Diversity Impact Assessment (DIA)

Guidance for completing each section is provided in the
Everyone Guide to Diversity Impact Assessments

Name of policy, programme or project: C28 Black Horse Drove - Anglia Level Crossing Reduction Strategy

Step 1: Clarifying aims

Q1. What are the aims of this project/piece of work?

Anglia Level Crossing Reduction Strategy

Network Rail has committed to achieving a 25% reduction in level crossing system risk nationally as part of a programme of works undertaken within Control Period 5 (CP5), which runs from 2014-19.

Network Rail has been working hard to better manage its level crossings and the risks they pose. It has developed proposals for the possible closure or change to public rights of way at around 130 level crossings within the counties of Suffolk, Cambridgeshire, Essex, Hertfordshire, and the unitary authorities of Thurrock, Havering, and Southend-on-Sea. This is referred to as the Anglia Level Crossing

Reduction Strategy ('the Strategy'). Closing or modifying level crossings can help to bring about a number of benefits:

- Improve the safety of level crossing users;
- Deliver a more efficient and reliable railway, which is vital in supporting the regional and UK economy;
- Reduce the ongoing operating and maintenance cost of the railway;
- Reduce delays to trains, pedestrians and other highway users; and
- Improve journey time reliability for railway, highway and other rights of way users.

C28 – Black Horse Drove level crossing

The pedestrian crossing has an All Level Crossing Risk Model (ALCRM – the system used to measure risk at crossings) score of D8. The individual risk rating for crossing users is 'D' (where 'A' is highest risk and 'M' is lowest) and the collective risk rating for this crossing is '8' (where '1' is highest risk and '13' is lowest), making Black Horse Drove a moderate risk crossing. The adjacent vehicular gate crossing has an ALCRM score of B4.

The crossing is on the two track Ely to King's Lynn line (a section of the West Anglia Main Line) and is located in Littleport Parish. Approximately 57 trains pass over this level crossing per day, and travel at speeds of up to 90 mph.

Black Horse Drove level crossing is a public, 'Stop, Look and Listen', vehicular crossing, where the user determines whether it is safe to cross. The crossing has miniature stop lights and the crossing decking is wooden. See Appendix A for site photographs. Between 2011 and 2015, there were two incidents of misuse and two near misses. No accidents occurred during that period.

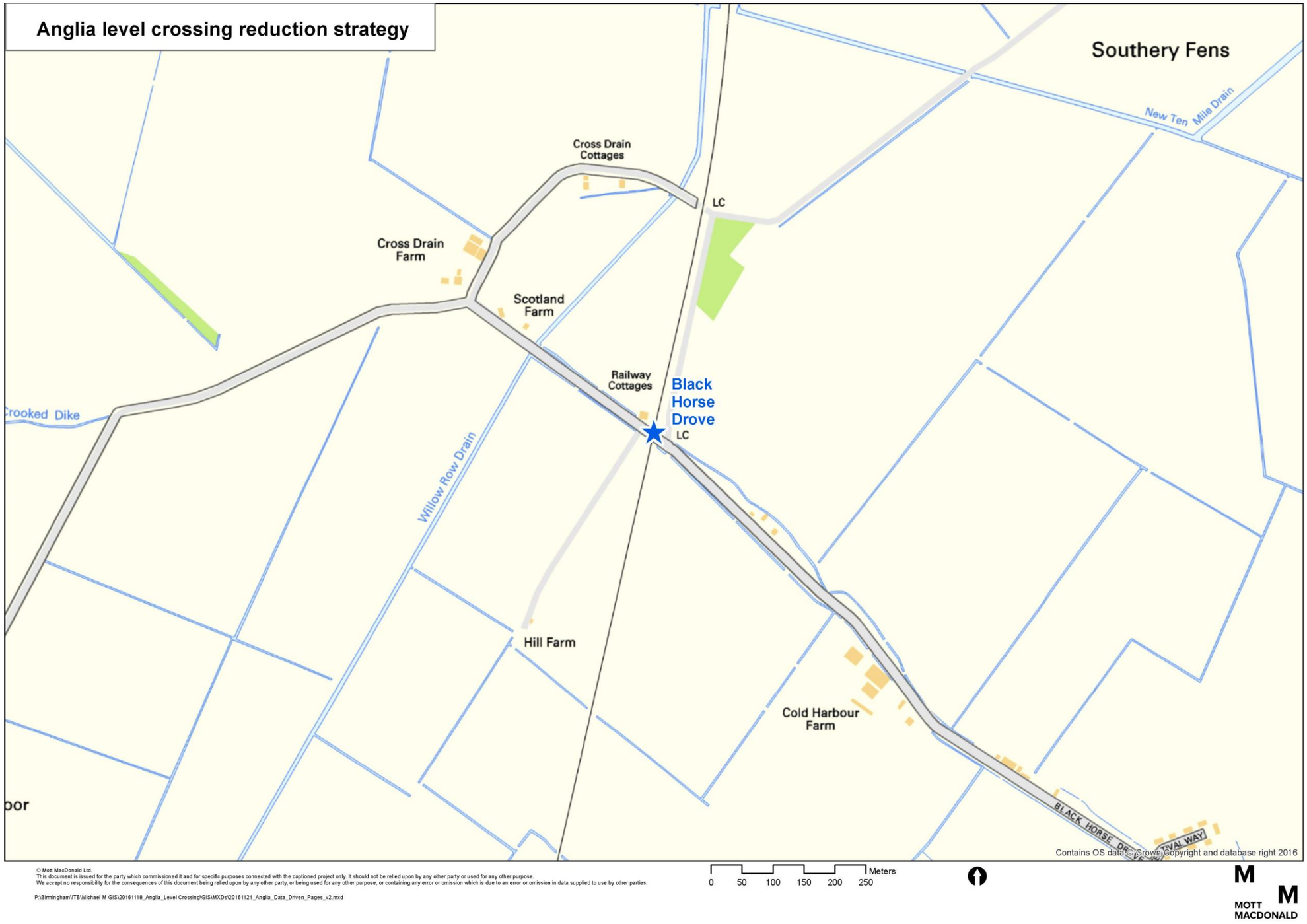
Network Rail aims to ensure the most viable option for continued access across the line based on the need to ensure public safety, meet local needs, and ensure compliance with its duties under the Equality Act 2010.

