

**TRANSPORT AND WORKS ACT 1992**

**TRANSPORT AND WORKS (APPLICATIONS AND  
OBJECTIONS PROCEDURE) (ENGLAND AND  
WALES) RULES 2006**

**THE NETWORK RAIL (ESSEX AND OTHERS LEVEL  
CROSSING REDUCTION) ORDER**

**STATEMENT OF AIMS**

*(Required by Rule 10(2)(c))*

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## **Introduction**

1. An application has been made to the Secretary of State in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 for an Order under sections 1 and 5 of the Transport and Works Act 1992 (“the 1992 Act”).
2. This statement is intended to provide a brief overview of the above application, the purpose of which would be to grant Network Rail Infrastructure Limited (“Network Rail”) powers to close a number of level crossings as a matter ancillary to a transport system. The works being undertaken relate to the closure of certain level crossings, closure or redesignation of the status of certain footpaths, bridleways, byways open to all traffic and public roads, and creation of new rights of way. The Order would permit Network Rail to acquire land and interests in land in connection with the construction of the works to be authorised by the Order.
3. The affected highway authorities are Essex County Council, Hertfordshire County Council, London Borough of Havering, Thurrock Council, and Southend-on-Sea Borough Council.

## **Background**

4. In the nineteenth century, when the railways in Essex and east Hertfordshire were constructed, many level crossings were provided as they were the cheapest form of crossing the railway, and the flat ground made bridges an expensive proposition.
5. Level crossings were acceptable on a low speed steam-powered railway, but trains have become faster, quieter, and more frequent, and the law and society have become more concerned with safety. A railway being built today would only ever include a level crossing in exceptional circumstances as being in the path of a train is an inherently dangerous location in which to find oneself.
6. Where people are still entitled to cross the railway on the level, Network Rail provides equipment and instructions to facilitate safe use, and carries out regular risk assessments and maintenance to ensure that the risk at a level crossing is as low as reasonably practical. However, despite ongoing management and the latest technology, no level crossing can be considered completely safe. Every year, people are killed or injured in level crossing accidents or following deliberate misuse.

7. As they interface directly with the operational railway, rather than allowing people to cross above or below the tracks, the number and proximity of level crossings also limits plans for future improvements in line speed and capacity, and so limits Network Rail's ability to meet its obligations under its Network Licence to improve, enhance and develop the railway network. Level crossings may restrict where signals are placed because trains should not stand across them. They may prevent (or make more expensive) line speed increases, and preclude laying down additional lines of rails. If the crossings can be modified to remain compliant with standards, increasing the train service or line speed across them can lead to increased risk. A busier railway also leads to greater periods of inaccessibility for those seeking to cross the railway at level crossings.
8. There are a number of proposed or future projects across Anglia route to improve efficiency, reduce journey times, and meet growing demand which the level crossing closures and downgrades in this Order would facilitate, including:
  - Transfer of Cambridge-area signalling to the Romford Route Operations Centre
  - Greater Anglia franchise commitments to improve services
  - Great Eastern Main Line improvements ("Norwich in 90")
  - Crossrail 2
  - Implementation of Digital Railway technologies
9. As key commuter and economic development areas, there are heavy demands for improvements to rail services in and around the Lee Valley, A12, and A13 corridors.

### **The Order**

10. It has been always been Network Rail policy to close level crossings where practical, and this policy has precedents in Railtrack, British Rail, the British Transport Commission, and prior to nationalisation in 1948. Recent level crossing closure projects have often focussed on high risk, high usage level crossings, for which bridges or subways have been provided, or on private crossings with landowners willing to release their rights for compensation.
11. The current Order has sought to identify level crossings where closure is possible without providing new structures crossing the railway, which can be expensive to construct and maintain. The closure may be achieved by extinguishment of a right of way, or diversion to another crossing point. Some diversionary routes are being enhanced to ensure that safety and accessibility

are maintained and, where reasonable, enhanced. The powers will provide for compensation to be paid to affected landowners.

12. The opportunity is also being taken through the Order powers to reduce public crossings to private status, or substitute a highway of a lower category to enable better management of risk.
13. Finally, some anomalous level crossings, such as those where the legal status is unclear, or where the level crossing is not available for use, are being addressed.
14. The level crossings have been selected on the basis of the nature of the closure solution. The risk score, cost of maintenance, legal status, operational requirements, and potential for the future improvement of a line will vary between crossings.

### **Benefits**

15. Closing or modifying the level crossings will bring the following benefits:
  - a. Improving the safety of level crossing users, railway staff, and passengers
  - b. Creating a more efficient and reliable railway
  - c. Reducing the ongoing operating and maintenance cost of the railway
  - d. Reducing delays to trains, pedestrians, and other highway users
  - e. Facilitating capacity and line speed increases on the network in the future.