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14 June 2013

Dear Sirs

### **Re:Haringey CIL Draft Charging Schedule**

Thank you for your consultation letter dated 26<sup>th</sup> April 2013.

#### **Introduction**

Network Rail is the 'not for dividend' owner and operator of Britain's railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations - the largest of which we also manage.

#### **Network Rail's position**

- Network Rail believes that it should be exempt from CIL or its developments classified as payments in-kind;
- Network Rail is seeking further clarification on the definition of buildings in CIL regulations. Stations are open-ended gateways to rail infrastructure and should not be treated as buildings and lineside structures used to operate the railway should be classed as railway infrastructure;
- Network Rail would like clarification on whether its developments over 100 m<sup>2</sup> undertaken using our Permitted Development Rights will be CIL liable;
- Given that CIL can be used to fund sub regional infrastructure projects, we hope that railways will be specifically mentioned, alongside roads, as a potential beneficiary of CIL in the regulations.

Given that Network Rail is a not for dividend company whose profits are reinvested in the network, this represents the direct loss of railway investment. However, as an optional, locally set charge, the precise impact of CIL on Network Rail is very difficult to quantify.

We believe that charging CIL on gross internal floor space is disproportionate given that it will encompass very minor as well as major projects. For example, the



installation of a Disability Discrimination Act compliant covered footbridge at a station would add 110 m<sup>2</sup> to floor space.

The way in which our revenue requirement from access charges (paid by train and freight companies) is calculated deducts expected income from developments. Revenue from these developments is then retained by Network Rail and used exclusively to fund its capital investment programme. Network Rail's regulatory assessment makes forecasts of the revenue which Network Rail will receive from this source.

Indeed, Network Rail has obligations to maintain and improve the UK rail network; and maximise returns from land and property no longer required by the rail industry for reinvestment into the railway infrastructure.

Network Rail would therefore require additional funding through the current periodic review by the Office of Rail Regulation, which will set Network Rail's outputs, revenue requirement and access charges for CP4, or some form of regulatory re-opener to address the issue of the CIL.

- the case for an exemption

Given this threat to Network Rail's revenue from CIL, Network Rail very much hopes that it will be granted an exemption for its developments or, as an infrastructure provider, the regulations will treat them as payments in-kind. Network Rail believes it has strong grounds for such an exemption.

Yours Sincerely

Mike Smith  
Town Planning Technician  
Network Rail