Project location

Black Horse Drove level crossing is located approximately 5.8km from the village of Littleport, Cambridgeshire.

The crossing is situated on a cul-de-sac public road in a remote and rural location, surrounded by agricultural land. A small number of farmhouses are located immediately west of crossing, with a cluster of residential properties located 1.5km east along Black Horse Drove. There are also no onward public routes beyond the residential properties North of the railway. Neither approach to the crossing has pedestrian footpaths, but wooden pedestrian gates are present on both sides of the crossing.

The below map shows the location of the level crossing:


Anglia level crossing reduction strategy
Southery Fens
New Ten Mile Drain
Cross Drain Cottages
LC
Cross Drain Farm
Scotland Farm
Railway Cottages
Black Horse Drove
LC
Crooked Dike
Willow Row Drain
Hill Farm
Cold Harbour Farm
BLACK HORSE DROVE
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P:\Birmingham\ITB\Michael M GIS\20161118_Anglia_Level Crossing\GIS\MXDs\20161121_Anglia_Data_Driven_Pages_v2.mxd
0 50 100 150 200 250 Meters
MOTT MACDONALD

Proposals for the project

The proposal is to downgrade the crossing to a user worked gated and padlocked crossing. Only authorized users, being landowners or their lawful invitees, would be entitled to use Black Horse Drove level crossing after the downgrade. The existing Black Horse Drove public road west of the railway would be downgraded to a private track. Public users without authorization would no longer be able to use the crossing.

Network Rail has, to date, conducted two rounds of public consultation; the first was to obtain feedback on its initial options, and the second to obtain feedback on its preferred option for the crossing. Following the receipt of feedback, consideration was given as to how any proposed closure of the level crossing and implementation of an alternative route (if applicable) might best be progressed and managed.

The first round of public consultation was undertaken in June 2016, in which five questionnaire responses were received (four were neutral and one disagreed with the proposals); the second round was undertaken in September 2016, in which three responses were received (two strongly disagreed with the proposal and one was neutral). The drawings in Appendix B show the proposed plans under the two stages of consultation.

Following feedback from the first round public consultation, the proposal is to downgrade the crossing to a private user worked crossing, keeping the wicket gates in their existing location (without any padlocks) and installing signage indicating that the crossing is not for public use. This means that only registered vehicles and authorized users would be allowed to use Black Horse Drove level crossing. The existing Black Horse Drove public highway west of the railway would be downgraded to a private track. Public users without authorization would no longer be able to use the crossing, although the road is a cul-de-sac in any case.

