

**TRANSPORT AND WORKS ACT 1992**

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

**THE NETWORK RAIL  
(ESSEX AND OTHERS LEVEL CROSSING  
REDUCTION)  
ORDER**

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**SUMMARY**

**PROOF OF EVIDENCE**

**-OF-**

**ANDREW KENNING**

Document Reference	NR30/3
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## **Introduction**

1. My name is Andrew Kenning, I work for Network Rail in a central team called the Level Crossing Development Team (the project team). I have spent 29 years working in the rail industry and for the last 9 years I have worked at Network Rail. Whilst working for Network Rail I have spent a large amount of time working on level crossings, either through projects or directly managing the active level crossing assets.
2. I have been involved with this project from its inception in late 2014, I was involved in the original meetings and workshops that ultimately lead to the creation of a phased approach to level crossing management, which is set out in the CRD Anglia CP5 Level Crossing Reduction Strategy (NR18) ("the Strategy") which I was asked to write. The production of the Anglia Level Crossing Reduction Strategy led, in part, to the project which is the subject of the current Order.
3. My roles and responsibilities in my current role on this project are to ensure that the proposed changes to the level crossings on the Anglia Route ("the project") are fit for purpose, that they are designed to the appropriate standard, and that the changes meet the needs of the operational railway. As part of the development of the proposals contained within this Order, Network Rail has engaged Contractors to assist with the technical development and wider appraisal of the proposed changes. I am responsible and accountable within Network Rail for the technical elements of the Contractors work

## **The Development of the Draft Order**

4. The phased approach contained within the Strategy was intended to identify where opportunities were and target efficient use of funds to reduce level crossings across the Anglia Route.
5. As set out in the Strategy, Network Rail Anglia Route was looking to achieve a number of objectives in Phases 1 and 2, which broadly correlated with Control Period 5 (CP5):
  - i. Rationalising the level crossings on the Anglia Route: for example by reducing the number of at-grade level crossings where opportunities existed for diverting users to a pre-existing alternative crossing point of the railway;
  - ii. Removing level crossings which were either dormant or where the route was not usable;
  - iii. Regularising status of existing level crossings;

- iv. Downgrading rights enjoyed over a specific level crossing with a view to facilitating any further action which might be taken in respect of that crossing point in the future.
- 6. In terms of identifying those opportunities, this was initially done by way of a desktop exercise. When assessing the level crossings we used the following as a broad means of assessment criteria:
  - (i) where there were level crossings which had another crossing point nearby;
  - (ii) where there was already an alternative option to the route passing over the level crossing which would take users to and from broadly the same point;
  - (iii) where the path over the level crossing did not appear to serve a useful purpose, in the sense appearing to terminate at the level crossing or be otherwise severed.
- 7. We also looked at level crossings where we have previously looked for other options to divert or downgrade the rights over the crossing, but where we had not been able to do so
- 8. Where alternative level crossings were to be proposed as a diversionary route, the alternative level crossing was to be either an active level crossing (providing positive indication to the user of approaching trains) or on the best alignment (in terms of the right of way) for the remaining level crossing. The desire lines of footpaths were considered as part of this exercise as this allowed some crossing points to be further away from the current level crossing point and still be on the desire line.
- 9. At the initial stage of the project, it was our aspiration to use Network Rail land, where possible, in order to reduce impacts on third parties. However, it became clear as the project progressed, that use of Network Rail land alone would often not provide an alternative which was acceptable to the highway authority or users of the existing right of way, and alternative alignments had to be looked at which involved greater use of third party land to provide the diversionary routes.
- 10. Complexity of the railway infrastructure was also considered in the assessment of level crossings. For instance providing technology at level crossings close to stations is known to be complex and expensive due the varying speeds that trains would approach the level crossing. In these instances there was a positive view that nothing should be diverted to the level crossings as ultimately they would be removed from the network if at all possible.

