

From: Haggett Camilla [mailto:Camilla.Haggett@cambridgeshire.gov.uk]
Sent: 09 May 2017 16:42
To: TRANSPORTANDWORKSACT <TRANSPORTANDWORKSACT@dft.gsi.gov.uk>
Subject: Network Rail Suffolk Level Crossing Reduction Order - OBJECTION

Dear Sirs,

I refer to Cambridgeshire County Council's holding response of 19th April 2017, and to the full Appendix list of our objections re-submitted on 21st April, attached.

In the Appendix, we list S22 Weatherby, Newmarket, as being one of the crossings on which we wished to make a holding objection. We have realised that, although it is listed in the Appendix to that letter, we should also have sent that objection specifically in respect of the Network Rail Suffolk Level Crossing Reduction Order.

Our objection is made on the grounds that there is well-evidenced, heavy use of the crossing by the public over many years. The proposed alternative is not satisfactory because it would be on-road, and the additional length and steepness would prejudice the less able, elderly and young families. This would discourage physical activity and walking as a sustainable mode of transport, in conflict with government policy. It could also affect local businesses.

We are aware of objections from the local community, councillors and authorities, including residents of Cheveley and Woodditton parishes over the border in Cambridgeshire, supported by their County Councillor Mathew Shuter. The County Council is disappointed that the matter has not yet been resolved, and supports ongoing negotiations to do so. It considers this important to enable continued access of this well-used crossing for local communities and their health, well-being and sustainability.

I do apologise for this oversight, and would be grateful if you would accept Cambridgeshire County Council's objection to this part of the Network Rail Suffolk Level Crossing Reduction Order.

Yours sincerely,
Camilla Rhodes

Mrs Camilla Rhodes (Haggett)
Asset Manager – Information
Highways Service, Cambridgeshire County Council
Direct Dial: 01223 715621
Contact Centre: 0345 0455212



Mrs Camilla Rhodes
Asset Manager – Information
Highways Service,
Cambridgeshire County Council
Box No SH1313
Cambridge CB3 0AP

Network Rail
James Forbes House
27 Great Suffolk St
London
SE1 0NS

15 December 2017

Ref: Obj/61/SUFF/R001

Dear Mrs Rhodes,

**The Network Rail (Suffolk Level Crossing Reduction) Order
Level crossing S22 Weatherby**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 9 May 2017, which has been allocated the reference OBJ/61.

We note your concerns and, in the following paragraphs, we respond to the points you raise. In the following table, we set out the current and proposed status of the level crossing referred to in your objection.

Level Crossing	Current Status	Proposed Status
S22 Weatherby	Footpath level crossing (not on Definitive Map). No Public Right of Way	Closure and diversion via New Cheveley Road and Underbridge

First, it may be helpful to set out the background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its licence and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient

management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practicable.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to Network Rail's Statement of Case. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>.

We address your specific concerns below.

Community impacts

We note that the Council objects to the closure of Weatherby crossing as it considers that there is well evidenced, heavy use of the crossing over many decades and it does not consider that the diversionary route is suitable. You are also concerned that it will discourage local walking and affect local businesses.

The proposed alternative to use the existing underbridge provides a safe route to cross the railway and Network Rail does not consider that the closure of the crossing will discourage local walking or effect local businesses. The suitability of the alternative route is set out in more detail below.

Acceptability of the proposed diversion route

It is accepted that the closure of the crossing will result in longer walking distances for some users. However the length of the diversion varies according to the users' origin and destination with some users undertaking longer diversions than others.

Considering a typical diversion for the majority of households south of the railway, the additional length of walking from the junction of Cricket Field Road/New Cheveley Road to the junction of Granby Street/Park Lane is approximately 380m (0.25 of a mile). As an indication, this equates to 6 minutes using an average walking speed of 1.115m/s (or 2.5 miles per hour) which is provided in guidance issued by the Ramblers (source: <http://www.ramblers.org.uk/advice/navigation/calculating-walking-pace.aspx>).

The additional length of walking from the end of Willow Crescent to the junction of Granby Street/Park Lane is approximately 750m (0.47 of a mile). This equates to 11 minutes based on an average walking speed of 1.115m/s.

