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Inquiry into the West Coast Main Line Modernisation Programme.

Railtrack's Closing Statement.

Preface.

We repeat the preface to Mr Withington's Closing Statement here so as to secure the context.

During 2001 our director, Mr Withington, appear on behalf of the Railway Conversion Campaign at the Public Inquiry into the West Coast Main Line Modernisation Programme. His Closing Statement and Railtrack's rejoinder are available here because they demonstrate that Railtrack's immensely expensive Inquiry team could do nothing to overturn any of the fundamental facts presented by Mr Withington, and it is those facts and the underlying research which form a significant part of this Web site.

However, Transwatch itself does not canvas for wholesale Railway Conversion. Instead, and before any policy is developed, Transwatch believes the facts should be established leaving others to draw their own conclusions. Meanwhile unprofitable railways, or those threatened with closure, should be paved to enable express coach services to provide feeders to the main lines.

More generally Transwatch is interested in making the best use of land already committed to transport in the interests of the community as a whole.

Railtrack's annotated Closing Statement follows. The annotation has been updated in January 2005. The reader will find the statement deals with hardly any of the points we made. Instead Railtrack's immensely expensive inquiry team limited itself to deinigration, misrepresenting our evidence and diverting attention from it - the latter mainly by pretending congestion would be a major problem. In practice congestion would be controlled by congestion charging, now Government policy.

Railtrack's close ref. Paul F Witherington Objector 1051 (annotated).

Paul. F. Witherington: OBJ 1051

And after 12 months the name is still spelt incorrectly.

194. Mr Witherington's objection to the Order works is summarised in paragraph 1.1.1(1) of his proof GEN/WITH/1051/P1 as follows:

“Investment in rail should be halted immediately in favour of conversion (of the rail lines) to motor roads managed to avoid congestion.”

195. His thesis is that investment in rail should stop and that in its place there should be investment in the conversion of the “entire rail network” (PW xx) to motor roads. Thus an evaluation of the merits of his objection (if such an evaluation is worthwhile) requires not only consideration of his critique of investment in rail but also an assessment of the practicality of that which he proposes to put in its place namely, a new road network established along exiting rail corridors.

196. Focussing on the latter consideration first his proposal to convert rail to road is largely based on the Smith Hall study published in 1976 and on subsequent publications including the ‘Truth About Transport’ 1982 (reprint 1993). Neither of these publications constitutes an in-depth analysis of the merits of converting the entire rail network to roads; nor are their findings or conclusions supported by any nationwide or indeed any up to date, collected data, surveys or studies of the practicality of converting the national rail network to a motor road. In this respect it is notable that, in choosing candidates for their ‘case studies’ in the mid seventies Smith/Hall (p.29) rejected the London–Midland Region, St. Pancras–Leicester–Sheffield–Leeds system, with its branches on the grounds of ‘size, complexity, and distance from London.’ Other routes – ‘the

We used the Hall Smith study mainly to provide an estimate of conversion costs. Our critic does not challenge that estimate. The rest of our evidence was based on the most recent national statistics. Hence most of 196 et seq is scarcely relevant to our case.

Southern Region commuter system’ – were also rejected on the grounds of their scale and complexity. Instead they sought to evaluate the conversion of 2 minor urban lines, 3 minor rural lines and the mainline from Liverpool Street to Harwich/Southend. It follows that PW’s observation that the Smith/Hall route ‘selection provided a microcosm of the National Rail system’ (GEN/WITH/1051/P1: 2.11.1) is not justified by the report itself.

For convenience these critics overlook Smiths comment (p5 of Comments and Rejoinders) that the ratio of track length to route length in the study is exactly as for the whole of the BR network so probably the study sample is a fairly representative microcosm of the whole. The main reason for the selections made by Professor Hall and Mr Smith were their limited resources.

197. Moreover, in their recommendations (p.126) Smith/Hall advised the Secretary of State that:

1. The only definitive means of validating the conclusions (of their report) is to carry out the conversions considered in this study.
2. At the same time a study should begin of the whole BR network.’

198. Although the report was financed under a contract from the Department of the Environment, in the 25 years since its publication neither have their recommended conversions taken place nor has the network-wide study been carried out. Accordingly the proofs that Smith/Hall said were needed to validate the integrity of their study of closure and abandonment of the selected parts of the railway network and their conversion to motor roads, and the study required to determine (presumably) whether it was a practical proposition nationwide, have not been provided. Nor has any other independent technical assessment been carried out since 1976 to validate or advance the case for closure of the entire rail network and its conversion to motor roads.

