



YORK PLACE®

COMPANY FORMATION • INFORMATION
ADMINISTRATION • PROPERTY SEARCHES

DATE:

RAIL SEARCH

CASE REF:

CLIENT REF:

ADDRESS:

Q. Are there any proposals for a change in the number of trains using the existing railway line or are there any plans to re-activate a disused railway

A. Network rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited, since those intensions are formed by other bodies.

For current passenger train usage, the published timetable is of course available from National Rail www.nationalrail.co.uk Enquiries can also be made of the relevant train operator.

Q. Do Network Rail claim any rights of access, wayleaves or other easements or otherwise over the property?

A. For rights and restrictions which may affect a property, reference should be made to the property's title, although Network Rail does have statutory powers of entry onto adjoining land in circumstances where repair is required or in order to prevent an accident (s14 of the Railway Regulation Act 1842).

Q. Please confirm whether the railway lines shown on the plan of the property I am interested in are under Network Rail control. If not, whose control are they under and are these lines used or disused?

A. Network rail is the owner of all railway lines currently used for operating intercity and suburban trains in Great Britain. The majority of disused lines are no longer in railway ownership. Those that remain in railway ownership are owned by either Network rail or BRB (Residuary) Ltd whose property, including it's own lines, is listed on their website at www.brb.gov.uk/property/property_listings

There are also in excess of 350 route miles of Heritage Railways in use, enquiries should be redirected to Heritage Railway Association 2 Littlestone Road New Romney Kent TN28 8PL.

London Underground Limited, 55 The Broadway, London, SW1H 0DB owns the London Underground network. Other light rail and tram schemes operating in various cities are not owned or operated by Network Rail.

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Enquiries in relation to the channel Tunnel Rail Link should be directed to 2 Ossulton Street, London, NW1 1HT

Q. Are there any proposals for the construction of new railways, the centre line of which is within 200 metres of the property?

A. Local authorities should have details of new railway proposals (enquiries no. 3.5 on the standard local search form (July 2002 edition).

Not all examples of these proposals are from Network Rail – Crossrail is one such example.

This property is not within 200 meters of the Crossrail route.

Enquiries in relation to the East London Line Extension should be addressed to London Underground Limited, 55 The Broadway London SW1H 0DB

Q. I want to make a 'railway search' as suggested in a conveyancing searches handbook.

A. There is no statutory basis that requires Network Rail or its predecessors to respond to such enquiries. This is further confirmed in the Law Society Conveyancing Handbook which states that there is no official form of railway search.

Q. Does the owner of the property or Network Rail have any liability to maintain or contribute to the cost of maintenance of boundary walls and/or fences or for any other work in relation to the railway land?

A. Identification of fencing responsibilities, and any access rights for these or similar works from the original railway acquisition arrangements can be a costly exercise, and may not be conclusive.

Q. What restrictions are there on building adjacent to the railway line and is Network Rail consent required to carry out any alterations to the property?

A. Building works near the railway may have unforeseen safety implications e.g. when working in the vicinity of high voltage overhead electricity cables. Properties formerly in railway ownership usually have restrictions on the title which require Network Rail approval before starting any work. Please note that neither Network Rail nor its predecessors keep records of consents given and do not give retrospective consent.

Q. Are there any proposals for work on the railway which might affect the property or any proposed development?

A. It may not be readily practicable to identify all prospective railway works which could take place in any particular location, especially as many stations, depots and other railway facilities are let, or may be let, to train and freight operating companies or others who may have their own intentions.

Q. Are there any buried or overhead power/communication cables or other services?

A. Network Rail does not hold complete records on services in land adjoining the railway. Enquiries should therefore be made of the utility companies and a full survey completed before undertaking any work.

Q. Will I be able to go on to the railway land in order to maintain the property or carry out building works?

A. Apart from the risk to personal safety, anyone who enters on to railway land is committing a criminal offence (s55 British Transport Commission Act 1949). Specific consent should be obtained before starting any work to ensure the safety of the people carrying out the work and that there will be no interference with railway services.

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Q. I am proposing to provide/finance railway services or facilities. Can you provide me with further information to assist me in pursuing my proposal?

A. It is likely that your proposal will be covered by Network Rail's Code of Practice for dealings with Dependent Persons. Details about the Code and the relevant people who can assist are available from http://www.networkrail.co.uk/companyinformation/regdocuments/code_practice.htm

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