

TRANSPORT AND WORKS ACT 1992

**TRANSPORT AND WORKS (INQUIRIES
PROCEDURE) RULES 2004**

**THE NETWORK RAIL
(CAMBRIDGESHIRE
LEVEL CROSSING REDUCTION)
ORDER**

SUMMARY

PROOF OF EVIDENCE

-OF-

SUSAN TILBROOK

Document Reference	NR32/3
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1 Qualifications, Experience and Role

- 1.1 I am Susan Tilbrook, a Projects Director with Mott MacDonald, which is a major engineering, management and development consultancy. Mott MacDonald is one of the largest firms of consulting engineers and environmental specialists in the UK and employs in excess of 16,000 staff. We have a strong track record of helping to deliver transport projects in the highways and rail sectors.
- 1.2 My qualifications include a BEng(hons) in Civil and Structural Engineering from the University of Sheffield and I am a member of the Chartered Institution of Highways and Transportation.
- 1.3 I have 28 years' experience in the planning, design and construction of transport infrastructure projects. This has included working in the highways team of a Local Authority for 10 years and within the Road Safety team of the same Local Authority for 2 years. During this time, I was responsible for designing and supervising the construction of new highways, the design of major and minor highway improvements and road safety schemes. I also carried out Road Safety Audits as part of my role within the Road Safety team. For the past 16 years I have worked for Mott MacDonald on many major transport projects through the various stages of project development including feasibility, planning and approvals, detailed design and construction. Projects have included A4146 Stoke Hammond Bypass, The Great Yorkshire Way, East Coast Main Line (ECML) Level Crossing Closure Project (Northern Section).
- 1.4 I am Mott MacDonald's design lead for our inputs to the Anglia Level Crossings Reduction project ("the project") and am the designated Contractor's Engineering Manager (CEM) for the project, which means that I have overall accountability for all engineering activities included within Mott MacDonald's scope of work on this project. Mott MacDonald's role on the project has included:
- a. Development and assessment of options for alternative rights of way required in order to close level crossings
 - b. Diversity Impact Assessments (DIA)
 - c. Environmental assessments
 - d. Public and stakeholder consultation
- 1.5 My evidence will primarily address (a) above. I also make reference to points (b) to (d) where relevant, although I would note that I am not an expert witness on environmental or DIA assessments (those assessments were carried out by other teams within Mott MacDonald), and that public and stakeholder consultation is addressed in more detail in the Proofs of Evidence of Mr Andrew Kenning and Mr Jonathan Smith, documents **NR30/1** and **NR29/1**.
- 1.6 I have been involved with the Anglia Level Crossings Closure Project since 2015 when our first commission commenced. Our involvement with the project has continued through until present day with a short 2 month break between commissions in early 2016. I therefore have a close understanding of the how and why the alternative routes have developed into the final TWAO proposals and the constraints, considerations and views that have been taken into account during the process.

2 Overview

- 2.1 My evidence concerns the development of proposed alternatives for each crossing and I will first set out the general approach to option identification and assessment together with reference to relevant standards and guidance. I will then address the following on a crossing by crossing basis:

- a. Purpose and characteristics of the route being closed, extinguished or amended
- b. Selection of alternative of the diversionary route or rights
- c. Any alternatives considered
- d. How the alternative or diversionary route fulfils the purpose of the original route and the relationship to the wider PROW network (where applicable)
- e. If route includes road walking, how safe that route is and any necessary mitigation measures proposed
- f. Engagement with the local Highway Authority (HA) and any changes made in response to HA comments or other consultation responses
- g. Consideration of any alternatives proposed by objectors to the Order
- h. Whether the proposed route is suitable and convenient

