

PLANNING ACT 2008

**THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010
("THE 2010 RULES")**

**APPLICATION FOR THE PROPOSED ABLE ENERGY MARINE PARK DEVELOPMENT
CONSENT ORDER**

**ANSWERS TO SECOND ROUND OF WRITTEN QUESTIONS SUBMITTED ON BEHALF
OF NETWORK RAIL INFRASTRUCTURE LIMITED**

Planning Inspectorate Reference Number: TR030001

Unique Objector Reference: 10015512

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Q31. *Is it correct that Network Rail is now prepared to offer a lease on the section of track running through the AMEP site?*

Yes, Network Rail has offered a lease to Able on a without prejudice basis. However, it appears that the suggested terms would mean that such a lease is unsuitable for Able. This is due to the fact that Network Rail would want to ensure use of the line by trains would not be obstructed by Able's use of new level crossings on the route and be free and open for the regular through traffic that is envisaged if the Killingholme Loop proposals for a line out towards Goxhill come to fruition. As such, Network Rail has suggested some crossings are replaced by bridges for non heavy plant crossings and requested that if use of any crossings become obstructive then they are closed. Able have now stated they wish to have unrestricted road vehicle access over the entire length of the line rather than a number of discrete level crossings and such a requirement would not be consistent with increased through rail traffic along the route. This use by Able may be accommodated if the railway line through the site just serves local rail terminals around Killingholme but it is incompatible with the line handling through traffic to and from the Port of Immingham which would involve greater train numbers operating at higher speeds.

Q32. *If Network Rail is being governed by the principle that ability to operate the railway line through the AMEP site must be preserved, what restrictions or protection would Network Rail need to seek or impose around the track?*

If the railway line remains as Network through the AMEP site then Network Rail would seek to enforce its usual Asset Protection rules to ensure that any new construction within 10m of the railway boundary is carried out in such a manner that no effect on the operational railway.

Q33. *Would there be any practical difference in terms of Network Rail's requirements if the line were limited to less than the 60 m.p.h. goods line said to be the basis of current planning?*

No. The problem is that the proposed conversion of the entire length on the line into an industrial site where road movements may cross over at any time and any point take capacity for rail paths out of the route by making it an unacceptably slow and impractical option for through trains to operate in the Killingholme Loop scenario.

Q34. *Does Network Rail consider that the Killingholme Loop is a necessary requirement to accommodate projected growth at Immingham and other Humber ports?*

Studies show that it is the only way to create significant additional capacity so that trains can get to the wider rail network without having to cross KIL1 in the Port of Immingham if the maximum foreseeable rail demand were to arise. It is the only feasible way that has been the subject of studies to create a through route out of the west end of the Port and therefore relieve capacity on KIL1. If customers require more trains then there may be a need for more capacity than KIL1 can cope with and therefore make the Killingholme Loop viable. The key issue is to create another route to the wider rail network that avoids KIL1 within the Port of Immingham hence the requirement to protect the route running through the AMEP site.

Q35. If so, in Network Rail's estimate, when is this likely to become necessary, or alternatively what event might trigger it?

This will be triggered by customer demand. Current proposals to protect the potential future capacity are driven by the Biomass market. This is a new market of which Britain has little experience to date - both in terms of its commercial potential and its logistics. However, information gained from our close links to the major electricity generators suggest that there is sufficient confirmed interest in conversion of plants to biomass generation to make it prudent for us to cater for a "high demand" case for this sector. The events of the next 5 - 10 years should determine whether this high demand transpires and whether we need to respond with greater network capacity. Our ability to respond is of strategic national importance since Immingham is the country's biggest bulk handling port and well situated to serve a number of major power plants within its hinterland by rail.

Q36. Is the Killingholme Loop necessary (or only necessary) to permit the operation of 'merry-go-round' trains?

The Killingholme Loop option for a route out towards Goxhill may become necessary to relieve the capacity on KIL1 for serving any of the customers in this locality such as ABP and Corus and potential future customers such as Able, C.Gen and C Ro. Ports Killingholme. The term "merry-go-round" trains is used to apply to a specific type of coal train within the rail industry and could be misleading in this context. However, it is fair to say that the need for a Killingholme Loop line (or another line with equivalent functionality for which plans do not exist currently and for which the viability is unproven), would be driven mainly by additional demand for trains loaded at the port of Immingham to operate to locations away from the local area.

Q37. Has a business case been prepared for discussion with government about the funding of the Killingholme Loop? What priority does the scheme have within Network Rail's programmes?

Network Rail's funding by government is set for 5 year "Control Periods". Control Period 4 ends in 2014 when Control Period 5 [CP5] will begin. Network Rail has been granted £200 million for freight schemes in CP5. The plans for spending this money in CP5 do not include the Killingholme Loop currently. However, there is time for the priorities to change before the list of freight schemes currently under review is finalised if that is the wish of the wider industry. Also, it should be noted that, during CP4, government found additional funds to pay for extra freight schemes after our original plans were finalised in order to boost investment in infrastructure and promote economic growth. We would welcome any further such developments during the currency of CP5. Regardless of the list of schemes funded currently our position has to be that we protect future demand. Planning for key national infrastructure has to have a longer term horizon than the next 5 year funding period whereas projections for train movements in the locality have altered considerably in just the last 2 years as Biomass has come on stream.

Q38. Does Network Rail consider that the Killingholme Loop is consistent with ABP's head-shunt proposal?

On current levels of demand the rail network has capacity to handle train movements generated by the ABP Headshunt proposal. This is the first option being taken forward under the original Killingholme Loop proposals to relieve capacity in the Port of Immingham. Once installed the headshunt means ABP can run more trains over KIL1 and so reduces capacity for other users who might

want to take trains from KIL2 onto KIL1. Therefore, the headshunt proposal makes the likely need for other options such as a route west out to Goxhill more likely to avoid what would be a bottleneck for train capacity on KIL1. We do not believe that the two proposals are inconsistent with each other.