The 1st year rates of return provided by the study were extraordinarily high. E.g. 530% for the Liverpool St/ Harwich/ Clacton/Walton/ Southend line. The report lead to a howl of rage from the railway lobby who made perfect fools of themselves – see the companion volume Comments and Rejoinders ISBN 0.7049.0349.0 and ISSN 0305 5914. However, sentiment in this matter can be overwhelming and nothing has been pursued - a great loss to the nation. Naturally our critic attempts to belittle the work that was done – that is his job. Those requiring a copy of The Truth about Transport may apply.

Writing on the subject produced by PW that has been published since 1976 is either very general and/or polemical in nature ('The Truth about Transport: Dalglish 1982) or focuses on one-off conversions of short lengths of redundant railway formations to provide local access roads ('How To Get The Roads We Need': RCC/Beale).

199. Unsurprisingly therefore PW' evidences discloses a complete lack of any requisite technical, environmental or economic appraisal of his thesis founded upon survey, environmental assessment or business case; and this fact must render it undeserving of anything other than superficial consideration. The principal reason for this is that, what PW proposes, is nothing less than the abandonment of rail and, in its place, a major expansion of the national road network; a network that is at present, as he accepts (xx) (and is well documented and everyone's daily experience), subject to substantial congestion and delays that are considered to be both economically and environmentally unsustainable. 'Simply building more and more roads is not the answer to traffic growth.' (New Deal For Transport, 1.4 (CD/GOV/9001)). In these circumstances we contend that it behoves PW to produce a compelling case that the quantum expansion of the road system that he proposes would do other than add to the already overloaded, congested and unsustainable road transport network in this country.

This is name-calling by a critic who cannot overturn the arguments he faces in a discussion devoted to finding the truth. We answered the congestion case many times. The strategic case we made was compelling – a quadrupling of capacity, costs cut by a factor of four, death rates cut by 70% (now found to be to be 100%) and fuel consumptions cut by 30-50 % now found to be (20-25)%.

199.PW acknowledges this requirement and is sensitive to, the burden of proof that he bears.

He has frankly conceded (xx) that his so called “eccentric proposal” to convert

The entire rail network to road has never been the subject of any proper transport appraisal; or for that matter any practical analysis of its physical capability; and yet he envisages that *‘the replacement roads*

Most indicative studies, except those carried out by the railway lobby, provide the most compelling arguments in favour of conversion.

should be connected to the existing highway not closed off from it” (P1 R (3): 2.5)

Moreover he (xx) acknowledged that the ‘threat of congestion was implicit in his proposals and would be ever present.’ He conceded that

the traffic composition of his new roads would be, potentially, no different to that of the national road network. Nevertheless he *‘envisaged’* that *‘Congestion would probably be controlled by road pricing. The actual traffic composition would be determined by market forces and the pricing regime’*

Here our critic harps on again about congestion – a problem that could be solved by tolls or by road pricing or by limiting use to certain classes of vehicles. The fact of a challenge to that illustrates the weakness of our critic. Congestion charging is now part of Government policy and was first canvassed by Professor Smeed in 1966

(GEN/WITH/1051/P1R (3): 2.5 and 2.1.). Regrettably he0 has failed to produce any substantial evidential support for his speculations as to congestion control that can be evaluated or given any weight although it is fundamental to his projected new road system. For

- **Has our critic anything else to say?**
- **When will he deal with the issues we actually raised?**

example he has produced no case studies of road pricing in action, or of how so called *‘market forces’* (GEN/WITH/1051/P1 R (3): 2.1) (a succession of Rolls Royces?) can somehow work to affect traffic composition or determine what that composition would be. He accordingly has not demonstrated that his new road system would exhibit other than the characteristics of the present national road network in terms of congestion and

delays or its tendency, when expanded, only to attract additional trips to fill the road space provided. As to this latter phenomenon he (xx) did not seek to challenge the findings of the SACTRA report.

200. PW expected (xx) that his new roads would be privatised and that there would be a demand for their use particularly by express bus. However he accepts that bus/coach has '*a poor image*' (P1 R (3)) at present because it suffers from congestion. This is an example of the criticality of the role of congestion management in his proposals; a control which has proved particularly elusive on the existing national road network and about which he offers only the most speculative of opinions.

Ownership has no relevance to our case. Our critic is determined yet again that congestion should be a problem when it would be controlled by pricing etc., see above.

201. Of course assuming congestion could be controlled on the new roads and express buses could be run there is no evidence produced by PW, whether through customer surveys or otherwise, to show that such a service would prove attractive either to customers or to investors.

Our critic has clearly run out of things to say.

