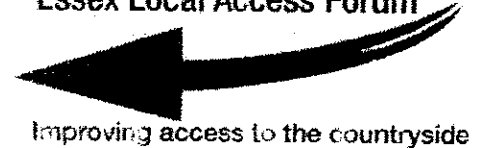


ELAF

Essex Local Access Forum



Improving access to the countryside

Richard Schofield
Route Managing Director
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Chairman: Ray Booty
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5th August 2016

Dear Richard Schofield,

Re: Consultation on Anglia Level Crossing Reduction Strategy

The Essex Local Access Forum (ELAF) would like to express disquiet at the procedures employed by Network Rail and its consultants (NR) when consulting on the proposed Anglia Level Crossing Transport & Works Act Order (TWAOC) closures in Essex.

This is the most significant change to the Public Rights of Way (PROW) network in Essex for more than a generation. As such we feel that there should have been more input from, and agreement with, Essex County Council and other interested parties before Network Rail decided to proceed with their proposal to suggest so many crossing closures in one single Transport & Works Act Order. We also understand that District and County Councillors and organisations like EALC (the Essex Association of Local Councils) were not officially informed that the consultation was even underway.

The process seeks individual feedback on individual crossings (e.g. q1 On average how often do you use the level crossing?). There is no assured way in which organisational stakeholders like Parish Councils, District Councils, walking for health groups and others can respond. Can you give us assurances that responses from organisational stakeholders will be taken into account?

ELAF are concerned that there was insufficient time given to give proper consideration of the proposals. Government advice states that: *"Consultations should last for a proportionate amount of time. Judge the length of the consultation on the basis of legal advice and taking into account the nature and impact of the proposal"*.

Please could you tell us of the legal advice that NR took before deciding to allow only 28 days for Parish Councils and others to respond? Bearing in mind that most Parish Councils only meet on a calendar monthly or bi-monthly basis and that a key way of passing information around a community is often by a monthly or less frequent newsletter, then it was very difficult to obtain local feedback and, in some cases, for the proposals to be an agenda item at a full meeting of the parish council. The Stage 2 consultation should give Parish Councils adequate time to respond.

We are also aware that some crossings about which concerns have been expressed have not been included in the TWAOC proposals.

We would congratulate NR on the effort that was taken to provide information to the public at the exhibitions that were organised; however we would like there to have been more events, held in more easily accessible venues.

Furthermore, we would like to highlight some concerns with the on-line consultation. There is only one link to the online survey and that is on the initial page. On 13th July the online survey had errors in the routing and for some time it was unavailable. We note that responses were being accepted after stated closing dates and trust that these will be taken into account.

Users of the crossings may be older or live in more rural locations where broadband internet access is an issue. Therefore they may have no access to the online survey or limited access to the very large crossing information sheets. We would like your assurance that written responses from these people will be included and will be given equal weight.

There is no return address on the hard-copy questionnaire. So if the Freepost envelope that should have been picked up is mislaid there is a danger that the feedback will not be available to NR. The telephone number given on the printed leaflet is a general NR phone number and when called, the operators, although trying to be helpful, were unable to assist.

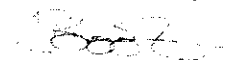
Apart from the concern that the process is focussed on gaining individual responses to individual crossings, the questionnaire itself also raises some concerns as we assume it will be analysed automatically. Please provide an assurance that the "other" tick box responses will be included in the automatic analysis. For example, in question 8 there is no way, apart from the "other" response, that one can indicate that none of the potential diversion routes are preferred. Can you give us assurances that all comments made in sections 8, 9 & 10 will be analysed by a trained person (preferably by somebody who is a member of the Market Research Society) and that they will be taken into account?

Some of the crossings included in the consultation have already been closed (some by temporary TROs, some illegally but not challenged) and therefore a response of "Never" at question 1 will be given. This should not be taken as an indication that the crossing or its alternative route is not needed.

The next formal meeting of ELAF is not until October 11th so before then we would like to suggest an informal meeting between NR and some ELAF members prior to the selection of preferred options takes place.

We look forward to hearing from you and welcome the opportunity to be involved in this consultation process.

Yours sincerely



Ray Booty Chairman

CCs (by email):

Steve Day Liability Negotiations Adviser (Anglia & South East)

Andy Kenning Level Crossing Engineer

Nick Eddy Commercial Scheme Sponsor

This letter constitutes formal advice from the Essex Local Access Forum.
In accordance with section 94 (5) of the Countryside and Rights of Way Act 2000, section 94 (4) bodies are required to have regard to relevant advice from this forum in carrying out its functions.

The Forum aims to provide guidance and contribute towards improving opportunities for access and management of the Essex countryside.