During development of our proposal, we have considered the possibility of an alternative footpath, along the southern edge of the track bed westwards toward the railway bridge, to shorten the diversion route. This option was not practical due to issues with the change in level from track height to road height with limited land to accommodate the footpath. This proposal would have required acquisition of residential land which could not be justified and the need to relocate a Network Rail operational telecoms mast and its associated equipment.

You state that the proposed diversion using existing roads is considered unacceptable due to the length and steepness of the route, which would prejudice the less able, elderly and young families.

A Diversity Impact Assessment (carried out by a team independent of the design team) on the effect of the closure on users with protected characteristics (as defined in the Equality Act 2010) was undertaken as part of the development of the proposal.

In total, 23 users with mobility and sensory impairments were recorded using the level crossing during the nine-day census period, including one wheelchair and five mobility scooter users.

An analysis of local amenities indicates that there are many amenities located in close proximity to the level crossing. These include two primary and nursery schools, five churches, and GP surgeries and the allotments. It is noted that the majority of these services are to the north of the level crossing.

The use of the underbridge on New Cheveley Road was assessed. Guidance from the Department for Transport (DfT) states that underbridges should be as wide as possible to give sufficient room for disabled users, and ensure a sense of security

(source: Design Manual for Roads and Bridges TD36/93 *Subways for pedestrians and pedal cyclists: layout and dimensions*). The DfT recommends that to achieve inclusive mobility for new or enhanced underbridge infrastructure, designers should aspire to a total width of at least 4.8 metres and a headroom of 3 metres, or as close to these parameters as reasonably practicable / deliverable.

The existing underbridge is approximately 12 metres wide in total, with the footways being approximately 1.56m and 2.30m on the north and south sides respectively. The existing headroom for vehicles is 4.4 metres (as indicated on the existing signage on-site). The underbridge is also light and has a clear view from one side to the other. Therefore, it is felt that the underbridge adequately complies with the DfT guidelines.

The roads which form the diversion route are existing adopted roads, maintained by the relevant local highway authorities. Department for Transport (DfT) guidance on inclusive mobility (A guide to best practice on access to pedestrian and transport infrastructure) states that a gradient of no more than 5% (1 in 20) is acceptable, with the absolute maximum allowance being 8% (1 in 12) over shorter lengths. This guidance provides a helpful reference by which to consider the steepness of public highways.

Gradients vary over the diversion route but are not significant. Assessment of the existing gradient on the approach to and departure from the New Cheveley Road bridge show this is approximately 1.0 -1.5%. The steepest section of the diversionary route (covering approximately 80m) is to the north of the underbridge on Green Road, and is approximately 5% and so within the guidance level. It is also noted that the pathways along all of the diversion route meet recommended minimum standards (1.5m) as the footways range in width from 1.5 – 2.3m.

It is acknowledged that increased walking distances may have a greater impact upon people with restricted mobility issues.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on AngliaLevelCrossings@networkrail.co.uk or on the address above, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team
Network Rail

Enc. List of locations for TWAO documents

From: Haggett Camilla [<mailto:Camilla.Haggett@cambridgeshire.gov.uk>]
Sent: 29 January 2018 13:31
To: Kirsty.Young@networkrail.co.uk
Cc: Joanna Vincent <joannavincent@personaassociates.co.uk>; Graham Groom <grahamgroom@personaassociates.co.uk>; Shuter Mathew Cllr <Mathew.Shuter@cambridgeshire.gov.uk>; Smith Laurence <Laurence.Smith@cambridgeshire.gov.uk>; Atkins Mike <Mike.Atkins@cambridgeshire.gov.uk>; Steve Kerr <Steve.Kerr@suffolk.gov.uk>; Green Iain <Iain.Green@cambridgeshire.gov.uk>; Andrew Woodin <Andrew.woodin@suffolk.gov.uk> <AndrewWoodin<Andrew.woodin@suffolk.gov.uk>
Subject: Re: The Network Rail (Suffolk Level Crossing Reduction) Order

Dear Ms Young,

Thank you for Network Rail's response to Cambridgeshire County Council's objection to the Network Rail (Suffolk Level Crossing Reduction) Order in relation to the S22 Weatherby proposal in Newmarket.

I am sorry for the delay in responding, owing to the ongoing public inquiry on the Cambridgeshire Level Crossing Reduction Order.

Cambridgeshire County Council does not accept the arguments that Network Rail have put forward in response to the County Council's objections.

