

**NETWORK RAIL (STALYBRIDGE TO DIGGLE (SADDLEWORTH) ENHANCEMENTS) ORDER**  
**RESPONSE TO THE SECRETARY OF STATE'S STATEMENT OF MATTERS**

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The table below identifies where Network Rail addresses each matter set out in the Secretary of State's Statement of Matters, together with cross-references to the application documents and Proofs of Evidence.

| SECRETARY OF STATE'S STATEMENT OF MATTER                                                                                                                                                                                                                                                                                                        | NETWORK RAIL RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p><b>(1) The aims and objectives of, and the need for, the proposed Stalybridge to Diggle (Saddleworth) Enhancements works (“the Scheme”), including its effects on railway operations and whether all statutory procedural requirements have been complied with and sufficient information was available to parties about the Scheme.</b></p> | <p><b><u>STATEMENT MATTER 1</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Sections 4 and 5.</li> <li>• Proof of Evidence of Mark Ashton (<b>NR/PoE/MA/1.2</b>) – Sections 3.2, 3.3, 3.5, 3.6, 3.7, 3.8, 5.2, 5.3, 6.1, 6.2 and Section 8.</li> <li>• Proof of Evidence of Emma Clarke (<b>NR/PoE/EC/2.2</b>) – Section 3.2.</li> <li>• Proof of Evidence of Mike Gradwell (<b>NR/PoE/MG/15.2</b>) – Section 4.</li> </ul> |
| <p><b>(2) The main alternative options considered by NR and the reasons for choosing the proposals set out in the Order.</b></p>                                                                                                                                                                                                                | <p><b><u>STATEMENT MATTER 2</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Section 5.4.</li> <li>• Proof of Evidence of Mark Ashton (<b>NR/PoE/MA/1.2</b>) – Section 7.5.</li> <li>• Proof of Evidence of Emma Clarke (<b>NR/PoE/EC/2.2</b>) – Sections 4 and 6.</li> </ul>                                                                                                                                                |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• Proof of Evidence of Laurie Barbour (<b>NR/PoE/LB/13.2</b>) – Section 13.2.</li> <li>• Proof of Evidence of Lee Barraclough (<b>NR/PoE/LB/11.2</b>) – Section 4.</li> <li>• Proof of Evidence of James Doodson (<b>NR/PoE/JD/10.2</b>) – Sections 2.4, 3.6, 3.8.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>(3) The likely impact of the Scheme on landowners, local businesses and residents:</b></p> <p>a. <b>the effects of the Scheme on public rights of way including the proposed closure of Footpath 209 (Moorgate Halt Level Crossing), the suitability, safety and convenience of proposed alternative routes and whether appropriate mitigation has been considered, including the provision of a footbridge; and</b></p> | <p><b><u>STATEMENT MATTER 3</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Section 8.</li> <li>• Environmental Report (<b>NR14</b>) – Volume 1 Chapter 10 Traffic and Transport, Appendix 10A Traffic and Transport technical appendix.</li> <li>• Application Document Amendments – For Changes to the Extent of Extinguishment of Footpath 209 SADD (<b>NR149</b>).</li> <li>• Planning Direction Drawings for Moorgate Footpath Upgrade (<b>NR12</b>) and Planning Direction Drawings (<b>NR12</b>) Revisions – Footpath Enhancement Works For Footpath 244 SADD (<b>NR150</b>).</li> <li>• Proof of Evidence of Jerry Greenwood (<b>NR/PoE/JG/9.2</b>) – Sections 5, 6, 7, 14 and 15.</li> <li>• Proof of Evidence of James Doodson (<b>NR/PoE/JD/10.2</b>) – Section 3.</li> <li>• Proof of Evidence of Lee Barraclough (<b>NR/PoE/LB/11.2</b>) – Section 4.</li> <li>• Proof of Evidence of Laurie Barbour (<b>NR/PoE/LB/13.2</b>) – Section 2.</li> <li>• Proof of Evidence of Mike Gradwell (<b>NR/PoE/MG/15.2</b>) – Section 9.2.</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>• Proof of Evidence of Sandra Honeywell (<b>NR/PoE/SH/14.2</b>) – Section 5.3.</li> <li>• Proof of Evidence of Chris Cary (<b>NR/PoE/CC/5.2</b>) – Section 5.2.</li> <li>• Proof of Evidence of Sean Wotherspoon (<b>NR/PoE/SW/12.2</b>) – Sections 2.1.4, 2.1.7–2.1.11, 3.5, 4.2.1, 4.4, 4.5, 4.6.1–4.6.2, 4.9, 5.4, 5.6.4, 5.8.1, 6.1–6.5.</li> <li>• Sean Wotherspoon Rebuttal PoE to Leslie Harrison (<b>NR/PoE/REB/OBJ/54</b>) – Section 2.1.</li> <li>• Sean Wotherspoon Rebuttal PoE to Kevin Lawton (<b>NR/PoE/REB/OBJ/117</b>) – Section 2.1.</li> <li>• Sean Wotherspoon Rebuttal to Andrew Fletcher / Moorgate Footbridge Campaign Group (<b>NR/PoE/REB/OBJ/130</b>) – Section 2.1.</li> <li>• Sean Wotherspoon Rebuttal PoE to Oldham Council (<b>NR/PoE/REB/OBJ/185</b>) – Section 2.1.</li> <li>• Lee Barraclough Rebuttal PoE to Kevin Lawton (<b>NR/PoE/REB/OBJ/117</b>) – Section 2.3.</li> <li>• Lee Barraclough Rebuttal PoE to John Walton (<b>NR/PoE/REB/OBJ/260</b>) – Section 2.2.</li> </ul> |
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| <p>b. the impacts of the Scheme on stations and station access arrangements, including at Greenfield and Mossley, having regard to highway safety, accessibility, parking, pedestrian movements and service provision.</p>                                                                                                                                                                                   | <p><b><u>STATEMENT MATTER 3 Continued</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Sections 7, 9, 11, 14.</li> <li>• Proof of Evidence of Emma Clarke (<b>NR/PoE/EC/2.2</b>) – Sections 4.2 and 4.4.</li> <li>• Proof of Evidence of Chris Cary (<b>NR/PoE/CC/5.2</b>) – Section 6.</li> <li>• Proof of Evidence of Jim Pearson (<b>NR/PoE/JP/4.2</b>) – Sections 6.7.5, 7.1.1 to 7.1.2, 6.9.2 and 8.5.</li> <li>• Proof of Evidence of Keith Gardner (<b>NR/PoE/KG/3.2</b>) – Section 3.</li> <li>• Proof of Evidence of Adam Lawrence (<b>NR/PoE/AL/6.2</b>) – Section 2.6.</li> </ul>                                         |
| <p>(3) Continued. The impacts of the Scheme during construction, including:</p> <p>c. the likely effects of the exercise of powers in the proposed Order on highways, access and traffic;</p> <p>d. impacts on residential amenities, community facilities, local businesses and tourism;</p> <p>e. the use, siting and operation of construction compounds, including Brookfields and other green space</p> | <p><b><u>STATEMENT MATTER 3 Continued</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Sections 11, 14.</li> <li>• Application Document Amendments – For Changes to the Secondary Temporary Construction Area at the Brookfields Site (Mossley Station) (<b>NR148</b>).</li> <li>• Proof of Evidence of Chris Cary (<b>NR/PoE/CC/5.2</b>) – Section 4.2.</li> <li>• Proof of Evidence of Jim Pearson (<b>NR/PoE/JP/4.2</b>) – Section 6.6.</li> <li>• Proof of Evidence of Adam Lawrence (<b>NR/PoE/AL/6.2</b>) – Sections 2.3 to 2.5.</li> <li>• Proof of Evidence of Mike Gradwell (<b>NR/PoE/MG/15.2</b>) – Section 9.</li> </ul> |