11. Throughout the project there have been open discussions with the highway authorities affected by the project. Those discussions have informed the development of the proposals contained within the Order: at times, by amending the diversionary route proposed, and others, by including a diversionary route where a diversionary route had not previously been considered to be required. There have also been discussions with Local Access Forums and with MPs and local councillors, as well as consultation with members of the public, and engagement with affected landowners, all of which have informed the development of the proposals now contained in the Draft Order.
12. The development of the proposals contained within the Draft Order have also been informed by the advice and recommendations received from Mott MacDonald, who were appointed in June 2015 to appraise Network Rail's initial proposals, and subsequently in November 2015 to provide technical support for the development of the Draft Order.
13. There have been 2 rounds of informal public consultations in respect of the proposals. At each event, there were representatives from the project who were able to answer questions about specific proposals and the project. I attended nearly all of the events. The events were well attended and generated much discussion, and input into the project. Samples of the consultation materials available can be found at Tabs 4 and 5 of my Appendices.
14. Land owners that are affected by the project were contacted with details of the project, and where possible, we have tried to amend our proposals to incorporate suggestions they have made. Unfortunately it has not always been possible to take on every suggestion as we have had to balance the needs of affected landowners with the need to provide diversionary routes that are suitable and convenient for those seeking to use them. We will continue to engage with affected landowners, as the project progresses (if the Order is approved), with a view to reducing, or mitigating, the impact of the project as much as is reasonable practicable.
15. I discuss in **Section 4** of my Proof the works which are likely to be involved in implementing the Order, including the likely duration of any works and the access required to facilitate those works.
16. I describe each of the crossings contained within the Order, and Network Rail's proposals for the same, in the following Sections of my Proof of Evidence.

Code	Name	Section
E01	Old Lane	5
E02	Camps FPS	6
E04	Parndons Mill	7
E05	Fullers End	8
E06	Elsenham Emergency Hut	9

E07	Ugley Lane	10
E08	Henham	11
E09	Elephant	12
E10	Dixies	13
E11	Windmills	14
E12	Wallaces	15
E13	Littlebury Gate House	16
E15	Margaretting	17
E16	Maldon Road	18
E17	Boreham	19
E18	Noakes	20
E19	Potters	21
E20	Snivellers	22
E21	Hill House 1	23
E22	Great Domsey	24
E23	Long Green	25
E25	Church 2	26
E26	Barbara Close	27
E28	Whipps Farmers	28
E29	Brown and Tawse	29
E30	Ferry	30
E31	Brickyard Farm	30
E32	Woodgrange Close	31
E33	Motorbike	32
E35	Cranes No. 1	33
E36	Cranes No. 2	34
E37	Essex Way	35
E38	Battlesbridge	36
E41	Padget	37
E43	High Elm	38
E45	Great Bentley Station Foot Crossing	39
E46	Lords No.1	39
E47	Bluehouse	40
E48	Wheatsheaf	41
E49	Maria Street	42
E51	Thornfield Wood	43
E52	Golden Square	44
E54	Bures	45
E56	Wivenhoe Park	46
E57	Abbotts	47
H01	Trinity Lane	48
H02	Cadmore Lane	49
H03	Slip Lane	50
H04	Tednambury	51
H05	Pattens	52
H06	Gilston	52
H08	Johnsons	54
H09	Fowlers	53
HA01	Butts Lane	55

HA02	Woodhall Crescent	56
HA03	Manor Farm	57
HA04	Eve's	58
T01	No Name Number 131	59
T04	Jefferies	60
T05	Howells Farm	61

17. Network Rail has sought to use all information available to it throughout the development of the project – including, importantly, that received from our engagement with the highway authorities, landowners and members of the public – to make informed decisions as to whether each proposal should be pursued, through inclusion in the Draft Order. It is confident that it has identified appropriate solutions in respect of each of the crossings contained within the Order, and asks the Inspector to recommend that the Order be made.