

TRANSPORT AND WORKS ACT 1992

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

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

SUSAN TILBROOK

**REBUTTAL
PROOF OF EVIDENCE**

-FOR-

**S27 BARRELLS
S28 GROVE FARM**

Document Reference	NR/32/4/9
--------------------	-----------

Contents

1	Introduction	1
2	S27 Barrells & S28 Grove Farm	2

1 Introduction

- 1.1 This Rebuttal Proof of Evidence has been prepared on behalf of Network Rail to respond to particular matters raised in the Proofs of Evidence submitted on behalf of the following parties which were received by Network Rail on 18 January 2018. These include the Proofs of Evidence of:
- 1.1.1 Suffolk County Council (OBJ/29)
- a) Glyn French
 - b) Andrew Haunton
- 1.1.2 The Ramblers (OBJ/36)
- a) John Russell
 - b) Derek Fisher
- 1.1.3 The Suffolk Local Access Forum (OBJ/23)
- a) Barry Hall
- 1.2 It is not intended that this rebuttal proof should address matters that have already been addressed in my Proof of Evidence (NR32/1) or of other witnesses for the Promoter; however, cross references to relevant parts of that evidence are given below, where appropriate. The fact that I have not expressly rebutted a point does not mean that it is accepted.
- 1.3 I believe the facts and opinions stated to be true and that my evidence conforms to the standards and requirements of my professional body.

2 S27 Barrells & S28 Grove Farm

2.1 Suitability of the route

- 2.1.1 *At paragraph 4 of his Proof of Evidence (OBJ/36/W3) Derek Fisher states that “the alternative route needs to be enjoyable (or enjoyable for the most part) as a leisure path to make it ‘suitable’ as an alternative”.*
- 2.1.2 *At the second paragraph on page 4 of his Proof of Evidence (OBJ/23) Barry Hall states that “the alternative routes involve a significant amount of road walking”*
- 2.1.3 In response, I have set out in my proof **NR32/1** at paragraphs 1.3.2, 1.3.3 and 1.3.7 the relevant test under the Transport and Works Act and how Network Rail has assessed whether a proposed diversionary route is “suitable and convenient”. I understand that this may be a matter for legal submission, but I do not agree that there is a requirement for the alternative route to be enjoyable as a leisure route in order for it to be “suitable and convenient”.
- 2.1.4 The alternative routes for S27 Barrells and S28 Grove Farm have been assessed in the context of how they sit within the wider PROW network. Barrells Road, Bird’s Road and the unnamed road to the east of Grove Farm crossing all form linkages between the PROW network and Thurston to the west. The traffic count data recorded an average 2 way daily flow of traffic of 83 vehicles on Barrells Road, which would equate to one vehicle approximately every 12 minutes using the road. Although no traffic data was collected on the bridge to the east of Grove Farm, it is anticipated that traffic volumes and speeds will be similar due to the location and road alignment.
- 2.1.5 Based on the maximum diversion length and duration to walk this as stated in my proof NR32/1 at paragraph 2.16.20, a diverted walker may only encounter 2 vehicles on average when using the diversion route. It should be noted that users reaching the northern end of Footpath 005 Thurston must use Barrells Road as part of their ongoing route at present and I consider that the proposed alternative is similar in nature to the existing route when assessed in the context of the wider routes and circular walks that are likely to be undertaken in the area.

2.2 Change to the proposals

- 2.2.1 *At paragraph 15 of his Proof of Evidence (OBJ/29/W4), Glyn French notes that “there is a difference in the NR proposals contained within the Design Guide and the Public Consultation document”. Mr French states that “although the connectivity is the same, using the existing route would avoid the need for the new footbridge bridge proposed by NR and the ongoing maintenance liability”.*
- 2.2.2 In response, the change to the proposals following the second round of consultation were considered to maintain the principles of the route already consulted on. The changes were made following representations from the landowner as well as further assessment of the suitability of the Network Rail land.
- 2.2.3 The introduction of the footbridge and any additional maintenance burden will be dealt with through a commuted sum payment.

2.3 Road Safety

- 2.3.1 *At paragraphs 4.59 and 4.60 of his Proof of Evidence John Russell implies that vehicles cross on the bridge on Barrells Road, driving on the grass verges to pass.*
- 2.3.2 *At paragraph 4.63 of his Proof of Evidence John Russell states "I therefore consider that it is more likely that there will be two-way traffic over the bridge as a consequence of NR's proposed mitigation than were no mitigation provided. In either case (mitigated or not mitigated) there is a risk of collision between pedestrians (who have been diverted from the existing public rights of way network) and motorists."*
- 2.3.3 *At paragraph 4.1.1 of Appendix 2 to Andrew Haunton's proof the Road Safety Audit Team commissioned by Suffolk County Council make the following recommendation:*
- With there appearing to be little opportunity to implement effective remedial measures for pedestrians at each bridge, it is recommended that at least one of the two level crossings should be retained with appropriate new sections of linking footpath created.*
- 2.3.4 *At paragraph 16 of his Proof of Evidence (OBJ/29/W4), Glyn French states "The effect of closing of S27 Barrells and the nearby S28 Grove Farm crossing will be to promote more use of a rural road network that has inherent hazards, due to the lack of visibility, particularly when using the existing road bridge on Barrells Road. More generally, NR has not provided sufficient justification to show why, on balance, it is in the interests of safety that the proposed alternative route be used instead of the level crossing",*
- 2.3.5 *At paragraph 10 of his Proof of Evidence (OBJ/37/W3) Derek Fisher also raises concerns about road safety at Barrells Road bridge.*
- 2.3.6 In response, I would suggest that it is highly unlikely that two vehicles can pass on this bridge given the width of the structure and available carriageway. The existing verges are relatively high and this would restrict most cars/LGVs from mounting them. The overrun noted by Mr Russell is more likely caused by the occasional large vehicle.
- 2.3.7 The traffic count data recorded an average 2 way daily flow of traffic of 83 vehicles on Barrells Road, which would equate to one vehicle approximately every 12 minutes on average using the road. The recorded 85th percentile speed of vehicles was 24.7mph. Although no traffic data was collected on the bridge to the east of Grove Farm, it is anticipated that traffic volumes and speeds will be similar due to the location and road alignment. Based on this data it is considered unlikely that the low number of users diverted from the level crossings are likely to meet two vehicles crossing on either of the bridges. I set out my assessment of forward visibility at Barrell's Road bridge at paragraph 2.16.38 of my proof **NR32/1**. The proposed measures to clear vegetation are intended to enable all pedestrians to step into a position of safety if they happen to cross the bridges at the same time as a vehicle, however, they are outline proposals and will be subject to detailed design, a Stage 2 RSA and agreement with the Highway Authority.
- 2.3.8 Given the traffic flow and speed data for Barrells Road, my review of forward visibility as set out in paragraph 2.16.38 of my proof **NR32/1** and the proposed pedestrian improvement measures I am satisfied that both S27 Barrells and S28 Grove Farm level crossings can be closed without compromising the safety of pedestrians on the alternative routes.