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| <p>locations, impact on future developments in this area; and</p> <p>f. construction programming, phasing, timing, duration and sequencing, including interaction with local events and emergency access.</p>                                                                                                | <ul style="list-style-type: none"> <li>• Proof of Evidence of Nigel Billingsley (<b>NR/PoE/NB/8.2</b>) – Section 6.</li> <li>• Proof of Evidence of Keith Gardner (<b>NR/PoE/KG/3.2</b>) – Sections 3.4.4,3.4.5-3.4.9, 3.16.1,3.20 rebuttal to Rob Muir sections 2.1.1-2.1.10 (Item E), Sections 10.1.1- 10.1.7(Item F).</li> </ul>                                                                                                                                                                                           |
| <p><b>(4) Whether the proposals comply with the Equality Act 2010 and the Public Sector Equality Duty, including impacts on accessibility and mobility for children, older people, disabled persons and other vulnerable users.</b></p>                                                                      | <p><b><u>STATEMENT MATTER 4</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Section 6, 14.</li> <li>• Proof of Evidence of Mark Ashton (<b>NR/PoE/MA/1.2</b>) – Section 6.2.</li> <li>• Proof of Evidence of Jim Pearson (<b>NR/PoE/JP/4.2</b>) – Sections 7.1 and 8.11.</li> <li>• Proof of Evidence of Emma Clarke (<b>NR/PoE/EC/2.2</b>) – Section 5.4.</li> <li>• Proof of Evidence of Lee Barraclough (<b>NR/PoE/LB/11.2</b>) – Section 4.3 and the DIA at Appendix 4.</li> </ul> |
| <p><b>(5) The effects of the Scheme on statutory undertakers, statutory utilities and other utility providers, and their ability to carry out their undertakings effectively, safely and in compliance with any statutory or contractual obligations and the protective provisions afforded to them.</b></p> | <p><b><u>STATEMENT MATTER 5</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Sections 3, 7 and 14.</li> <li>• Proof of Evidence of Nigel Billingsley (<b>NR/PoE/NB/8.2</b>) – Objections from CRT , NGET and ENWL Section 6.</li> <li>• Proof of Evidence of Keith Gardner(<b>NR/PoE/KG/3.2</b>) – Sections 2.4, 2.7, 5.4.1-5.4.9, Table 5.1, 7,7, 6.3,6.6 and Fig 17.</li> <li>• Proof of Evidence of Jim Pearson (<b>NR/PoE/JP/4.2</b>) – Section 6.8.</li> </ul>                     |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>• Proof of Evidence of Emma Clarke (<b>NR/PoE/EC/2.2</b>) – Sections 6.3, 6.4, 6.5, 6.7.</li> <li>• Emma Clarke Rebuttal PoE to Canal &amp; River Trust (<b>NR/PoE/REB/OBJ/211</b>) – Section 2.1.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>(6) The environmental effects of the Scheme, including impacts on:</b></p> <ul style="list-style-type: none"> <li>a. <b>designated and non-designated green spaces;</b></li> <li>b. <b>trees, habitats and protected species;</b></li> <li>c. <b>flood risk, drainage, noise, vibration, air quality and landscape character; and</b></li> <li>d. <b>heritage assets, including historic routes and structures.</b></li> </ul> | <p><b><u>STATEMENT MATTER 6</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Section 11.</li> <li>• Environmental Report (<b>NR14</b>).</li> <li>• Proof of Evidence of Jim Pearson (<b>NR/PoE/JP/4.2</b>) – Sections 6.2, 6.3, 6.4, 6.5, 6.9 and section 7.</li> <li>• Proof of Evidence of Adam Lawrence (<b>NR/PoE/AL/6.2</b>) – Sections 2.6 to 2.8.</li> <li>• Proof of Evidence of Will Horlock (<b>NR/PoE/WH/7.2</b>) – Sections 5, 6.</li> <li>• Proof of Evidence of Sandra Honeywell (<b>NR/PoE/SH/14.2</b>) – Section 5.</li> <li>• Proof of Evidence of Mike Gradwell (<b>NR/PoE/MG/15.2</b>) – 5.1.3–5.1.7, 5.1.11, 8.4, 8.5, 8.6, 8.8.</li> </ul> |

