

**TRANSPORT AND WORKS ACT 1992**  
**TRANSPORT AND WORKS (INQUIRIES PROCEDURES)**  
**RULES 2004**  
**NETWORK RAIL (LEEDS TO MICKLEFIELD**  
**ENHANCEMENTS) ORDER**

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**SUMMARY OF PUBLIC RIGHTS OF WAY PROOF OF**  
**EVIDENCE**  
**OF**  
**SUZANNE BEDFORD**

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Author	Suzanne Bedford
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**The Network Rail (Leeds to Micklefield Enhancements) Order**  
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### **1 Qualifications and Experience**

- 1.1 My name is Suzanne Bedford, and I am the Liability Negotiations Manager for the North & East, East Midlands and East Coast Routes on Network Rail's Eastern Region.
- 1.2 Through my employment at Network Rail, I have over 16 years' experience in exploring options for permanently diverting and stopping up public rights of way, the majority of which have been to enable closure of level crossings through liaising with key stakeholders such as Highway Authorities, user groups and landowners, and identifying options which balance the need to close a level crossing against the inconvenience to the user, and importance of maintaining connectivity on the public rights of way (PRoW) network.

### **2. Scope of Evidence**

- 2.1 My Proof of Evidence for this Inquiry examines the five level crossings that form part of the Order in respect of the extent of existing rights recorded over them and how each connects into the wider public rights of way network.
- 2.2 My evidence also examines the impact closure of these level crossings will have, specifically when looking at connectivity and enjoyment of use of the alternative routes, supporting my view that closure of the crossings will not significantly affect pedestrian, cycle or bridle journey time or general connectivity within the area.

### **3. Barrowby Lane & Barrowby Foot Level Crossings**

- 3.1 Barrowby Lane (bridle) and Barrowby Foot level crossings, which are located to the west of Garforth, are to be closed and a bridleway bridge is to be provided in substitution.
- 3.2 Part of my role is to look at closure solutions that balance the associated cost of the solution against the use made of the crossing and the inconvenience to the user; in this regard, given the low use made of Barrowby Foot crossing, it is my view that it would be disproportionate to spend over £1m in providing a bridge for a crossing which sees little to no use.

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- 3.3 At Barrowby Lane (bridle), solutions to achieve closure are naturally more complex given its higher usage and having the higher status bridleway rights. Aside from the proposed bridge option, my Proof of Evidence explores alternative solutions that are more cost effective but have been discounted, demonstrating that, in my view, the only feasible option to provide a route over the railway that does have a significant detrimental impact on connectivity on the Public Right of Way (PRoW) network is the construction of a bridleway bridge that incorporates closure of Barrowby Foot level crossing.

#### **4. Garforth Moor Level Crossing**

- 4.1 My Proof of Evidence sets out that this crossing has both private and public rights over it and that, having identified a safety concern with encumbered users walking over the crossing, it has been closed on safety grounds since 2017.
- 4.2 An application to extinguish public rights over the railway under section 118A of Highways Act 1980 was applied for by Network Rail alongside reference to creation of a new section of path which was requested by the Highway Authority.
- 4.3 The creation of the new path has received strong objections from local stakeholders, particularly regarding concerns about visual intrusion. It was expected that Network Rails' s118A application would be referred to the Planning Inspectorate had it not been for this current Order.
- 4.4 Because of the objections to the footpath creation order which have not been resolved, the need for closure of the crossing for the TRU Project and the fact there are also private rights over the Crossing which need to be extinguished, Network Rail is promoting the closure of the crossing in the Order without the creation of a new PROW.
- 4.5 Private rights over this crossing are addressed by my colleague Ben Thomas.

#### **5 Peckfield Level Crossing**

- 5.1 My Proof of Evidence sets out the current use of the PRoW over Peckfield Level Crossing and the connectivity the route provides with reference to it meeting with A class roads at either end, to the south a 60mph road with a narrow footway/verge and to the north, the need to cross an A road with limited sighting to continue a journey north.

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- 5.2 I examine the suitability of the alternative route via Great North Road including the benefits such as the route being lit and limitations, as well as the limited impact on journey time for the majority of users. I also reference the proposal to include a new section of pathway to provide a connection for the cottage owners to Great North Road and offering a route that minimises the length of time users will need to traverse Great North Road. The status of this path, footpath or bridleway, is to be decided by the Inspector.
- 5.3 I also provide a light touch commentary on proportionality of expenditure on a bridge solution, although this is talked to in more detail by colleagues.
- 5.4 My Proof of Evidence talks to the factors I would consider when pursuing a standard level crossing closure and why I endorse the solution proposed by the current Order.

## **6. Highroyds Woods**

- 6.1 My Proof of Evidence sets out that Highroyds Wood level crossing has been subject to temporary traffic regulation order since 2021 and since its closure, through engagement with local stakeholders, Network Rail has identified a nearby diversion route utilising an existing underpass.
- 6.2 I also note that Network Rail has applied under s119A of Highways Act 1980 to formally divert the public footpath through the underbridge and that discussions with local residents about the proposed improvement works are ongoing.
- 6.3 My Proof notes that there are no objections to the proposal to close Highroyds Wood level crossing as part of the current Order, save for a request from North Yorkshire Council to enter into an agreement to undertake works. As the diversion of public rights will not come into effect until works to bring the new route into existence are completed and are to a condition acceptable (within reason) to the highway authority and also noting that the scope of the proposed works have also been accepted by the authority in correspondence, Network Rail is of the view that no separate agreement is required.

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### **7. Conclusion**

- 7.1 In noting that the Transpennine Route Upgrade Project, and in particular the Leeds to Micklefield Enhancement Order will directly affect risk at the abovementioned 5 level crossings, the proposals that have been put forward will not only address the need to protect public safety but will maintain connectivity on the existing PRow network.
- 7.2 While in some cases there is some inconvenience to users having to use alternative paths that provide a less direct route across the railway, when balanced against the alternative of using a level crossing where a safety concern has been identified, this inconvenience is slight and does not have a significant detrimental impact on access to local amenities, nor do these alternative routes discriminate against existing use made of the routes.
- 7.3 It is my view that the proposals within the Order provide the most appropriate solutions that balance usability and connectivity and proportionality of cost for each of the various options considered.

### **Witness Declaration**

I hereby declare as follows:

- (i) This proof of evidence includes all facts which I regard as being relevant to the opinions that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- (ii) I believe the facts that I have stated in this proof of evidence are true and that the opinion expressed are correct.
- (iii) I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.

Signed

A black rectangular box redacting the signature of Suzanne Bedford.

Date: 6<sup>th</sup> February 2024

**Suzanne Bedford**  
**Liability Manager**  
**Network Rail**