As NA points out (RT/GEN/WITH/1051/R: 2.3) current perceptions of bus travel and expectations as regards journey times make it likely that many rail passengers would perceive bus/coach travel to offer a lower level of amenity compared with rail in terms of comfort space and facilities and to be unacceptably slow (note PW's acceptance that the trip from London to Glasgow would be 2 hours

Given the right of way the express coach would match the train for journey time on 90% of journeys. Commuter trains are extraordinarily uncomfortable. Coaches offer all seated travel and allow any degree of comfort to be provided. If rail were to operate without subsidy fares would have to rise by a factor of 2-3 without loss of passengers. Why should the taxpayer subsidise the better off?

longer than by train, GEN/WITH/1051/C1: 5.6). PW (xx) recognised the attraction of air travel to long distance customers but produces no substantial evidence to show that demand for air instead of rail would not undermine the viability of express bus services. At best he relies on a price differential but does not condescend to explain how the elasticities of demand for travel related to cost and journey time would support the viability of the bus services he envisages being provided by the private sector. Nor was he able to offer any substantive denial of NA's suggestion that car travel would become attractive in the absence of rail for shorter journeys and would have to be accommodated.

Contrary to the above – replacement coaches offering all seated journeys at similar speeds to the trains for 90% of journeys with fares cut by a factor of 4 would attract many motorists out of cars.

202. PW is a civil engineer but not a highway engineer. He did not provide an appraisal of the physical limitations of the railway corridors in any depth but expressed the view that (xx) the WCML could accommodate a 'double carriageway' to Crewe and a single

PW has highway engineering experience. There is no doubt that nearly all two track railways can accommodate a carriageway 7.3 metres wide plus adequate marginal strips. On the approaches to London there is room for dual two or three lane motor roads.

carriageway north of Crewe. In the Smith/Hall report the issue of lane width is taken up in chapter 3 where it is recognised that there may have to be compromises on standard lane widths (7.3m) to accommodate the new roads both generally and 'particularly on viaducts, bridges, and in tunnels..' In the absence of any material evidence to the contrary we consider that the Secretary of State can only properly conclude that what is proposed is at best an A/B road system that is unlikely to meet modern standards and which would probably require special control measures

throughout substantial parts of its length – speed control /traffic lights /one way working through tunnels etc. - to ensure the safety of the travelling public.

We reject the above comment absolutely - see web site facts sheet 3 for widths and headroom. However, but we do comment - even a minor B-road will carry many times that of a rural railway. As to traffic lights, when did we last see a traffic signal on a rural road?

203. Similarly the Secretary of State is not provided by PW or otherwise with any but the most superficial evidence as to how traffic using the new network would be accommodated on its arrival in London or other major cities, or indeed as to how access would

Again our critic clutches at straws rather than addressing our technical arguments. That is because he has lost all of those. As previously – congestion can be controlled by price, witness the Mayor’s scheme.

be provided to the new roads. If they are to be open to all traffic it is probable that

major access works would be required – junctions/roundabouts/slip roads - throughout their length. Since by their nature railways predominantly traverse the countryside it is plain that PW’s proposal would potentially have significant environmental consequences (visual intrusion/land use conflict) that he has made no attempt to assess or take advice upon. In built up areas where trains currently come close to houses the implications of their replacement by cars, buses and lorries raises questions of environmental impact (noise/fumes) that PW also has

If the railways were paved countless lorries and other vehicles would be removed from the unsuitable rural roads and city streets that they currently use to the great benefit of all.

not addressed. He nevertheless accepted (xx) that the Government’s new approach to the appraisal of transport projects (CD/GOV/9001: p.133) required specific regard to be had to such environmental considerations. In this context it is to be noted that the Smith/Hall report (perhaps indicative of its age) gives only cursory consideration to this important aspect of modern transport planning.

204. For these reasons and those raised with PW but not specifically dealt with here – conflict with policy/practicality of implementation in both town and country (subsidised rural train services) - we contend that the Secretary of State can have no confidence that PW’s proposal that the entire rail network should be converted to roads is either a practical proposition or desirable in environmental terms; and that, accordingly, he should place no significant weight upon his evidence in coming to his decision on the merits of the TWO works.

In this closing statement these people chose to ignore the bulk of the evidence presented.

205. As regards PW’s critique of the economics of rail as opposed to road we address his points by reference to his closing submissions (GEN/WITH/1051/C1) as follows;

206. Summary: PW’s evidence falls a long way short of showing that the replacement of the entire railway system by roads ‘managed to avoid congestion’ is a practical or viable proposition. Accordingly there is not substantial basis for the consequential benefits he claims. This simple proposition is not gainsaid by appealing to national statistics and ordinary arithmetic. The rail modernisation programme does not depend on misrepresentation but on a policy imperative to optimise the use of existing rail transport assets as part of an integrated and sustainable transport strategy.