No diversion or alternative crossing means has been proposed for public users of the crossing.

Q2. Could this work impact on people? If yes, briefly explain how (considering our duty to promote equality, tackle discrimination and foster good relations between groups).

Whilst unlikely, this work could impact on people.

Without restricted access to Black Horse Drove level crossing, there is a risk of a future incident at this location. Network Rail is aiming to reduce instances of user worked level crossings on public roads. The permanent restriction will reduce the number of people interacting with the railway line, thereby improving the safety of local residents and other users.

It is likely though that use of the crossing is limited to landowners (who will retain access rights) and people using the crossing recreationally.

Step 2: The evidence base

Q3. Record here the data you have gathered about the diversity of the people potentially impacted by this work e.g. from the 2011 national census or from HR Shared Service. You should also include any research on the issues affecting inclusion in relation to your work.

Consider evidence in relation to all the protected characteristics:

- Disability including carers[1]
- Pregnancy/maternity
- Religion or belief
- Sexual orientation
- Gender reassignment
- Age
- Race
- Gender
- Marriage/Civil Partnership

This Diversity Impact Assessment is primarily concerned with ensuring fulfilment of Network Rail's duties under the Equality Act 2010.

User profile

The nine-day census carried out in July 2016 indicated that a total of 103 people used Black Horse Drove level crossing during the survey period – an average of 11 people per day. The survey results showed that all pedestrians were adults. There were no recorded crossings of children, older people or disabled people during the survey period.

A breakdown of the census results can be found in Appendix C.

Population profile

Network Rail's responsibility is to identify any potential negative impacts on those with protected characteristics and mitigate these wherever possible and practicable by reasonable adjustments.

In order to gain a better insight into the local community and potential users of the level crossing, existing statistical data was reviewed to establish the composition of the local population – here taken at the East Cambridgeshire Local Authority level.[2] Key data is as follows:

- Children (under 16 years of age) make up 20% of East Cambridgeshire's population, which is in line with the national average of 19%.
- Younger people (16-24 years old) make up 9% of the population of East Cambridgeshire, which is slightly lower than the national figure (12%).
- The proportion of older people (here described as people of retirement age – 65 and over) in East Cambridgeshire is 17%, which is in line with the national figure of 16%.

[1] Including those with physical, mental and hidden impairments as well as **carers** who provide unpaid care for a friend or family member who due to illness, disability, or a mental health issue cannot cope without their support

[2] Source: ONS Population estimates taken from Nomis. Available at: https://www.nomisweb.co.uk/reports/lmp/la/1946157206/report.aspx?town=littleport

- 15% of the East Cambridgeshire population have a long-term illness or disability that limits their daily activities. This is slightly lower than the national average of 17%.
- 14% of the population of East Cambridgeshire is from Black, Asian or ethnic minority (BAME[3]) groups. This is lower than the national figure of 20%.
- The figure for people belonging to minority faith groups (including Buddhist, Hindu, Jewish, Muslim, Sikh and 'other' in national Census data) in East Cambridgeshire is 2%, which is lower than the national average of 9%.

The above demographic analysis suggests that the populations of all of the protected characteristics (for which there are demographic data) are broadly in line with national proportions. There are two exceptions: East Cambridgeshire has a considerably lower representation of people from BAME backgrounds and people belonging to minority faith groups.

Local amenities

An analysis of local amenities indicates that there are no local amenities or places of particular importance to equalities groups in close proximity to the crossing. The nearest amenities are located in the village of Littleport, 6km south of Black Horse Drove, which for occupiers of land west of the railway, can only be accessed over the level crossing.

[3] Including white Irish, Gypsy and Irish travellers and other white ethnic populations.

Step 3: Impact

Q4. Given the evidence listed at step 2, what potentially negative impacts could this work have on people with protected characteristics?

The below table assesses the impact of the proposed work at Black Horse Drove level crossing on the protected characteristic groups as outlined in the Equality Act 2010 (disability, age, pregnancy / maternity, race, religion / belief, gender, sexual orientation, marriage / civil partnership and gender reassignment).