Cambridgeshire County Council's ('CCC') Business Plan 2017-18 sets out the Authority's strategic vision in support for the county of Cambridgeshire. ^[1] CCC's Strategic Priorities are:

- Developing the local economy for the benefit of all
- Helping people live healthy and independent lives
- Supporting and protecting vulnerable people

Following on from these, CCC's Strategic Outcomes are that:

- Older people live well independently
- People with disabilities live well independently
- People at risk of harm are kept safe
- People lead a healthy lifestyle
- Children and young people reach their potential in settings and schools
- The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents
- People live in a safe environment

CCC's Rights of Way Improvement Plan ('ROWIP') sets out in more detail how CCC will manage and improve the public rights of way network. The ROWIP is a statutory requirement for all highway authorities under the Countryside & Rights of Way Act 2000 ('CROW Act'). Cambridgeshire's ROWIP was first adopted in 2006, and a revised version was published in 2016. CCC's ROWIP forms part of Cambridgeshire's Local Transport Plan 3 ('LTP3'), and contributes towards the delivery of the Council's main outcomes set out above. Both policy documents are available on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/transport-plans-and-policies/local-transport-plan/>

The strategic objectives of the LTP are:

1. Enabling people to thrive, achieve their potential and improve quality of life
2. Supporting and protecting vulnerable people
3. Managing and delivering the growth and development of sustainable communities
4. Promoting improved skills levels and economic prosperity across the county, helping people into jobs and encouraging enterprise
5. Meeting the challenges of climate change and enhancing the natural environment

^[1] <https://www.cambridgeshire.gov.uk/council/finance-and-budget/business-plans/>

There are clear links between the ROWIP Statements of Action and the LTP objectives. The ROWIP has eight Statements of Action ('SOA') with accompanying 'Guiding principles' ('GPs'), of which the most relevant are:

- *SOA1 Making the countryside more accessible (community cohesion)*
GP1: Countryside access provision should be physically accessible to the widest possible range of people. Management and improvement of the existing Cambridgeshire Rights of Way network should aim to increase that accessibility, while new countryside access provision should generally be planned to avoid imposing restrictions. Where an existing path may not be fully accessible to those with limited mobility due to limits imposed by external constraints, such route limitations should be effectively communicated to users.
- *SOA2 A safer and health-enhancing activity*
GP2: Countryside Access provision should be safe for users and encourage healthy activities. Where significant potential conflict with motor traffic or railways can be demonstrated, then measures to reduce risk will be considered. Where rights of way are subsumed within urban development, then planners will be encouraged to ensure that path design is open and unthreatening and suitable for regular exercise. Safety-critical path infrastructure will be regularly inspected.
- *SOA3 72,500 new homes*
GP3: New development should not damage countryside provision, either directly or indirectly. New settlements should be integrated into the rights of way network, and improved provision made for the increased population. Where appropriate, development should contribute to the provision of new links and/or improvement of the existing rights of way network.
- *SOA5 Filling in the gaps*
GP5: Countryside access provision should build on the platform of the historical network to meet the needs of today's users and land managers
- *SOA8 A better countryside environment*
GP8: The countryside access experience in Cambridgeshire should be straightforward, enjoyable and inspiring.

The LTP and ROWIP work in harmony with the Cambridgeshire Health & Wellbeing Strategy 2016-17^[2] (<http://cambridgeshireinsight.org.uk/health/hwb>), which promotes priorities to support and improve the physical and mental health of the county's communities. The Health and Wellbeing Board comprises services across the NHS, district councils, the county council, children's and social care, and elected representatives. Maintaining and developing the rights of way network supports most of the Priorities of the Strategy. The key Priorities relevant to the highway network are:

- Priority 2 *Support older people to be independent, safe and well*, which encourages older people to stay active and links to ROWIP SOA1, SOA2, SOA5 and SOA8.
- Priority 3 *Encourage healthy lifestyles and behaviours in all actions and activities while respecting people's personal choices*, which promotes physical activity and also links to ROWIP SOA2, SOA3, SOA5 and SOA8.
- Priority 4 *Create a safe environment and help build strong communities, wellbeing and mental health*, which recognises the strong link between physical and mental health. Rights of way and access to green space is an important, free source for people. This Priority also relates to ROWIP SOA1, SOA2, SOA3, SOA5 and SOA8.
- Priority 5 *Create a sustainable environment in which communities can flourish*, which acknowledges the importance that good transport planning, green spaces and the built environment play a vital role in determining health and wellbeing, together with the benefits that these bring to the local economy. This Priority has the following three aims:
 1. Develop and maintain effective, accessible and affordable transport links and networks, within and between communities, which ensure access to services and amenities and reduce road traffic accidents.