Where is the reasoning in support of this statement? Nowhere has the critic addressed the case we bought. Meanwhile we cite Stuart Joy Chief Economist to British Railways in the 1960s who wrote in his book the Train that Ran Away that there were those in the British Transport Commission and the railways who were cynically prepared to accept the rewards of high office in return for the unpalatable task of tricking the Government on a mammoth scale. These men, Joy said, were either fools or knaves.

207. Subject of inquiry: We do not say that the ‘strategic issues’ raised by PW cannot be taken into account. However PW’s concession that they are strategic (see also xx re PW’s attempts to influence H of C Transport Committee) renders them of limited

weight as regards the merits of the TWO works in the context of the expenditure that has been committed to the WCML pursuant to Government policy and through the rail industry procedures.

208. Privatisation: PW's acknowledgement of the success of privatisation of the railways is noted. It is pursuant to the new industry procedures that the PUG2 proposal has been brought forward with all its inherent benefits identified by NF including upgrading the WCML and maximising its use by, inter alia, increasing train services and reducing journey times.

Privatisation or otherwise is of no interest here.

209. Finance: The Government is committed to supporting the 'renaissance' of the railways (CD/GOV/9001: p.43) as an environmentally sustainable form of mass transport.

210. Fuel Consumption: PW's comparison is based on buses travelling on roads managed to avoid congestion and on their having a full complement of passengers. The practicality of either proposition is not demonstrated on his evidence to the inquiry.

This is a misrepresentation. We did not assume a full compliment. Instead we assumed an average of 20 passengers per bus – the same as for current intercity coaches.

211. Similarly PW's analysis that 'Rail freight is no more efficient than lorries' assumes lorries operating in uncongested conditions (P1: 2.8.8). Lorries operate in congested conditions at present and PW's evidence does not demonstrate that they would not do so in the future. The environmental benefit of getting them off roads and onto new freight paths on the WCML is accordingly self-evident.

Our critic repeats the strange notion that congestion cannot be controlled.

212. Capacity and usage: Again PW's contention turns on the practicality of providing 'express bus services using roads managed to avoid congestion.' His evidence in this respect was challenged and it remains the case that he was unable to cite an example of such a service in operation either in the UK or

Go see the bus lane serving the New York Bus terminal. A flow rate of 700 buses per hour provides 30,000 seats in one lane 3.2 metres wide.

elsewhere in the world despite what he claims as its apparent advantages having been known for at least 25 years.

213. Speed and comfort: The speed advantage PW claims for short bus journeys depends on the maintenance of roads managed to avoid congestion (about which see above) Even assuming that such conditions could be achieved on the converted rail network (which we dispute) PW concedes that long distance bus travel would be subject a 2 hour penalty. His observations on the attraction of his (assumed) lower price for bus tickets are wholly unsupported by any evidence. His otherwise subjective views on the comparative comforts of bus and train travel are challenged by NA.

Congestion again!!

On the contrary - our evidence compared real rail fares with real and forecast bus fares and found bus up to 5 times cheaper than rail.

214. Death rates and casualty costs: PW's comparison between rail and bus is of limited relevance. As he has informed the inquiry his converted rail to road system would be open to all traffic. It follows that in examining his P1 Table 6.2 p. A13-3 the true comparison is between rail and bus/car/van/motorcycle. In any event when compared on a pax/km basis (see GEN/WITH/1051/C1: Page – 5, (a) 'death rates are arrived at by dividing deaths by passenger kilometres – nothing can alter that') there is little difference between rail 0.07 and bus 0.05. It is noted that the recent paper 6 a is 'indicative rather than final' both in relation to its date ('December 27th 2001') and its content and 'subject to some caveats' which 'suggest caution in interpreting the data.' On PW's own evidence this document can accordingly carry little weight.

Our comparisons were entirely relevant – Rail passengers would transfer to express coaches offering similar journey times at a fraction the fare. Death rates to them would be cut by a factor of 2. The critic misquotes our evidence now updated by facts sheet 2. Accidents to people in other vehicles transferring from ordinary roads and city streets would also be reduced. These people are determined to misrepresent the evidence.

215. Safety Expenditure: PW's comment on overspend on safety only has significance comparative to other forms of transport. For the reasons stated the Secretary of State cannot be satisfied that PW's alternative transport system is either practicable or viable.

The cost of £6 billion for the train warning system is 62 times higher than the value of the life and limb likely to be saved. The annual cost of a seat on an express coach is at least 3 times less than the same on a train.