<table>
<tr><th>Protected Characteristic</th><th></th><th>Explain the potential negative impact</th></tr>
<tr><td>Disability</td><td>N</td><td rowspan="9">Usage of the level crossing by the general public will no longer be allowed, and the opportunity to exercise a right of way to the end of Black Horse Drove will be curtailed. However, as there are no onward public routes of any status, and there are no local amenities located on the west side of the railway, it is not felt there will be any adverse impact.

Continuing usage of the level crossing by authorized users will be very similar in nature to that enjoyed at present. The wicket gates will remain as an unlocked facility (one local resident has advised that he walks across to catch a bus on the east side of the railway). The installation of a padlock on the vehicular gates will slightly lengthen the time taken to open and close the vehicular gates, but this is not considered to be a significant impact on users.

As such, whilst there is some very limited potential for impact on people as a result of the downgrade of Black Horse Drove level crossing, the following should be considered:
• There are no amenities located west of the level crossing.
• Access will be maintained for residents living in the properties to the west of the level crossing (assuming they register to use the level crossing), mitigating against community severance impacts.

As such, no disproportionate impacts are anticipated for any protected characteristic as a result of the project.</td></tr>
<tr><td>Age</td><td>N</td></tr>
<tr><td>Pregnancy / maternity</td><td>N</td></tr>
<tr><td>Race</td><td>N</td></tr>
<tr><td>Religion or belief</td><td>N</td></tr>
<tr><td>Gender</td><td>N</td></tr>
<tr><td>Sexual orientation</td><td>N</td></tr>
<tr><td>Marriage/Civil Partnership</td><td>N</td></tr>
<tr><td>Gender reassignment</td><td>N</td></tr>
</table>

Q5. What could you do to ensure your work has a positive impact on diversity and inclusion including by supporting delivery of the Everyone Strategy.

The project will support the delivery of Network Rail's Everyone Strategy, and in particular the following commitments:

- **Commitment 1: Get everyone home safe every day**
  This commitment puts safety at the heart of network design, management and maintenance. Improving pedestrian access reduces the risk of crossing the railway for all users along structures managed and/or altered by Network Rail. The project will help to improve safety for rail users by reducing interaction with the railway.

- **Commitment 2: Deliver reliable infrastructure**
  This commitment focusses on the management of all Network Rail assets. We will continue to innovate, expand our knowledge and take smart decisions to address problems at the right time, reducing long-term costs. The project will help to deliver more reliable infrastructure.
- **Commitment 6: Being a customer focused organisation**
  This commitment focusses on giving clearer accountability to local people, and understanding the needs of customers, to become more flexible and collaborative. It includes an ongoing commitment to work with our customers and suppliers. The project will help to improve the safety of journeys for infrastructure users.
- **Commitment 9: A railway fit for the future**
  This commitment focusses on sustainability, making the business more efficient, protecting the railway assets and deliver a railway fit for future generations. An inclusive and accessible railway will link people to communities, education, and jobs – ultimately delivering economic growth. The project helps to deliver required improvements to ensure network infrastructure is fit for future use.

Step 4: Consultation

Q6. How has consultation with those who share a protected characteristic informed your work?

List the groups you have consulted or reference previous relevant consultation?[4]	What issues were raised in relation to one or many of the protected characteristics?
Public consultation round 1 – June 2016	The questionnaire responses received during the first round of public consultation identified the following issues regarding Black Horse Drove level crossing: • Concerns were expressed about the maintenance of the current crossing. • Alternative routes for farm vehicles are perceived as impractical and it is suggested that full agricultural access is maintained at all times in the future. • The warning lights should remain in place, as phoning would be inconvenient.
Public consultation round 2 – September 2016	Questionnaire responses received during the Round 2 public consultation identified the following issues (as outlined below) regarding the Black Horse Drove level crossing.
Business / homeowner	• It was felt that no benefits would be gained from the proposal and that there were no issues with the current set-up. • Instead the proposal is seen as a risk to business revenue and customer satisfaction, as well as degradation of their business / home.

[4] This could include our staff networks, the Built Environment Access Panel, local faith leaders etc.

	• Concern was raised that it would lead to increased maintenance costs and legal costs associated with ensuring access continues to the property now and in the future. It was also feared that it would lead to a decrease in the value of the property.
Public response	• Concerns were raised regarding the ability of emergency services to access the property (due to the downgrading of Black Horse Drove west of the crossing to a private track). Did not want the road to their property to become un-adopted.

