

TRANSPORT AND WORKS ACT 1992: PROPOSED CROXLEY RAIL LINK ORDER

TOWN AND COUNTRY PLANNING ACT 1990: REQUEST FOR DEEMED PLANNING PERMISSION

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

STATEMENT OF MATTERS

This statement relates to the public inquiry to be held into the application by Hertfordshire County Council and London Underground Limited ("the promoters") for:

- (i) the above Order under the Transport and Works Act 1992; and
- (ii) a direction as to deemed planning permission for the development for which provision is included in the TWA Order.

It sets out pursuant to rule 7(6) of the Transport and Works (Inquiries Procedure) Rules 2004 the matters about which the Secretary of State for Transport particularly wishes to be informed for the purposes of her consideration of the application. These matters are as follows:

1. The aims and objectives of, and the need for, the proposed Croxley Rail Link, extending the London Underground Limited Metropolitan line from Croxley to Watford Junction ("the scheme").
2. The justification for the particular proposals in the draft TWA Order, including the anticipated transportation, regeneration, environmental and socio-economic benefits of the scheme.
3. The main alternative options considered by the promoters and the reasons for choosing the proposals comprised in the scheme.
4. The extent to which the scheme would be consistent with the National Planning Policy Framework and local planning, transport and environmental policies.
5. The likely impact of the proposed closure of Watford Metropolitan Station on passengers having regard to the conclusions of the London Travel Watch report to the Mayor for London on hardship (if available to the inquiry) (see note 1).
6. The likely impact on residents, schools, businesses and the environment of constructing and operating the scheme, including:
 - (a) noise and vibration, including the impacts of construction traffic;
 - (b) impacts on air quality;
 - (c) impacts on water resources, including flood risk and the potential for contamination;
 - (d) impacts on landscape, townscape and visual amenity;

- (e) impacts on cultural heritage and archaeological remains;
 - (f) impacts on land use, including effects on commercial property and on public footpaths;
 - (g) impacts on the Grand Union Canal and its users, including boat residents and waterway-related businesses;
 - (h) the temporary and permanent effects of the scheme on open space and the promoters' proposals for providing replacement open space (see Note 2); and
 - (i) the impacts of constructing the scheme on pedestrians and road traffic in the area:
7. The effects of the scheme on statutory undertakers and their ability to carry out their undertakings effectively, safely and in compliance with any statutory and contractual obligations.
8. The measures proposed by the promoters for mitigating any adverse impacts of the scheme, including:
- (a) the proposed Code of Construction Practice;
 - (b) any measures to avoid, reduce or remedy any major or significant adverse environmental impacts of the scheme; and
 - (c) whether, and if so, to what extent, any adverse environmental impacts would still remain after the proposed mitigation.
9. The adequacy of the Environmental Statement submitted with the application for the TWA Order having regard to the requirements of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 and whether the statutory procedural requirements have been complied with.
10. The conditions proposed to be attached to deemed planning permission for the scheme, if given, and in particular whether those conditions meet the tests of DOE Circular 11/95 of being necessary, relevant, enforceable, precise and reasonable.
11. The promoters' proposals for funding the scheme.
12. Whether there is a compelling case in the public interest for conferring on the promoters powers to compulsorily acquire and use land for the purposes of the scheme, having regard to the guidance on the making of compulsory purchase orders in ODPM Circular 06/2004, paragraphs 16 to 23; and whether the land and rights in land for which compulsory acquisition powers are sought are required by the promoters in order to secure satisfactory implementation of the scheme.
13. In relation to the proposed disapplication of the provisions of the Allotments Act 1925 (in Article 16(2) of the draft Order), for the compulsory acquisition of plot 73a, designated as 'allotment land', whether the land in

question is used, or could in future (in the absence of the scheme) reasonably be used, as part of an allotment plot; and if so, whether it is the case that:-

- the allotment in question is not necessary and is surplus to requirement;
- adequate alternative provision will be made for displaced plot holders, or that such provision is not necessary or is impracticable;
- the number of people on the waiting list has been taken into account;
- the authority have actively promoted and publicised the availability of sites and have consulted the National Society of Allotment & Leisure Gardeners; and
- the implications of disposal for other relevant policies, in particular development plan policies, have been taken into account.

14. The purpose and effect of any substantive changes proposed by the promoters to the draft TWA Order and whether anyone whose interests are likely to be affected by such changes has been notified.

Notes

1. The proposals to close to passenger traffic Watford (Metropolitan) station, and the line leading to it, are the subject of a separate process under the Railways Act 2005 and require the consent of the Mayor for London before they can be implemented. The closure proposals, which are not formally before the inquiry, are to be the subject of a public hearing on 14 June 2012 by London Travel Watch. London Travel Watch will then produce a report for the Mayor of London on any hardship that would be caused by the closures and on means of alleviating such hardship; and that report is expected to be submitted to the inquiry. Regardless of the separate procedures under the Railways Act, it is considered that the effects of the closure proposals are relevant to the Secretary of State's consideration of the merits of the TWA Order application. The separate closure process should therefore not preclude the Inspector from hearing evidence on these matters.

2. An application relating to the scheme, for a certificate under section 19 of the Acquisition of Land Act 1981 (regarding the provision of replacement land in exchange for certain of the open space land to be used for the scheme) has been made to the Secretary of State for Communities and Local Government.

3. It should be noted that whilst the above matters appear to the Secretary of State, from the evidence so far available to her, to be the principal ones that need to be addressed, this statement does not preclude the inquiry inspector from hearing evidence on any other matters that he may consider to be relevant to consideration of the application. In addition, this statement does not pre-determine the order in which issues are to be addressed at the inquiry, nor does it imply any particular order of importance.