216. Track and rolling stock costs: The previous statement is repeated.

217. Disruption: PW has provided no assessment of how disruption would affect his converted rail to road; what access emergency services would have at which points along the line; whether it would be practicable to clear accidents within the width of the railway formation etc; with what frequency accidents would be likely to occur etc. His emphasis on 'road managed to avoid congestion' is an explicit recognition that his substandard highways would be particularly susceptible to congestion in such events.

Our critic is again clutching at straws – A derailed train may close a complete route for days. In comparison a major road accident on a two-way road may be cleared in a matter of hours.

On Friday 28th May 2005 all trains to Euston were brought to a standstill because a pigeon flew into overhead cables between Bletchley and Bourne End. At one time they were considering installing plastic hawks to deter birds from nesting in the gantries – even a falling nest may short the system for hours. Pigeons, or falling birds' nests, have never disrupted road traffic.

In no way would these new routes be "substandard". The alignments would be superb and the widths adequate.

218. Engineering factors: Great Heck was an exceptional event. The alleged poor financial and operational performance of rail compared with road was challenged. The true costs of congestion on the road network are widely recognised as greater than normally accounted for.

There was no effective challenge. Congestion on existing roads is of no relevance here (although it would be immensely reduced by 10,000 more miles of high-grade route reaching to the hearts of our towns and cities).

219. Conversion: The comparison of cost is not useful in the absence of a compelling case that conversion of the entire rail network to road is either a practicable, viable or environmentally desirable.

The unchallenged and compelling case for conversion is that express coaches and lorries, given rail's rights of way, would discharge the national rail function at one quarter the cost of the train while offering 4 times the capacity, cutting death rates by a factor two and cutting fuel consumption by 20-25%. (These numbers replace those presented at the inquiry, but they have the same, or similar, impacts).

220. Conversion strategy: PW is not qualified in any material respect to offer a professional opinion on the logistics and or implementability of any conversion strategy.

Mr Withrington is a Civil Engineer of over 40 years standing who has specialised in Transport Planning for 30 of those years.

221. Managing congestion: PW's claim that his converted roads could be successfully managed to avoid congestion has been challenged. He provides no demonstration of such a system in operation or indeed that road pricing would necessarily prevent congestion in the absence of alternative forms of transport (rail).

Our critic has mounted no effective challenge to the control of congestion by pricing or by banning certain classes of vehicles in some locations or at some times of day. Since the inquiry we have the example of the Mayor's Scheme, central London.

222. Development potential: PW's evidence on development value is entirely speculative and fails to demonstrate that the land in question would not be required for parking vehicles using the new roads into the cities

A visit to any provincial railway or suburban railway station will find it a place of dreams often surrounded by acres of railway dereliction. If the railway were a converted to a road managed to avoid congestion that would change dramatically

223. Forecasts: NA dealt with forecasts in his evidence. Growth in train travel would be achieved by peak spreading and off-peak travel. Costs and cost benefit analysis: Press speculation is not a proper basis for challenge to the cost benefit analysis.

NA's passenger forecasts depended on exponential growth at 3% for 15 years and at 1% per year thereafter. That depended in part on fares reducing by 1% per year below inflation for 3 years and then being held steady for the next 27 years. The economic analysis depended critically on that highly speculative model, now (2005), shown to be in the realm of fantasy.

224. Usage: PW's comment again assumes the practicality of his alternative that we dispute.

225. In conclusion on PW's objection to the Order we submit that speculative nature of his conversion thesis unsupported as it is by any empirical examples or by any reliable assessment as to its practicality or viability means that the Secretary can give it no material weight in his deliberations on the merits of the TWO. We would nevertheless draw to his attention that in xx PW did not dispute RT's evidence (NF) that the WCRM would,

Our evidence is factual not speculative. Instead of dealing with that this critic is reduced to unsupported denigration. There are lots of examples of converted railways – See <http://www.roadsweb.co.uk/conversions/fulllist.php>.

improve intercity journey times; lead to a doubling of the number of trains and a consequential increased usage of the rail system; safety improvements; improved train performance; increased passenger numbers; and provide scope for further enhancement of the rail network. He accepted that RT's case in these respects was positive and that the WCTL service 'on my calculations may well pay for itself' but that there was a 'better alternative.' For the reasons we have identified the evidence supporting his alternative is insubstantial and should carry little weight with the Secretary of State's in his determination of the merits of the Order.

PW rejects absolutely the spin attempted by these closing sentences. There is no possibility whatsoever that the West Coast Main Line Modernisation Programme will ever pay for itself.

6th December 2001

Annotation amended January 2005