^[2] <http://cambridgeshireinsight.org.uk/health/hwb>

2. Ensure that housing, land use planning and development strategies for new and existing communities consider the health and wellbeing impacts for residents in the short and long term.
3. Encourage the use of green, open spaces including public rights of way, and activities such as walking and cycling through the provision of safe, continuous networks.

The Health and Wellbeing Strategy Priorities link strongly to the ROWIP Statements of Action.

The communities of Cheveley and Woodditton in Cambridgeshire have made representation to the County Council that residents will be adversely affected by the proposed closure because it is used as an important off-road link on pedestrian routes into and out of Newmarket. The County Council remains of the view that the proposed alternative on-road route is both inconvenient and less accessible for pedestrians. We consider that the change would significantly discourage existing users to walk between their current destinations, encouraging them to drive instead or not to get out at all. This is contrary to County Council and government policy to encourage healthy lifestyles, strong communities and sustainable transport, reducing the burden on the NHS and thus on the public purse.

In particular, this proposal works against the cohesion of the local community by severing this very popular pedestrian connection (contrary to the Cambridgeshire Health & Wellbeing Strategy Priorities 4 and 5; Business Plan). It reduces sustainable transport links (Priority 5), and discourages people from walking for physical and mental well-being, whether for short utility walks or for leisure and fitness (Priorities 4 and 5; ROWIP SOA 1, 2 and 8). People deliberately choose to use an off-road route such as this because it is direct. They do not like going a disproportionate way out of their way.

They also choose such routes because they are off-road; they do not wish to walk alongside roads which are less green and have less wildlife around to enjoy.

Pedestrians may be at greater risk from using the alternative route through having to make more decisions in an environment with a greater number of factors to take into consideration than is the case with the current route. Even if they are not, they may perceive that they are, and perception is an important factor in their decisions.

The County Council therefore does not withdraw its objection to the S22 Weatherby proposal.

For your reference, Cambridgeshire County Council's representation is in support of Suffolk County Council's objection. It is not making a separate representation to the Suffolk Inquiry.

Yours sincerely,
Camilla Rhodes

Mrs Camilla Rhodes (Haggett)
Asset Manager – Information
Highways Service, Cambridgeshire County Council
Direct Dial: 01223 715621
Contact Centre: 0345 0455212



BY EMAIL ONLY

Camilla Rhodes
Cambridgeshire County Council
Asset Information
Box No. STA2101
Highways Service
Stanton Way Highway Depot
Huntingdon, PE29 6PY

Network Rail
James Forbes House
27 Great Suffolk St
London
SE1 0NS

09 February 2018

Ref: Obj/61/SUFF/R002

Dear Mrs Rhodes

The Network Rail (Suffolk Level Crossing Reduction Order) ("the Suffolk Order")

Thank you for your email of 29 January in response to Network Rail's letter dated 15 December 2017 responding to Cambridgeshire County Council's (CCC) objection to the Suffolk Order, and in particular, to the closure of the Weatherby crossing S22.

We note that the Council does not accept Network Rail's arguments put forward in the December letter and that it does not withdraw its objection to the S22 Weatherby proposal. We also note that the Council's "*representation is in support of Suffolk County Council's objection*" and that CCC it is not making a separate representation to the Suffolk Inquiry.

You have copied in your email extracts from several CCC's policies in support of the objection, including policies from:

- CCC's Business Plan 2017-18 which "sets out the Authority's strategic vision in support for the county of Cambridgeshire";
- CCC's Rights of Way Improvement Plan (ROWIP) "which sets out in more detail how CCC will manage and improve the public rights of way network" and which forms part of CCC's Local Transport Plan (3);
- CCC's Local Transport Plan (3) (LTP);
- CCC's Cambridgeshire Health & Wellbeing Strategy 2016-17

You set out the interdependencies between the above policy documents and highlight CCC's strategic priorities and strategic outcomes. You conclude that Network Rail's proposal to close the crossing conflicts with the national and CCC's local policies.

