

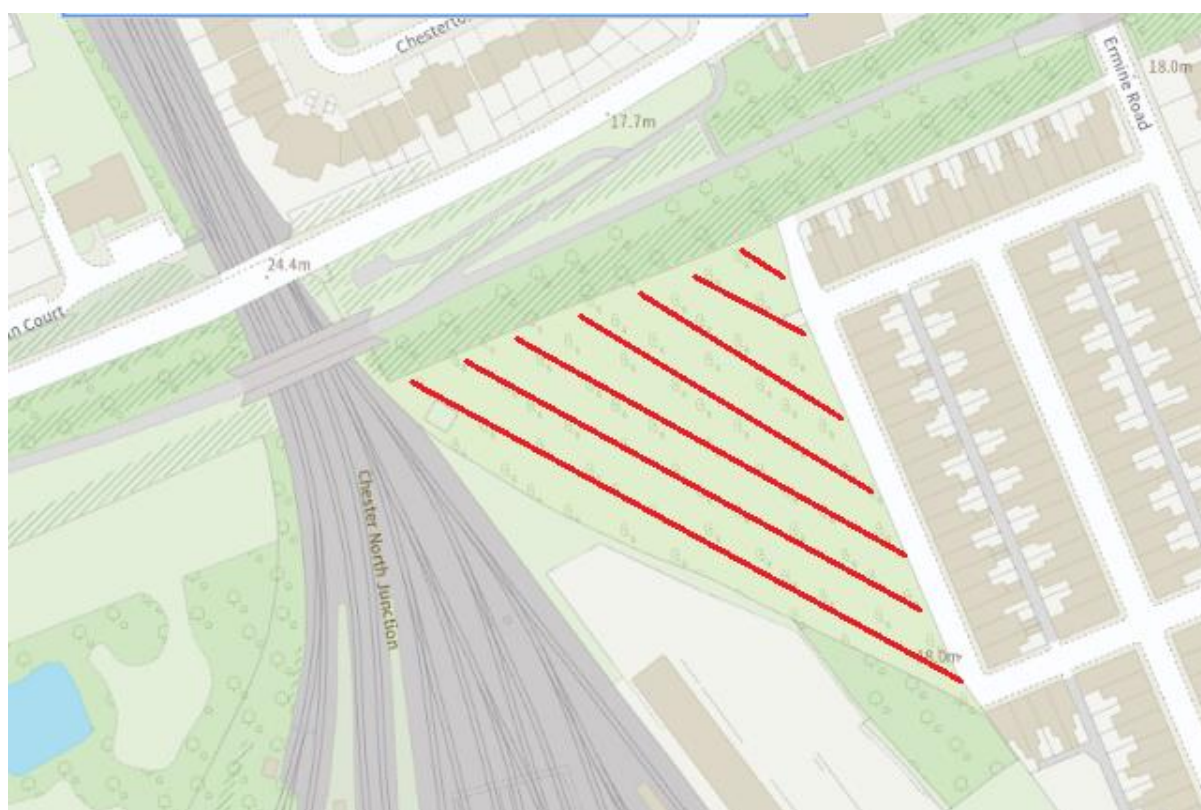
'Brookside Terrace Triangle' (Hoole)

Safe and effective access from the Railway Station to the Greenway is self-evidently desirable in its potential to facilitate Active Travel.

This need has been acknowledged over many years in various schemes, plans and publications by CWaC (and others).

What seems to be missing (at least from the Public Domain) is any sort of costed feasibility study. I have not seen any evidence to suggest that anyone is driving this forward as a positive plan rather than it just being a desirable aspiration.

