletter and on the website is accurate.

Q: Is rubbish going to be cleared as part of the reinstatement?

A: Regular litter picks are carried out. JH suggested that areas of concern are put on the form/tear off slip provided.

A: SW works are scheduled to finish by the summer and repairs should be complete by next winter.

District TH gave an undertaking to continue to push on behalf of the parishes.

Network Rail acknowledged that permission was given in 2012/13 for the East West Rail project and would consider its actions and the impact that any further projects may have on villages.

Chairman Ambrosden PC expressed his appreciation for representatives' attendance; going forward he hoped to work 'with' not 'against'.

JH finished by stating that “*your coming and speaking has been helpful*”, and he hoped that the meeting was ending on a happier note; future projects should be in co-operation with and through parish councils.

Comment from floor:

- The use of language is important; “*the panel should work with the people in the room, not the other way around*”.

To end on a positive note: SW is in talks with groups regarding grants eg. in Merton, discussions regarding the M.U.G.A. project; the Woodland and the Church and in Ambrosden the village hall; she would put proposals forward for consideration.

JH thanked everyone for attending and hoped that comments had been taken on board.

There being no other business the Chairman closed the meeting at 9.53pm.