Q7. Where relevant, record any consultation you have had with Network Rail teams who are delivering work that might overlap with yours. This will ensure that our solutions are joined up.

N/A

Step 5: Informed decision-making

Q8. In light of the assessment above, what is your decision?
Please tick one box and provide a rationale (for most DIAs this will be box 1).

1. Change the work to mitigate against potential negative impacts found	
2. Continue the work because no potential negative impacts found ✓	Due to the current user profile and lack of local amenities nearby, closure of the crossing (with retained use for authorised users and non-locked wicket gates) is considered an appropriate solution, with no impacts on groups with characteristics protected under the Equality Act.
3. Justify and continue the work despite negative impacts (please provide justification)	
4. Stop the work because discrimination is unjustifiable and no obvious ways to mitigate	

Step 6: Action planning

Q9. What specific actions will be taken to deliver positive impacts and address any potentially negative impacts identified at step 3 or through consultation?

Action	By when	By who
Ensure appropriate signage is included along appropriate sections of the A10, alerting potential users to the change in status of the road and the crossing, to prevent confusion.	Detailed design	Network Rail project team
Develop a communication strategy to ensure that local residents and walking/leisure groups are kept abreast of developments, including the scheduling of works, and any details of potential benefits of the scheme, particularly focussing on user safety.	Ongoing	Network Rail project team
Consider holding further consultation with local residents, the local highway authority and other stakeholders regarding the future maintenance of Black Horse Drove if the road is downgraded to a private road.	Ongoing	Network Rail project team
Consider providing level crossing safety sessions to those who have registered as users of Black Horse Drove level crossing to ensure that users are aware of crossing safety	Ongoing	Network Rail project team Level Crossing Manager
Review the DIA at every GRIP stage to ensure equality of access is maintained for all.	**Ongoing**	**Network Rail project team**

See **Appendix D** for Design Team responses to the proposed actions.

NetworkRail

Step 7: Sign off

Name	Position	Signed	Date
Superuser[5]	LNM	Stan Day	23/10/2017
Senior Manager[6]	HORSHE	[illegible]	20/11/17

If you don't have a local superuser please send your DIA for quality assurance to DiversityImpactAssessment@networkrail.co.uk

To help us respond more quickly please make sure you have;

1. Sent your DIA as a Word document not a PDF
2. Used this naming convention '**Name of project-Draft DIA'**
3. Used the correct DIA form with no additional pages e.g. 'not for circulation cover-sheets'
4. Included any relevant maps / diagrams needed to understand your project
5. Completed all sections of the DIA in line with guidance and training

