

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

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**SUFFOLK COUNTY COUNCIL**

**REBUTTAL:**

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

**GLYN FRENCH – WEST AREA RIGHTS OF WAY MANAGER**

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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 John Prest
  - ii. Proof of evidence of Susan Tilbrook

**PROOF OF EVIDENCE OF MR PREST**

**S27 – Barrells**

**Paragraph 23.15 of Mr Prest's proof of evidence**

2. Mr Prest lists the elements taken into account during the 'optioneering' exercise conducted by Network Rail. These options only appear to consider the relative cost of either diversion of the footpath or the construction of an over bridge. Understandably, the diversion option came out as the cheaper option, however

there is no mention of the other options of warning lights or audible devices which would possibly be a cost-effective option to diversion. The County Council seeks clarification from Network Rail as to whether other mitigation measures, short of closures, have been properly considered for this crossing.

#### Paragraph 23.17 of Mr Prest's proof of evidence

3. Mr Prest states that the approach to the crossing has limited space and 'those carrying objects (for example, heavy bags or equipment) and those with dogs, either on or off the lead could be in the danger zone before they are easily able to make the decision whether to cross or not.'
4. I contend it is highly unlikely that any member of the public would want to use this crossing carrying any heavy bags or equipment (possibly only rail workers would need to do so), so the public who use the crossing should easily be able to make the decision within the safety zone.

### **S31 – Mutton Hall**

#### Paragraph 27.9 of Mr Prest's proof of evidence

5. Mr Prest shows that the sighting distance for this crossing is at least double the minimum required to make it compliant, however, despite the fact that there have been no reported incidents at the location, Mr Prest makes the claim in paragraph 27.17 that the 'crossing approach on the northern side of the track is very wet and slippery, this causes issues when crossing the track'. The Council seeks clarification on the location of the approach in question, as it is not currently aware of this issue.

### **PROOF OF EVIDENCE OF MS TILBROOK**

### **S27 – Barrells**

#### Paragraph 2.16.3 of Ms Tilbrook's proof of evidence

6. Ms Tilbrook states that the footpaths leading to the crossing are uneven and overgrown and that makes the journey untenable for those with disabilities and parents with pushchairs. I contend that the comparative condition, as it exists on the ground, of public rights of way leading to the crossing should not be allowed to dictate the standards of the alternative route. When considering whether an alternative route is suitable and convenient for “existing users”, regard must be had to those who are legally entitled to use the public right of way, not just those who currently use it. Where footpaths become overgrown, this is due to high re-growth rates of vegetation and the fact that the Council, due to limited maintenance budgets, has to target and prioritise its cutting regimes.

Paragraph 2.16.15 of Ms Tilbrook’s proof of evidence

7. Ms Tilbrook states that users heading west along Barrells Road would use the verge. This statement does not take into consideration the fact that the verges have not been prepared for public use and are not suitable, due to the raised and uneven nature of the ground and the dense vegetation that grows on the verges during spring, summer and autumn months.


Paragraph 2.16.34 of Ms Tilbrook’s proof of evidence

8. Ms Tilbrook states that land owner feedback suggested that FP5 could be relocated to the east side of the field. This would take FP 5 as far away from the landowner’s property as physically possible and require a new footbridge to be constructed and maintained.
9. The decision by Network Rail appears to ignore the landowner feedback from the other landowners affected by this move, Mr and Mrs Brace, or the existing field entrance for FP 5, which would negate the need for the bridge and make the alternative route more accessible.

**S31 – Mutton Hall**

Paragraph 2.19.22 of Ms Tilbrook's proof of evidence

10. The calculations used in determining that drivers can see the proposed diversion route and will be within the stopping site distances required for safe use only deals with the 85% of drivers considered to be below the legal speed limit of 60 mph. That still leaves 15% of vehicles potentially travelling at a higher speed up to and possibly in excess of the legal speed limit. Neither does it address the fact that users from the south will have the traffic behind them which increases the risk, particularly for the hard of hearing.

Signed: .....  
Glyn French

Dated: 01 February 2018