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| <p><b>(7) Having regard to the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the Ministry of Housing, Communities &amp; Local Government ‘Guidance on the Compulsory Purchase Process’ published in October 2024 and updated in January 2025:</b></p> <p>a. <b>Whether there is a compelling case in the public interest to justify conferring on NR powers to compulsorily acquire and use land for the purposes of the Scheme, including whether reasonable efforts have been made by the acquiring authority to negotiate the purchase of land by agreement.</b></p> | <p><b><u>STATEMENT MATTER 7</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Sections 12.</li> <li>• Proof of Evidence of Nigel Billingsley (<b>NR/PoE/NB/8.2</b>) - Sections 2.2.3–2.2.5, 4.1.2, 5, and 7.</li> <li>• Proof of Evidence of Mark Ashton (<b>NR/PoE/MA/1.2</b>) – Sections 6 and 11.6.</li> </ul> |
| <p><b>(7) Continued</b></p> <p>b. <b>Whether the purposes for which the compulsory purchase powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected (having regard to the Human Rights Act 1998).</b></p>                                                                                                                                                                                                                                                                                                                         | <p><b><u>STATEMENT MATTER 7 Continued</u></b></p> <ul style="list-style-type: none"> <li>• Proof of Evidence of Nigel Billingsley (<b>NR/PoE/NB/8.2</b>) - Sections 2.2.1–2.2.5.</li> </ul>                                                                                                                                                            |
| <p><b>(7) Continued</b></p> <p>c. <b>Whether there are likely to be any impediments to NR implementing the</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b><u>STATEMENT MATTER 7 Continued</u></b></p>                                                                                                                                                                                                                                                                                                      |