Step 8: Publication

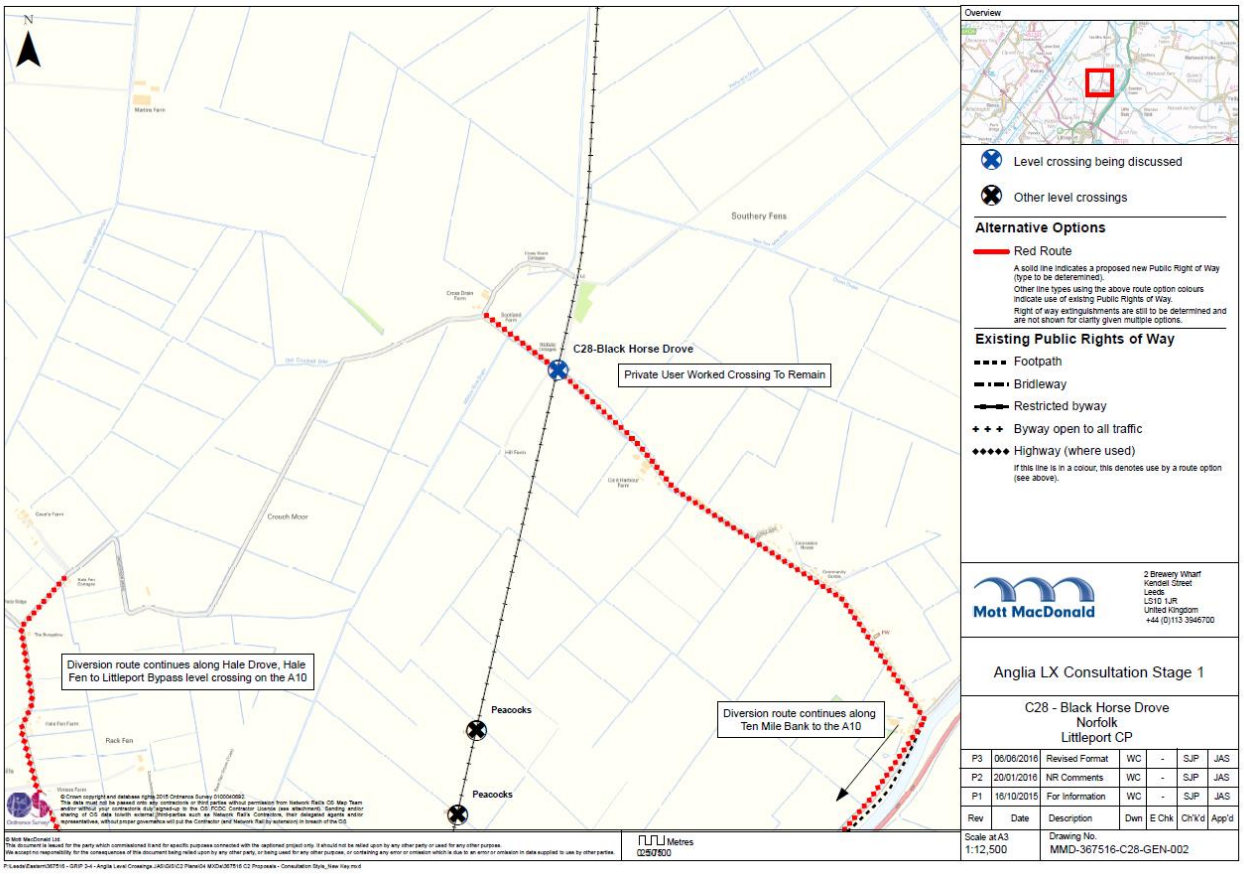
Send your final DIAs to DiversityImpactAssessment@networkrail.co.uk. Customer related DIAs will be published on our website.

[5] Quality assurance check.
[6] Sign-off should be by someone who can approve policy, programme or budget changes.