Network Rail does not agree with that view. The local policies which you have quoted and copied are not relevant considerations to Network Rail's proposals at the Weatherby crossing.

You state that *"The communities of Cheveley and Woodditton in Cambridgeshire have made representation to the County Council that residents will be adversely affected by the proposed closure because it is used as an important off-road link on pedestrian routes into and out of Newmarket"*.

A Google map search shows that Cheveley and Woodditton are located in East Cambridgeshire, approximately 4.4 miles (Cheveley) and 4.3 miles (Woodditton) from Newmarket. You do not elaborate how these communities will be adversely affected by the closure of the Weatherby crossing.

You say that *"The County Council remains of the view that the proposed alternative on-road route is both inconvenient and less accessible for pedestrians. We consider that the change would significantly discourage existing users to walk between their current destinations, encouraging them to drive instead or not to get out at all. This is contrary to County Council and government policy to encourage healthy lifestyles, strong communities and sustainable transport, reducing the burden on the NHS and thus on the public purse"*.

Given the distances between Cheveley and Woodditton from Newmarket it is not clear how the above statement relates to the communities of Cheveley and Woodditton, whose members would need to drive to reach Newmarket. As regards the impact on the residents of Newmarket, we have commented on the acceptability of the diversion route in the letter of 15 December.

It is also not clear how Network Rail's proposal *"works against the cohesion of the local community by severing this very popular pedestrian connection (contrary to the Cambridgeshire Health & Wellbeing Strategy Priorities 4 and 5; Business Plan)*. It appears that Cheveley, Woodditton and Newmarket are distinct communities some distance away from each other. They do not appear to be connected by a network of public rights of way, which would be affected by the closure of the Weatherby crossing. With regards to the impact on the residents of Newmarket, the proposed diversion directs users to an existing underpass with wide footways and railings. The route is longer and therefore it is likely to result in increased walking activity in accordance with national and local policies. The underpass provides connectivity between the north and south part of the town.

You say that Network Rail's proposal *"reduces sustainable transport links (Priority 5), and discourages people from walking for physical and mental well-being, whether for short utility walks or for leisure and fitness (Priorities 4 and 5; ROWIP SOA 1, 2 and 8). People deliberately choose to use an off-road route such as this because it is*

direct. They do not like going a disproportionate way out of their way”.

As stated above, Network Rail's proposal diverts existing users to the nearby underpass thus ensuring safe crossing of the railway. We set out the details of the diversion and the anticipated impact on existing users in the letter of 15 December.

You refer to CCC's ROWIP and the LTP. In this context it is important to note that there are no public rights of way over Weatherby crossing. Network Rail has the right to close permissive routes over the railways (such as the route over the Wetherby level crossing), without pursuing any of the formal statutory processes which might be used to close a public right of way. However, the crossing has been included in the Order taking a precautionary view to put the extinguishment of any claimed private (or for that matter public) rights beyond doubt. For that reason, and the fact that the crossing is located in Suffolk, it does not fall within the scope of CCC's ROWIP.

With reference to the other policies and strategic objectives quoted in your email, although not directly relevant to this crossing, they appear to broadly support Network Rail's proposals.

Network Rail does not accept that the Council's representation by reference to Cambridgeshire policies is relevant or justified.

If you require further information please do not hesitate to contact me on the address above or by email to AngliaLevelCrossings@networkrail.co.uk, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett
Anglia Level Crossing Reduction Team
Network Rail

From: Smith Laurence
Sent: 20 February 2018 09:09
To: 'Young Kirsty' <Kirsty.Young@networkrail.co.uk>
Cc: Atkins Mike <Mike.Atkins@cambridgeshire.gov.uk>; Ashman Daniel
<Daniel.Ashman@cambridgeshire.gov.uk>
Subject: RE: The Network Rail (Suffolk Level Crossing Reduction) Order - OBJ 61 SUFF R002

Dear Kirsty,

Thank you for your email and attached letter from Ms Choo-Bennett of 9th February. Having considered this letter, we would like to confirm that the County Council does not withdraw its objection to the S22 Weatherby proposal, which is in support of Suffolk County Council's objection.

Kind regards,

Laurence

Laurence Smith

Asset Information Definitive Map Manager

Direct Dial: 01223 507239

Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot,
Huntingdon, PE29 6PY