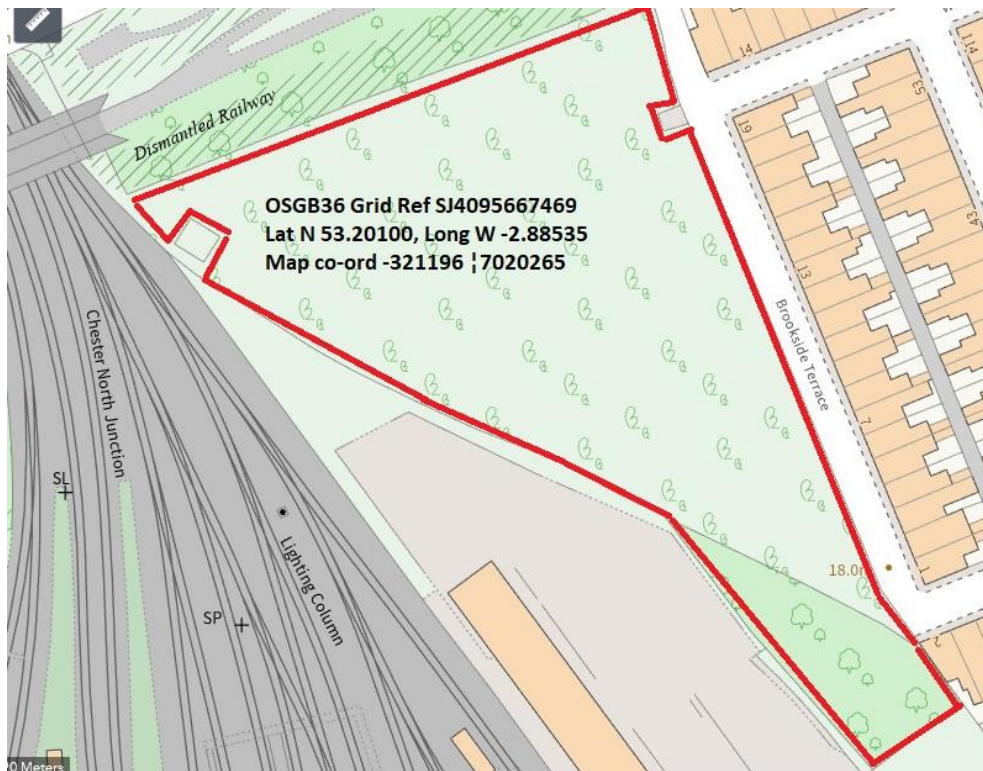
There is clear potential for improving access through what I am calling the 'Brookside Terrace Triangle':-



There has been some difficulty in establishing details of ownership of this land, but we appear now to have the definitive answer.

An enquiry using Land Registry's on-line system produced a 'nil' return. A request for a manual search was initially refused, but a second attempt was successful. It begged as many questions as it answered.

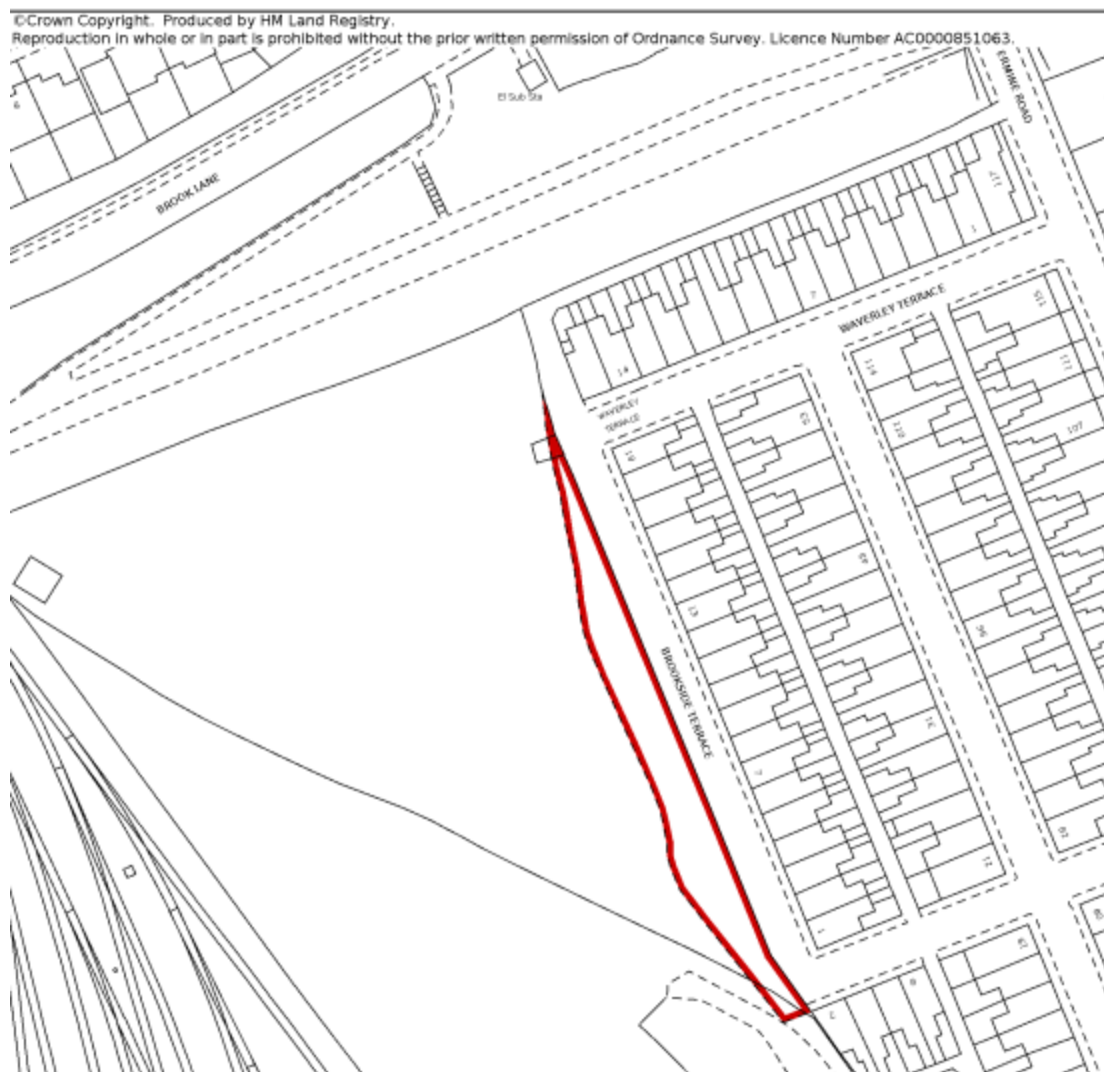
The area for which I had asked information was:-