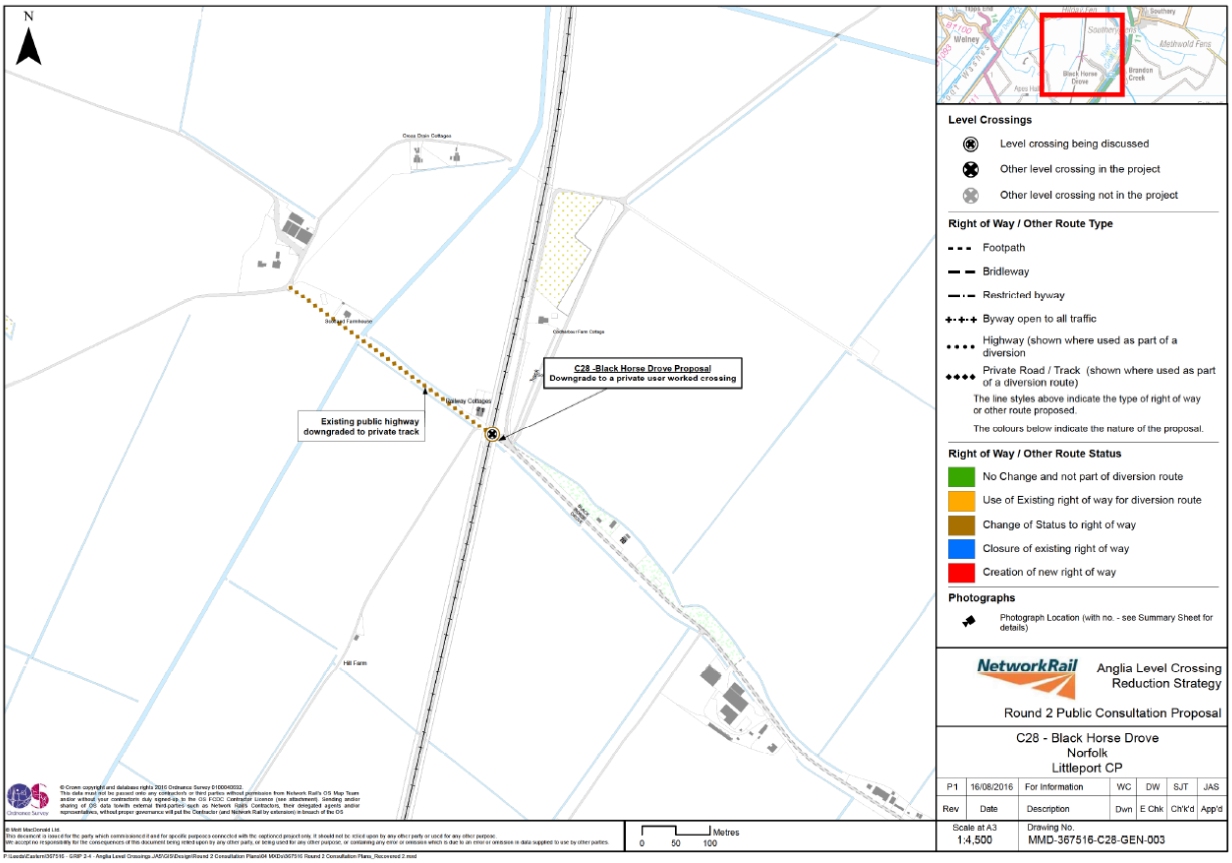
Appendix A: Site photographs

Appendix B: Scheme drawings

Round 1 consultation (June 2016) – Initial option



Round 2 consultation – Preferred option (at the time, September 2016)



Appendix C: Nine day pedestrian census report

Summary

The survey was successfully completed in accordance with Network Rail specification. The data is summarised below:

Black Horse Drove - pedestrian census

			Combined			
			Horse riders	Riding Cycles	Walking Cycles	Total
Day 1	Saturday	18/06/2016	0	0	0	0
Day 2	Sunday	19/06/2016	0	0	0	0
Day 3	Monday	20/06/2016	0	0	0	0
Day 4	Tuesday	21/06/2016	0	0	0	0
Day 5	Wednesday	22/06/2016	0	0	0	0
Day 6	Thursday	23/06/2016	0	0	0	0
Day 7	Friday	24/06/2016	0	0	0	0
Day 8	Saturday	25/06/2016	0	0	0	0
Day 9	Sunday	26/06/2016	0	0	3	3
			0	0	3	3

Direction:	Combined									
Adult	Accompanied Child	Unaccompanied Child	Elderly	Impaired	Wheelchair	Pushchair/ Pram	Scooter	Railway Personnel	Total
18	0	0	0	0	0	0	0	0	18
13	0	0	0	0	0	0	0	0	13
6	0	0	0	0	0	0	0	0	6
2	0	0	0	0	0	0	0	2	4
13	0	0	0	0	0	0	0	0	13
9	0	0	0	0	0	0	0	0	9
18	0	0	0	0	0	0	0	0	18
16	0	0	0	0	0	0	0	0	16
8	0	0	0	0	0	0	0	0	8
103	0	0	0	0	0	0	0	2	105

Appendix D: DIA Design Team Responses to Action Planning

Action	By when	By who	Design Team comment	NR Response	Design Team Response
Ensure appropriate signage is included along appropriate sections of the A10, alerting potential users to the change in status of the road and the crossing, to prevent confusion.	Detailed design	Network Rail project team	Advance signage forms part of the proposals, the details of which can be discussed with the Highway Authority at the detailed design stage	Powers are in the Order and we will be altering these.	None.
Develop a communication strategy to ensure that local residents and walking/leisure groups are kept abreast of developments, including the scheduling of works, and any details of potential benefits of the scheme, particularly focussing on user safety.			NR to undertake at detailed design / implementation stage.	Agreed	None.
Consider holding further consultation with local residents, the local highway authority and other stakeholders regarding the future maintenance of Black Horse Drove if the road is downgraded to a private road.	Ongoing	Network Rail project team	NR to undertake at detailed design / implementation stage.	CCC are objecting to the public road being retained beyond the level crossing	None.
Consider providing level crossing safety sessions to those who have registered as users of Black Horse Drove level crossing to ensure that users are aware of crossing safety	Ongoing	Network Rail project team	NR to consider at detailed design / implementation stage.	Agreed	None.

Review the DIA at every GRIP stage to ensure equality of access is maintained for all.	Ongoing	Network Rail project team	NR to undertake at detailed design / implementation stage.	Yes, but this is not to 'ensure equality of access is maintained for all' it is to ensure that any changes to the design do not worsen the access and they improve where appropriate.	Agreed.