



Rheilffordd Canolog Môn Cyf Anglesey Central Railway Ltd

27 March 2020

Mrs Janet Finch-Saunders AM
Cadeirydd Pwyllgor
Senedd Petitions
Cynulliad Cenedlaethol Cymru
Cardiff Bay
Cardiff
CF99 1NA

Annwyl/Dear Mrs Finch-Saunders

P-05-913 - 'Creation of Lôn Las Môn Multi-Use Path'

Following the opportunity of recent communication exchanges between Mr. Rhun ap Iorwerth AM for Ynys Môn and the undersigned it was considered the time was appropriate to place, for your deliberations, relevant facts and detailed information pertinent to the subject petition to enable your committee to arrive at a fully informed adjudication and decision on the merits, or otherwise, as the basis for the continuation of the petition.

Firstly, may we state we have observed with interest the details and transcripts of your committee meetings of the 19 November 2019 and the 25 February 2020 on this petition and are grateful for the nature of your discussions. We have assimilated the contents of the evidential documentation claiming support of and responses by the petitioner.

If we may make one observation; the document dated 08 November 2019 from the petitioner, in response to information received, highlights a number of Appendices (five in total) all of which are reproduced in their entirety for the observer. However, in a similar document dated 17 February 2020, four Appendices are identified in the additional petition submission but only one is reproduced; the remaining three are not available in the public domain for the observer. Is there a specific reason for this omission?

At this point, please allow us to summarise our primary objectives and aspirations:

The overall and combined mission statement and objectives of Rheilffordd Canolog Môn Cyf is to create a sustainable and accessible transport system linking communities, visitor attractions and strategic road and rail routes in order to boost the area's tourist potential and to act as catalyst for social and economic regeneration in association with emerging commercial enterprises.

The project will redevelop 17.5 miles of “mothballed railway line”, originally designated as such for potential future use by Network Rail, into a distinct community railway that will primarily serve the needs of its communities, but also recognises its heritage and tourist potential, together with those commercial operations that have existing plans for change and/or renewal, and those expressing an interest in new programmes of extension within the communities of Ynys Môn.

To achieve this target the company have advanced the position of the railway re-instatement negotiations over the previous 11 years to the point that on the 21 January 2020 our solicitors, Parry Davies Clwyd-Jones Lloyd LLP, received from Eversheds Sutherland (International) LLP, the solicitors acting on behalf of Network Rail in this matter, a 63-page document entitled “*Lease of The Gaerwen Line north of Gaerwen Junction and Amlwch for the term of 99 years, beginning 2020, ending 2119*”, detailing the full terms and condition of the said lease.

Our solicitors are reviewing the content, line by line, to ensure that all agreements attested to by both parties in the course of our lengthy negotiations are incorporated within this document and that no onerous terms are contained that may or may not have a direct or indirect detrimental impact on this company meeting their clearly stated objectives and aspirations for the development of the line.

When we receive confirmation, in the very near future, from our legal representatives that all is to their satisfaction then both Network Rail and Rheilffordd Canolog Môn Cyf Railway will execute the document as a formal deed by affixing their respective common seals in the presence of the appropriate designated witnesses.

In acknowledging the content of your research document, referenced RS19/10865-1, we would take the liberty of submitting to you and your committee a detailed background to the subject rail corridor from those whose research has necessitated total accuracy to facilitate legal contractual positioning.

Historical statement of the Gaerwen Junction to Amlwch branch line.

In 1833 a small railway track had been built from the smelting works down to the shipping berths at Amlwch Port. It was operational by 11 June 1834.

A public meeting was held in Llangefni on 05 July 1858 with the aim of bringing the railway from Gaerwen to Amlwch at an estimated cost of £150,000. A Bill was passed in parliament on 13 July 1863 and work on the line, at a cost of £6,000 per mile, commenced.

The Anglesey Central Railway main line was extended from Gaerwen initially to Llannerch y medd by October 1864. The first train left Bangor for Llangefni on 16th December 1864. By the 01 February 1866 the line had reached Llannerch y medd station and the first passenger train to Amlwch ran on the 01 June 1867; freight had been allowed on the line from March of that year.

In 1952 a private extension to the line was opened at Amlwch to connect the line to the Associated Ethyl Company (OCTEL). In the 1970s another private siding was constructed off the main line between Rhosgoch and Amlwch to the Shell Tank Farm for the purpose of storage of crude oil from the Shell Offshore mooring buoy prior to transfer to the oil refinery at Elsmere port.

“The Reshaping of British Railways (The Beeching report)” of March 1964 was consequential to the closure of the passenger carrying services on the subject line on the 05 December 1964; and the commencement of the efforts by the community to re-establish services.

Our Chairman, Mr Walter Glyn Davies, commenced this work immediately upon closure of the line in 1964 with the then Transport Minister, Mr Ernest Marples, latterly Lord Marples, under the title of *“Lein Amlwch”*.

Today there exists a 450 + membership, or supporters, of the association named *“Lein Amlwch”*, comprising of individuals on Ynys Môn and other areas of the UK, whose primary objective is the reinstatement of the railway corridor between Gaerwen Junction and Amlwch.

Their support is by subscription and in more recent times the physical working on the line under the authority of our Community Rail Licence, held in the company name and awarded to us by Network Rail.

Returning to the historical details.

The line remained in use for the transport of freight to the Associated Octel works, latterly known as Great Lakes, until the early 1990's; with the freight company EWS, now DB Schenker Cargo Ltd, holding a covenant on the line for the movement of freight. An additional new siding was built at Rhosgoch by Shell UK in the 1970s to transport steel and other materials needed to build a vast tank farm.

The line closed in March 1993. At this point, 33 years after the opening of the Octel plant at Amlwch, 2 million tonnes of traffic had been conveyed from their freight terminal.

In 1991 the predecessor of our present company was formed to spearhead the manifesto for the reopening of the line; the company, with the support of the Awdurdod Datblygu Cymru, established, in 1991/92, a period of passenger special services in association Railtrack (now Network Rail).

In 1995 Anglesey County Council agreed in principle to procure the line for £250,000 from the asset owners and to subsequently lease it to the Isle of Anglesey Railways Ltd. but funding at the Council became unavailable.

In 1996 the line was officially *“mothballed”* for future re-use.

To establish ownership of the asset.

We refer to the Transport and Works Act 1992 Order, and in particular to the Network Rail Output Definition Report, Document Version 2 issued November 2010 in which it is stated, and we take the liberty of citing the text:

“6.3.2 Authorising Act

For any works to be permitted under Part 11 of the General Permitted Development Order (GPDO) 1995 (i.e. development authorised under a private Act or Order), the authorising act under which the section of railway was originally constructed needs to be extant (i.e. not repealed)”

In this instance, the Gaerwen to Amlwch Branch Line was constructed under the Anglesey Central Railway Act 1863 (with a portion of the 1863 line [between former Holland Arms station to Llangwyllog at 7m 10c] that was deviated by the Anglesey Central Railway Act 1864).

This act contains provision for the then railway company and its successors in title (now Network Rail) to undertake future works which include the ability to replace track, equipment and structures to bring the route up to a suitable standard to allow operation of trains.”

In conclusion the title of ownership of the said asset, as defined as a non-operational section of railway extending to approximately 17.5 miles between ELR GLA 0.0000 and GLA 17.880; and identified on Land Information Network Rail Plan Number 66408083 pages 1 to 31; is held by Network Rail.

Llangefni Station.

Regarding the announcement for the potential reopening and development of Llangefni station originally under consideration in June 2017. We had meetings in March 2018 with the Pennaeth Cynllunio Trafnidiaeth, Adran yr economi, Gwyddoniaeth a Thrafnidiaeth Llywodraeth Cymru.

It is our understanding, from the meeting, this project will be determined as an objective, based upon the outcome of assessments of the strengths of the financial and economic business cases for the project, coupled with the technicalities for the deliverability of the same.

It was outlined to us the proposed development did not necessarily encompass the existing location of the station nor the route of the existing rail corridor. It was acknowledged the time frame for this project is indeterminable at the present and will not be prioritised until a suitably robust business case has been presented.

We confirmed our intent to incorporate within Heads of Terms for the Grant of a Lease by Network Rail to the Rheilffordd Canolog Môn Cyf, conditions integrated within the Lease, that will ensure a non-prejudicial stance by us on the future operational aspirations of the Llywodraeth Cymru project. It is our understanding this covenant was and is totally acceptable to both Llywodraeth Cymru and Network Rail.

In our original submissions to Network Rail a 45-page Cynllun Busnes Gweithredof formed an essential element of our presentation to Network Rail for the original Community Rail Licence, and subsequently the Long-Term Lease. This was accepted by Network Rail in the initial format and will be reviewed by RHCMC when ongoing detailed costings are finally established in respect to the permanent way and structures conditions. The plan contained a detailed profit and loss forecast for the initial 5 years period of an operational railway.

We should also give substantive assurance that this overall project is fully supported at the highest levels in the public and private sectors. The First Minister of the Llywodraeth Cymru is on record as stating: *It is very important that, first, the railway itself is kept, and the tracks are not removed or taken away.*

We are pleased to note this sentiment is also endorsed by the Gweinidog yr Economi a Thrafnidiaeth Llywodraeth Cymru, Mr Ken Skates in his letter of response to you of the 31 January 2020. Also, the democratically elected Aelod Cynulliad Ynys Môn, Mr Rhun ap Iorwerth believes in and supports the essence of our objectives.

It is noted that Cyngor Sir Ynys Môn in their letter to you of the 20 December 2019 did not consider it appropriate to comment on the issue of the redevelopment of the line but we are in a position to confidently state that we have the support of the democratically elected representatives and members of Cyngor Sir Ynys Môn; Cyngor Trêf Llangefni and leading members of the business and commercial communities are also fully supportive of the reinstatement of the operational rail corridor.

Finally, as the operational railway is developed, we will have responsibility for all technical, commercial and maintenance issues; approval for any changes or improvements proposed by this company will be subject to Network Rail consent.

Furthermore, but most importantly, we will have responsibility for all health and safety issues and governance of the operational railway encompassed within the rail corridor under direct licence from the Office of the Rail and Road Regulator. Consequently, whilst we as a company have no objections to a pathway, bridle path or cycle route alongside and extraneous to the rail corridor, any encroachment within the boundaries of the rail corridor, as defined within the formal lease documentation, will not be authorised or accepted by the ORR, from a personnel and public safety consideration.

Any additional land required to facilitate a multi-user pathway, not germane to the rail corridor, will be the responsibility of the groups or corporate bodies proposing the said development but naturally we will have a vested interest alongside their programme and will proffer any assistance or guidance relative to our safety governance.

Yn gywir / Yours sincerely