What we received back was unexpected. The advice was that part of the land is registered, but that the major part is not registered. (N.B. the lack of a Registered Title does not necessarily mean that there no owner of the land). The Title plan shows:-

HM Land Registry Current title plan

Title number **CH493995**
Ordnance Survey map reference **SJ4167SW**
Scale **1:1250**
Administrative area **Cheshire West and Chester**



The Title for the area outlined in red shows the owners to be CWaC (original registration 18 Sep 2002). This is odd as the green steel fencing is right up to the carriageway of Brookside Terrace and yet was said to enclose land all of which belonged to the Railways.

Freedom of Information requests concerning ownership of the same area were sent to both Network Rail and The Office of Road and Rail. Both have now replied

The ORR came back with:- *"We do not believe that the Office of Rail and Road (ORR) holds the information you have requested. However, before issuing our final response can you please clarify your final paragraph by providing a link to the information you refer to on our website. In particular, can you confirm whether the information is taken from our land disposal page, our public register, or another section of our website?"* I responded and

advised that I had discovered a document on their own website which shows that in 2003, they rejected a request from Network Rail to put the land up for sale (details at https://orrprdpubreg1.blob.core.windows.net/docs/00000005_7129.pdf). Following a subsequent question, they have now advised that they have not received any later applications with reference to this land. However, following this reply, I have learnt that such disposals are now the responsibility of Platform4 Rail Regeneration Ltd which is a wholly owned subsidiary of NR but which was only established in 2005. In a separate email, Luke Arnold, Economic Growth Senior Project Officer for CWaC, has advised that Platform4 “are looking at this site and are aware of the links to the Millennium Greenway as a priority for CWaC with any proposed development that comes forward.”. I am therefore not entirely clear as to whether the NR response includes any enquiries to Platform4 and it may be worth a simple FOI to Platform4 just to confirm that there have been no more recent enquiries.

Network Rail’s response was that they are the Land Owners and that it is all ‘operational railway land’. Quite a number of the organisations that were consulted on the potential sale have changed hands since 2003 and most of those objecting at the time were rail companies bidding for franchises. Clearly, the political environment has changed significantly since then, so further sell off attempts cannot be ruled out. But NR’s plan does show the separate ownership of the CWaC part referred to above, so that sliver should at least be secure:-



The two light blue lines across the top of the NR land are described as 'lease lines'. We believe that this is where the main drains from Northgate Village and Chesterton Court run into Flookersbrook – presumably the responsibility of United Utilities? They should not prevent the installation of a ramp to the Greenway. At least part of the roadway space next to the end of terrace house above appears to have been made into a private parking space.

The Title register shows that the separated portion of land was first registered as such on 18-Sep-2002 by CWaC but they are only registered as the Proprietor from 24-Apr-2009. There do not appear to be any restrictions or covenants on this land. Having noted the above, it appears from the response to the FOI request that the land was actually first acquired in 1966 by City of Chester Corporation from the Williams family (builders & brickmakers) rather than from the railways for 10 shillings (less than £10 in today's money – a bargain!!)

The response to the FOI to CWaC did not elicit any reason for the acquisition. It is possible that there will be Council documentation covering the reason for purchase available when the Archive Centre opens, but I doubt that it would be relevant now. If it was for access to the culverted brook, it is strange that it only covers half the brook bed and that NR have been allowed to fence off access without any written agreement on alternative access.

The FOI request and response can be found at:-

https://www.whatdotheyknow.com/request/information_regarding_cwac_land#incoming-3490681

The response is also posted on our website under Resouces-> Land Registry -> Brookside Triangle 2.

A further consideration for this land is that, should the proposed development of a new platform at the Chester station go ahead, it is possible that at least some of the triangle will need to be reinstated as railway sidings.