

Transport and Works Act 1992 (TWA): The proposed Network Rail (Suffolk Level Crossing Reduction) Order

Proof of Evidence to the Public Inquiry submitted by the Suffolk Local Access Forum (SLAF) Chairman Barry Hall MRTPI (Rtd), BA (Hons)

Objector Reference OBJ/23

Suffolk Local Access Forum (SLAF)

Local Access Forums were created under Section 96 of the Countryside and Rights of Way Act 2000 (CROW) with the purpose of advising other statutory bodies on the improvement of public access to land for the purpose of open air recreation and enjoyment. The LAF (England) Regulations 2007 extended this to cover issues related to the functional and utility access by non-motorised users for travel to work or school.

Members of SLAF are appointed by Suffolk County Council and under the regulations are required to maintain a reasonable balance of interests between users of Public Rights of Way (PRoW) and owners and occupiers of access land or land over which PRoW exist. Members appointed to SLAF represent various interests but do not represent specific groups. Further information about SLAF can be found on:

www.suffolkrighthsofway.org.uk/suffolk-local-access-forum

I have been a member of SLAF for seven years and was elected Chairman in October 2015. Prior to retirement in 2004 from SCC I had for many years been in its then Countryside Section involved in access to the countryside being involved in various countryside projects, management of country parks and picnic sites and the development of long distance and circular walks within Suffolk much of which involved working with colleagues involved with PRoW's. Following the passing of the CROW Act I was heavily involved in the setting up and operation of SLAF, involvement in the signing on the ground of Open Access Land and preliminary work on SCC's first Rights of Way Improvement Plan (RoWIP).

SLAF and The proposed Network Rail (Suffolk Level Crossing Reduction) Order

SLAF responded to both of Network Rails (NR) consultations and the lack of any response to our objections and suggestions has meant that eleven of our objections are included for consideration at this Inquiry, although I now understand that NR have withdrawn SO5 – Pannington Hall. The main reasons for SLAF objections to the proposed closures and diversions relate to:

- Loss of off-road routes and their replacement with on-road diversions which are often on narrow winding country roads often with narrow verges containing drainage grips.

- A substantial increase in the length of the walking route as a result the proposed alternatives to the crossing closure. As these alternatives are mainly on NR or private land it is difficult to fully assess their suitability for use by walkers
- The ongoing maintenance cost to SCC once these alternative routes are put in place.

The Suffolk Rights of Way Improvement Plan 2006 – 2016 “In Step with Suffolk” was based on six objectives which included:

- Provide a better signed, maintained and accessible network
- Provide and protect a more continuous network that provided for the requirements of all users.
- Develop a safer network
- Improve promotion, understanding and use of the network.

The SCC RoWIP is currently being reviewed and SLAF has had input into the revision. With the demand for new housing in Suffolk being reflected in Local Plans and planning applications for housing at many settlements along then rail corridors in the county, the need is to enhance people’s access to the countryside not restrict it so it can be used not only for recreation but as a route to schools and community facilities. The use of PRow’s are also a key element of the health and wellbeing agenda. SLAF feels that NR proposals do not reflect these needs.

The Department of Transport publication “A TWA Guide to Proceedings” states that where alternatives are proposed where a right of way is to be stopped up then “if an alternative is provided the Secretary of State would wish to be satisfied that it will be a convenient and suitable replacement for existing users”.

The proposed closures where SLAF have issues are because:

- The proposed diversions do not add to the enjoyment of the countryside by walking long distance alongside a railway track
- The alternative routes frequently involve a vehicular bridge on a narrow road with a minimal verges and sight lines.
- Alternative routes may involve structure that could pose issued for families with children in buggies and those with mobility issues.
- The use by NR of a TWA mean has bypassed the normal rights of way diversion procedures that allow wider public consultation and site visits.

The proposed crossing closures that SLAF raised issues with during the consultation process are reiterated here but it should be noted that some were not objecting to the closure itself but contained suggestions for mitigating the impact. There has been no feedback from NR to these suggestions.

The objections of SLAF to the TWA.

These were set out in our letter to the Secretary of State for Transport of 2 May 2017 and restated here:

SO1 – Brantham Sea Wall

Whilst the proposed route is acceptable we would like to see the river path remain open as it well used by local birdwatchers.

SO2 – Brantham High Bridge

No explanation given for the change of route east of the railway line which now appears to use a private road and field margins. Has its impact on landowners been assessed? We do support the linking path footpath proposed alongside the A137 to Brantham Bridge.

SO4 – Island

We do not object to the deletion of the alternative footpath on the south side of the Capel St Mary road but still feel that narrowness of the road bridge for pedestrian use has still not been addressed.

S12 – Gooderhams

The possibility that the existing stiles should be replaced by kissing gates at the Cow Creek crossing should be considered given that Fords Green and Bacton are also being closed, which could lead to greater use of that crossing.

S13/S69 – Fords Green & Bacton

These two proposals should be considered together. Although some attempt has been made to reduce the use of the B1113 for pedestrians it is essential that that a proper footway is established along Broad Road for safety reasons.

S22 – Weatherby

From Network Rail's survey, this is obviously a very well-used crossing even if it is not a public right of way. The suggested alternative route alongside a busy road and using a narrow under bridge is not acceptable. Also the suggested use of 2m high steel palisade fencing to stop trespass once the crossing is closed would be a visual intrusion.

S23 – Higham

The suggested diversion uses existing roads with inadequate verges. To reduce safety concerns we suggest that the possibility of putting a field edge path behind the group of houses by the war memorial should be investigated.

S25 – Cattishall

We have consistently commented that the crossing should remain until developer funded footbridge in place and the underpass opened.

S27/S28 – Barrels/Grove Farm

These two proposals should be considered together. The alternative routes involve a significant amount of road walking and the moving of the footpath 5 Thurston from its position on the Definitive Map to alongside the boundary of 'Pheasants' has been done without consulting the landowner.

S31 – Mutton Hall

The proposal to use the narrow road overbridge near Butts Farm is unacceptable. We have suggested to Network Rail that it would be more sensible divert the path south of the railway line westwards and use the underbridge on Captains Lane.

Conclusion

A SLAF sub-committee looked closely at all the suggested closures put forward by NR and it was only after careful consideration that they recommended to a full meeting of the forum that those particular crossing closures set out in this proof of evidence should be included in the objection letter. SLAF was also concerned at the amount of time that the small SCC rights of way team with a limited budget had to put in in order to respond to the TWA; at the expense of progressing other vital rights of way related work such as the revision of the RoWIP.

SLAF would ask that assurances are given by NR at this inquiry that all costs associated with any extinguishments and diversions accepted by the Secretary of State are fully funded by them to a specification agreed with SCC and a commuted sum provided to allow on-going maintenance in the future.

Barry Hall

Chairman of The Suffolk Local Access Forum

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