

The Network Rail (Cambridgeshire Level Crossing Reduction) Order

Agreed Amendment to Cambridgeshire County Council's Position

Cambridgeshire County Council's full response to Network Rail's proposed Transport & Works Act Order was approved by full Council on the 18th July 2017. <https://cmis.cambridgeshire.gov.uk/ccclive/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/564/Committee/7/Default.aspx>. CCC's full response was submitted to the Department for Transport on the 28th July 2017.

Council also agreed that officers should continue negotiations with Network Rail, and that any changes to the Council's position prior to the Public Inquiry should be delegated to the Executive Director ETE in consultation with the Chair or Vice Chair of the County Council's Highway & Community Infrastructure Service & Policy Committee ('HCI Committee').

As a result of the continuing negotiations, including discussions with relevant Members, and also as a consequence of new information, the following changes to CCC's position were agreed by Graham Hughes and the Chair of HCI Committee, Cllr Mathew Shuter, on the 31st October 2017.

- **Remove objections:**

C13 Middle Drove March and C35 Ballast Pit Waterbeach, as it is now considered these proposals will not pose a maintenance issue to CCC.

- **Change from holding objection to full objection:**

Three crossings: C03 FP7 Little Thetford, C21 Newmarket Bridge and C22 Wells Engine (FP 23 and 24 Ely) due to NR advising that the EA now advise there is no flood data available but that all three paths would be put into a high flood risk zone.

- **Change from full objection to holding objection:**

C16 and C17 Prickwillow: CCC accepts that it is unreasonable for NR to provide ramps for maintenance as the steps would create no worse a situation than the existing position. However, CCC retains an holding objection concerning the lack of detail surrounding how pedestrians will be accommodated at the bottom of the proposed steps, as the road is single carriageway, there is no room to step off, vision is impaired by the railway bridge, and the road is used by heavy agricultural vehicles.

- **Maintain objection but modify:**

C24 Cross Keys FP50 Ely (and C09): accept NR explanation that the proposed third bridge on the new link is necessary as there is no existing culvert but CCC requires a commuted sum for this and for the additional length of network. Maintain objection relating to current unsuitability of BR25 crossing to which FP49 and FP50 will be diverted and the fact that use will increase due to North Ely development. Whilst NR have proposed works to bring the crossing up to standard, these works need to be agreed with CCC as the local Highway Authority.

- **Introduce objections:**

C09 Second Drove: Officers have now been able to inspect path and loss of path would result in loss of access to a short stretch of mature elm woodland. We could still agree to the crossing closure but retain this section *as a place of public amenity with a connecting link is created between FP49 Ely through the woodland north to BR25*. **Correction in italics**
14.11.2017 in accordance with Cllr Anna Bailey's proof of evidence of 31st October 2017.

C14 Eastrea Cross Drove and C15 Brickyard Drove, Whittlesey: Officers had not been able to inspect the proposed new routes until finally invited to accompany NR on the 10th October 2017 on a site visit. This showed that both existing paths are well-engineered tracks, whereas the alternative routes are not and have a number of significant problems. C14 (FP50 Whittlesey) would be field-edge in boggy land adjacent to a large catchwater drain. Commuted sums would not cover the additional burden. C15 proposal was changed in the Order Plan without consultation with CCC or the landowner from headland to cross-field/headland. The headland section has a badger set on it. By comparison the two proposals would present a much greater maintenance liability than CCC currently has.

In addition, the landowners object to both proposals. Whittlesey Charity wrote to CCC in a letter received on 26th October 2017 about their concerns for FP48 (C15). The landowner objects to the loss of prime agricultural land, and there is the potential for path reinstatement and enforcement problems where currently there is none.

Further, it is evident that walkers travelling east would have a diversion of 866m (getting on for a kilometre) and via a road crossing in order to reach the same point on the other side of the railway, which is disproportionate. For walkers coming from the south-east, it is an extinguishment, as they would have to walk entirely along the B road to reach Fen Lots Drove bridleway rather than being able to use FP48, a further distance of 500m.

Given the poor public health statistics for the area, these issues are of significant concern as they could disproportionately affect the public health outcomes for local residents.

There are no reported issues with the crossings; they proposals are primarily to reduce NR asset liability but the proposed alternatives are neither suitable nor convenient for users or maintenance.

This site visit also highlighted the issues CCC has raised concerning: the lack of preparedness by NR; NR not agreeing to joint site visits with CCC and the landowner; and the related lack of adequate provision in the Order to protect CCC from being forced to take on changes to which it does not agree for good reason.

Camilla Rhodes, