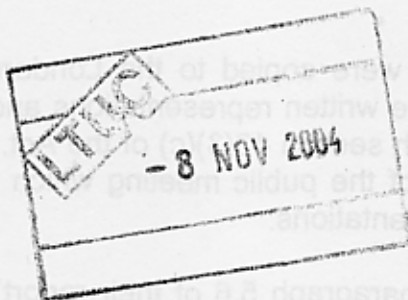


R.B



From the Minister of State



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- 4 NOV 2004

RAILWAYS ACT 1993 – SECTION 38 PROPOSAL TO DISCONTINUE RAILWAY PASSENGER SERVICES BETWEEN WEST LONDON JUNCTION AND LATCHMERE NO.3 JUNCTION (“SHEEPCOTE LANE CURVE”)

On 8 April 2004 the Strategic Rail Authority (SRA), in accordance with Section 38 of the Railways Act 1993 (“The Act”), published a Closure Notice detailing a proposal to discontinue all railway passenger services between West London Junction and Latchmere No. 3 Junction (the Sheepcote Lane Curve) The Sheepcote Lane Curve connects the South West Main Line from London Waterloo with the West London Line linking Clapham Junction, Kensington Olympia and the main lines from Paddington and Euston.

The SRA has proposed this closure because the operation of the services would incur subsidy that would exceed the benefits derived, the usage of the services is low, their provision is inconsistent with the SRA objective of reducing the number of operators at London Termini and alternative services exist.

Until 22 May 2004 a service was operated by Arriva Trains Wales (ATW) over this section of line on Mondays to Thursdays only forming the 20:16 Pembroke Dock to London Waterloo (arriving 04:13) and Tuesdays to Fridays only forming the 05:05 from London Waterloo to Maesteg (arriving 09.11). On average only six passengers used the service between Reading and London Waterloo and just two between London Waterloo and Reading. After 22 May a taxi service operated on Tuesdays only between Kensington Olympia and London Waterloo leaving at 03:45 arriving at 04:13 and returning at 05:05 and arriving at 05.35.

The Closure Notice specified that any objections to the proposed closure may be made to the Secretary of State for Transport by 1 June in writing. Seven representations were received by the Secretary of State of which three were observations and the remainder were objections.

The representations received were copied to the London Transport Users Committee (LTUC). LTUC considered the written representations and submitted their report to me on 4 August in accordance with section 43(3)(c) of the Act. I have considered the LTUC report (including the minutes of the public meeting which are referred to in the report), together with the written representations.

I note LTUC's conclusion (at paragraph 5.6 of their report) that there would not be any hardship caused due to the withdrawal of services over the Sheepcote Lane Curve.

I note the point LTUC make in their report about providing replacement taxis before consent to a proposed closure has been given, and I would encourage the SRA in future to seek to maintain the railway service until after the proposal has been consented to, wherever this is practicable.

I am satisfied that the SRA provided the Committee with sufficient relevant information regarding the closure and the cost of maintaining passenger services over the Sheepcote Lane Curve.

I note and endorse LTUC's suggestion in their report that there should be a review of the format and content of closure notices so as to help improve the clarity and customer focus of notices. I understand that the SRA propose to lead such a review. The Rail Passenger Council/Committees and London Transport Users' Committee should be invited to contribute to this review.

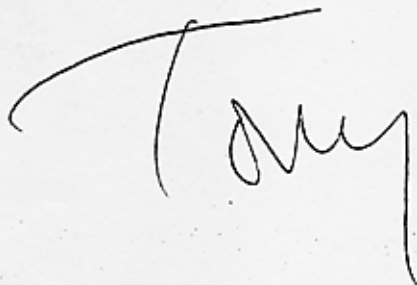
I have considered all the evidence put before me (including the SRA statement of reasons, the objections which have been lodged and the LTUC report) and on balance I have decided to consent to the closure, subject to a condition set out below.

LTUC felt that there was legitimate concern about the future availability of the Sheepcote Lane Curve for passenger services. It welcomed SRA's assurances that should consent be given to the termination of passenger services using the line it would continue to be used for freight services and for empty stock movements by Eurostar services between Waterloo International and North Pole depot and also as an emergency diversionary route. Network Rail has confirmed to the Strategic Rail Authority that it had no plans that will affect its availability for future passenger use, except for possessions booked in the usual manner, and it will continue to be maintained to the current standards.

However, LTUC requested that a condition be attached to the closure to protect the future availability of the line. The Committee recommended that the LTUC and TfL be informed of any changes proposed that would limit the future use by passenger rail services of the Sheepcote Lane Curve and that they be afforded full opportunity to make representations before any final decision is reached.

I support LTUC's reasoning and their proposal which is intended to protect the interests of rail users. I have therefore decided that my consent to the closure should be on the condition that the SRA should ensure that the LTUC and TfL are consulted in good time in advance of any changes which may be proposed that would affect the future use of the Sheepcote Lane Curve by passenger services.

I am copying this letter to every person who is the operator of a station within the area affected by this decision, and (as I am obliged under section 43 of the Railways Act 1993) in doing so require them to publish this letter at those of the stations which they operate that are within the area affected by the closure. I am also obliged to send a copy of this letter to certain other bodies. I am accordingly copying this letter to Network Rail, the Office of Rail Regulation, First Great Western, Arriva Trains Wales, Wessex Trains, Transport for London and LTUC.

A handwritten signature in black ink, appearing to read 'Tony', with a long horizontal stroke extending to the left from the top of the first letter.

TONY MCNULTY