3 General Approach

- 3.1 These proposals have been made as part of a Transport and Works Act Order Application.
- 3.2 Section 5(6) of the Transport and Works Act states that an order shall not extinguish a public right of way over land unless the Secretary of State is satisfied that an alternative right of way has been or will be provided, or that one is not required. Although there is no definition of 'required' in the Act itself, the DfT Guide to TWA Procedures states that if an alternative is to be provided, the Secretary of State would wish to be satisfied that it will be a convenient and suitable replacement for existing users. This is the basis on which alternative routes have been identified and assessed.
- 3.3 It should be noted that this is not an application under the Highways Act 1980, under which any proposed diversion must be suitable and it must also take into account 'public enjoyment of the footpath as a whole'. This is a different statutory test to that under s.5(6) of the Transport and Works Act 1992.
- 3.4 In section 1.4 of my proof of evidence, I briefly describe The Anglia Level Crossing Reduction Strategy (The Strategy) and explain that Mott MacDonald's commission only relates to Phases 1 and 2 of The Strategy. The background to the Strategy and further explanation for its rationale is addressed by Mark Brunnen and Eliane Algaard in their evidence, documents **NR27/1** and **NR28/1**.
- 3.5 In sections 1.5 and 1.6 of my proof of evidence, I go on to describe the work carried out by Mott MacDonald to assess the concept options identified by Network Rail and give details specifically about how the following factors were considered:
 - a. Changes to rights of way and crossing rights
 - b. Level Crossing information
 - c. Diversity Impact Assessment (DIA)
 - d. Land Ownership and use
 - e. Safety
 - f. Environmental issues
 - g. Costing of the proposals and maintenance liability
 - h. Stakeholder consultation
- 3.6 As a result of the assessment of the concept solutions, recommendations were made as follows:

- a. The concept solution is viable and can be taken forward for development.
- b. The concept solution has some areas of concern and an alternative option has been identified that should be progressed in parallel.
- c. The concept solution has some areas of concern and is not suitable for progressing. An alternative solution has been identified that should be progressed.
- d. The concept solution has some areas of concern and is not suitable for progressing. No suitable alternative has been identified and the level crossing closure should be considered in a later phase of the strategy.

3.7 In section 1.7 of my evidence I describe the work carried out develop the proposed solutions to allow the preparation of a Transport and Works Act Order Application. This work required the designs to be developed to sufficient detail to establish the rights and any land required to deliver the project.

3.8 As part of the development of the alternative routes for each crossing the following activities were carried out:

- a. Collection of further level crossing census data
- b. Collection of traffic data where appropriate
- c. Support to Network Rail during 2 rounds of public consultation and a further round of public engagement for selected crossings
- d. Support to Network Rail during consultation with Stakeholders
- e. Assessment of the suitability and convenience of the proposed route
- f. Environmental assessment of the impact of the proposals and preparation of an environmental screening request
- g. An appraisal of the options considered for each level crossing closure proposal.
- h. Outline design of infrastructure requirements
- i. Road Safety Audits
- j. Diversity Impact Assessments

3.9 In section 1.8 of my evidence I explain how the census surveys were carried out and how the information collected was assessed to give the design team an understanding of the numbers and purpose of usage of each level crossing. I also explain why traffic data was collected in some locations in Section 1.8.

3.10 I briefly explain the support that Mott MacDonald gave Network Rail through the public consultation process and how feedback was collected and used in the assessment of options in Section 1.9 of my evidence.

3.11 I also set out the key stakeholders who were consulted with regarding the project and how their views fed into option development. These included the following organisations:

- a. Cambridgeshire County Council
- b. District, Parish and Community Councils
- c. Members of Parliament
- d. Schedules 5 and 6 consultees
- e. Landowners
- f. Local user and interest groups

- 3.12 My evidence with regard to key stakeholders can be found in Section 1.10 of my proof. Landowner engagement is specifically dealt with by Mr Jonathan Smith in his Proof of Evidence document number **NR29/1**.
- 3.13 I describe the assessment work carried out to understand the suitability and convenience of the proposed alternative routes in Section 1.11 of my proof of evidence. This assessment includes using information from surveys, public consultation, stakeholder engagement and a study of the existing PROW network to gain a better understanding of the level and purpose of use of the routes that would be affected by the level crossing closures.
- 3.14 In section 1.12 I summarise the work undertaken to prepare and submit an Environmental Impact Assessment (EIA) Screening Request to DfT on 9th December 2016 and confirm that on 24th January 2017 the Secretary of State issued a screening decision which confirmed that the project would be unlikely to have a significant effect on the environment and that an Environmental Impact Assessment was not required to support the Network Rail (Cambridgeshire Level Crossing Reduction) Order.
- 3.15 I describe how the proposal options were appraised in a consistent manner throughout the assessment process in section 1.13 of my evidence, and how the appraisal fed into the decision making process.
- 3.16 Section 1.14 of my evidence discusses design principles and the infrastructure requirements that have fed into the design freeze proposals.
- 3.17 In section 1.15 I set out the Road Safety Audit (RSA) process and explain how and why it has been applied to this project. I describe any particular RSA issues raised during the design process within each relevant crossing specific evidence.
- 3.18 I describe the work carried out to assist Network Rail in complying with their Public Sector equality duty under the Equality Act in section 1.16. This has been carried out through a Diversity Impact Assessment scoping study and full DIAs where considered necessary. I describe any particular DIA issues raised and how they were mitigated in my crossing specific evidence.

