

**APPLICATION FOR THE PROPOSED NETWORK RAIL
(SUFFOLK LEVEL CROSSING REDUCTION) ORDER**

SUFFOLK COUNTY COUNCIL

REBUTTAL:

**RE PROOF OF EVIDENCE OF
ANDREW KENNING & JOHN PREST & SUSAN TILBROOK**

BY ANDREW WOODIN – RIGHTS OF WAY AND ACCESS MANAGER

Bachelor of Sciences Honours degree in Ecology

1. In addition to my proofs of evidence already submitted I wish to make this further statement to rebut aspects of the following evidence submitted by Network Rail:
 - i. Proof of evidence of Andrew Kenning
 - ii. Proof of evidence of John Prest
 - iii. Proof of evidence of Susan Tilbrook

I have not sought to dissect every point raised but rather have concentrated on a few key points of note.

PROOF OF EVIDENCE OF MR KENNING & MR PREST

Paragraph 20.2 of Mr Kenning's proof of evidence

2. Mr Kenning notes this level crossing (S23) is currently closed due to safety reasons, as set out in the Proof of Evidence of John Prest. Whilst true at a physical level, at the time of writing there is no temporary closure order in place to make the closure lawful, as Network Rail have not sought to renew the previous closure order. My proof covers this in more detail.
3. This rebuttal also related to para 20.15 of John Prest's evidence.

Paragraph 22.5 of Mr Kenning's proof of evidence

4. 22.5 This paragraph relates to S25 and Mr Kenning states Suffolk County Council is objecting to this proposal on the basis that Network Rail should await the outcome of the development of the land to the northwest of the level crossing. Please note the Council's objection is not only based on the expectation that the developer funded footbridge will be provided but is also based on the fact that the current crossing alignment provides a direct and convenient route for users and the proposed diversion entails a significant detour for users.

PROOF OF EVIDENCE OF MS TILBROOK

Paragraph 1.1.17 of Ms Tilbrook's proof of evidence

5. 1.1.17 I do not agree the Order is broadly in line with the ROWIP. One particularly relevant objective in the ROWIP is Objective C.2 "Improve safety of road and rail crossings" and this cannot be taken as approval of the objectives of the order. The reference to improving safety does not have to mean supporting the closure of crossings, but encompasses different means of improving the safety of crossings, such as by ensuring proper maintenance of the crossing and installing further mitigation measures, such as warning lights.

6. With the exception of the enhancements connected with S24, there is little else in the Order which represents a noteworthy enhancement to the network.

Paragraph 1.11.9 of Ms Tilbrook's proof of evidence

7. I disagree on whether the Order meets the DfT's Cycling and Walking Investment Strategy and this is dealt with in my proofs of evidence.

Paragraph 1.14.11 of Ms Tilbrook's proof of evidence

8. Sue Tilbrook states due to the historical nature of many of the existing rural roads and verges etc may not meet with current design standards for new infrastructure although they are still deemed suitable for use by Suffolk County Council. I point to her following statement that it is not appropriate to generalise about the appropriate minimum design standards for existing rural carriageway widths in relation to current design standards, and it is not a case of "deeming" whether this or that rural road is suitable for the different classes of user – that is the network the Council has to work with.

Paragraph 1.15.3 of Ms Tilbrook's proof of evidence

9. I submit the Order is not a "Highway Improvement Scheme". It is a rail improvement scheme.

Paragraph 2.13.13 of Ms Tilbrook's proof of evidence

10. Sue Tilbrook states a DIA scoping exercise at S22 recommended that full Diversity Impact Assessment be undertaken and the DIA concluded that due to the availability of the alternative route in the local area to cross the railway, closure and redirection along the proposed diversion route is considered an appropriate solution. The crossing was rated as red in the DIA and I deal with this in my proof, where I request for disclosure of the DIA to the Inquiry, but I would welcome clarification on Sue Tilbrook's statement.

11. In the following table Sue Tilbrook states it is noted that SCC have not requested any improvements at this location, being the existing road underbridge. I do not understand that statement as the county council would not request improvements if they are objecting to the closure of the crossing.

Paragraph 2.14.8 of Ms Tilbrook's proof of evidence

12. Sue Tilbrook refers to the approach roads being through uneven farmland that would pose a significant challenge to many wheelchair users and people with limited mobility. I would ask if she has walked the approach roads and public rights of way and on what basis of evidence she is making her comments about the different abilities of wheelchair users and how she defines the many different forms of limited mobility.

Paragraphs 2.14.6 & 2.14.18 & 2.14.25 of Ms Tilbrook's proof of evidence

13. The statement there are no ongoing public footpath links to the north of the railway over the A14, or similar wording, is repeated and is simply wrong. I deal with the in my proof for S23.

Paragraph 2.14.47 of Ms Tilbrook's proof of evidence

14. I deal with this in my proof for S23 but would repeat here any walkable verges on Higham Road are limited and the proposed route requires pedestrians to use the carriageway for large sections. And verges become quickly overgrown of course, which will impact on the additional maintenance burden on the Council.

Paragraph 2.15.8 of Ms Tilbrook's proof of evidence

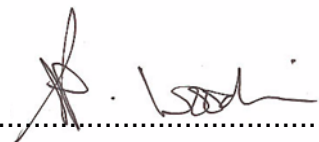
15. It is not reasonable to assume use of S25 is mainly leisure and recreational and I deal with this in my proof.

Paragraph 2.15.10 of Ms Tilbrook's proof of evidence

16. I do not deal with this in my proof, but the Council expects any applicant for a PRow diversion to provide at least a like for like surface, which in this case would be a sealed metalled surface rather than planings.

Paragraph 2.15.25 of Ms Tilbrook's proof of evidence

17. Officers have objected to the proposed alternative not just on the basis of ongoing negotiations with the local planning authority, Network Rail and the developer to provide a footbridge, but on the grounds of the length and the diversion and loss of the desire line.

Signed: 
Andrew Woodin

Dated: 01 February 2018