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| <p><b>Scheme, including the availability of funding.</b></p>                                                                                                                                                                                                                                                           | <ul style="list-style-type: none"> <li>• Proof of Evidence of Mark Ashton (<b>NR/PoE/MA/1.2</b>) – Sections 5.1, 6.</li> </ul>                                                                                                                                                                                                          |
| <p><b>(7) Continued</b><br/> <b>d. Whether all the land and rights over land which NR has applied for are necessary to implement the scheme.</b></p>                                                                                                                                                                   | <p><b><u>STATEMENT MATTER 7 Continued</u></b></p> <ul style="list-style-type: none"> <li>• Proof of Evidence of Nigel Billingsley (<b>NR/PoE/NB/8.2</b>) – Sections 3.2.3, 5.1.7 and 6.</li> <li>• Proof of Evidence of Mark Ashton (<b>NR/PoE/MA/1.2</b>) – Sections 3.4.2 and 6.</li> </ul>                                           |
| <p><b>(8) Any other matters which may be raised in the Inquiry which may be important and relevant to the Secretary of State's decision.</b></p>                                                                                                                                                                       | <p><b><u>STATEMENT MATTER 8</u></b></p> <ul style="list-style-type: none"> <li>• All documents as relevant.</li> </ul>                                                                                                                                                                                                                  |
| <p><b>(9) In relation to the applications for listed building consent at (iii) above, these applications are to be determined by the Secretary of State for Ministry of Housing, Communities and Local Government (MHCLG)</b></p> <p>Oldham Road Overbridge (MVL3/28)</p> <p>Shaw Hall Bank Road Footway (MVL3/26)</p> | <p><b><u>STATEMENT MATTER 9</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Section 9.</li> <li>• Proof of Evidence of Sandra Honeywell (<b>NR/PoE/SH/14.2</b>) – Sections 5.1 and 6.</li> <li>• Proof of Evidence of Mike Gradwell (<b>NR/PoE/MG/15.2</b>) – Sections 5, 8.5 and 10.</li> </ul> |

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| <p>Uppermill Viaduct (MVL3/31)</p> <p>Wickens Underbridge (MVL3/29)</p> <p>Royal George Underbridge (MVL3/25)</p> <p>Wright's Mill Overbridge (MVL3/20)</p> <p>Wright's Overbridge (MVL3/23)</p> <p>Heyrod Hall Overbridge (MVL3/7)</p> <p>Roughtown Road Overbridge (MVL3/17)</p> <p>Springbank Lane Footbridge (MVL3/8)</p> <p><b>9. If consent for the works is granted, the draft conditions submitted need to be assessed and agreed to ensure the works are carried out in a satisfactory manner. Any changes to conditions need to be clear and final conditions set out for the use in any decision.</b></p> |                                                                                                                                                                                                                                                                                                                   |
| <p><b>10. In relation to the application for an open space certificate at (iv) above</b></p> <p><b>This application is to be determined by the Secretary of State for MHCLG</b></p> <p><b>The Order will be subject to Special Parliamentary Procedure unless the Secretary of State for MHCLG gives a certificate in accordance with the</b></p>                                                                                                                                                                                                                                                                    | <p><b><u>STATEMENT MATTER 10, 11, 12</u></b></p> <ul style="list-style-type: none"> <li>• Statement of Case (<b>NR30</b>) – Section 10.</li> <li>• Proof of Evidence of Nigel Billingsley (<b>NR/PoE/NB/8.2</b>) – 3.3.</li> <li>• Proof of Evidence of Mike Gradwell (<b>NR/PoE/MG/15.2</b>) – 8.4.2.</li> </ul> |

provisions of section 19 of, and paragraph 6 of Schedule 3 to, the Acquisition of Land Act 1981.

11. The Secretary of State for MHCLG has been asked by Network Rail to certify:

a. under section 19(1)(b), that he is satisfied that the land does not exceed 209 square metres in extent of an existing highway and that the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public; and

b. under paragraph 6(1)(a) of Schedule 3 that the rights land, when burdened with the new rights, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before.

12. The Secretary of State for MHCLG has received no objections to this application.