4 Crossing Specific Details

Reference	Level Crossing Name	
C01	Chittering	My evidence for Chittering can be found in Section 2.1 on page 16 of my Proof of Evidence NR32/1
C02	Nairns No. 117	My evidence for Nairns No. 117 can be found in Section 2.1 on page 16 of my Proof of Evidence NR32/1
C03	West River Bridge	My evidence for West River Bridge can be found in Section 2.2 on page 21 of my Proof of Evidence NR32/1
C04	No. 20	My evidence for No. 20 can be found in Section 2.3 on page 22 of my Proof of Evidence NR32/1
C07	No. 37	My evidence for No. 37 can be found in Section 2.4 on page 24 of my Proof of Evidence NR32/1
C08	Ely North Junction	My evidence for Ely North Junction can be found in Section 2.5 on page 28 of my Proof of Evidence NR32/1
C09	Second Drove	My evidence for Second Drove and Cross Keys can be found in Section 2.6 on page 30 of my Proof of Evidence NR32/1

Reference	Level Crossing Name	
C10	Coffue Drove	My evidence for Coffue Drove can be found in Section 2.7 on page 33 of my Proof of Evidence NR32/1
C11	Furlong Drove	My evidence for Furlong Drove can be found in Section 2.8 on page 34 of my Proof of Evidence NR32/1
C12	Silt Drove	My evidence for Silt Drove can be found in Section 2.9 on page 38 of my Proof of Evidence NR32/1
C13	Middle Drove	My evidence for Middle Drove can be found in Section 2.10 on page 39 of my Proof of Evidence NR32/1
C14	Eastrea Cross Drove	My evidence for Eastrea Cross Drove can be found in Section 2.11 on page 41 of my Proof of Evidence NR32/1
C15	Brickyard Drove	My evidence for Brickyard Drove can be found in Section 2.12 on page 42 of my Proof of Evidence NR32/1
C16	Prickwillow 1	My evidence for Prickwillow 1 can be found in Section 2.13 on page 44 of my Proof of Evidence NR32/1
C17	Prickwillow 2	My evidence for Prickwillow 2 can be found in Section 2.14 on page 46 of my Proof of Evidence NR32/1
C20	Leonards	My evidence for Leonards can be found in Section 2.15 on page 47 of my Proof of Evidence NR32/1
C21	Newmarket Bridge	My evidence for Newmarket Bridge can be found in Section 2.16 on page 49 of my Proof of Evidence NR32/1
C22	Wells Engine	My evidence for Wells Engine can be found in Section 2.17 on page 50 of my Proof of Evidence NR32/1
C24	Cross Keys	My evidence for Cross Keys can be found in Section 2.6 on page 30 of my Proof of Evidence NR32/1
C25	Clayway	My evidence for Clayway can be found in Section 2.18 on page 52 of my Proof of Evidence NR32/1
C26	Poplar Drove	My evidence for Poplar Drove can be found in Section 2.19 on page 54 of my Proof of Evidence NR32/1
C27	Willow Road	My evidence for Willow Road can be found in Section 2.19 on page 54 of my Proof of Evidence NR32/1
C28	Black Horse Drove	My evidence for Black Horse Drove can be found in Section 2.20 on page 59 of my Proof of Evidence NR32/1
C29	Cassells	My evidence for Cassells can be found in Section 2.21 on page 61 of my Proof of Evidence NR32/1
C30	Westley Road	My evidence for Westley Road can be found in Section 2.22 on page 63 of my Proof of Evidence NR32/1
C31	Littleport Station	My evidence for Littleport Station can be found in Section 2.23 on page 65 of my Proof of Evidence NR32/1
C33	Jack O'Tell	My evidence for Jack O'Tell can be found in Section 2.1 on page 16 of my Proof of Evidence NR32/1
C34	Fysons	My evidence for Fysons can be found in Section 2.1 on page 16 of my Proof of Evidence NR32/1
C35	Ballast Pit	My evidence for Ballast Pit can be found in Section 2.24 on page 67 of my Proof of Evidence NR32/1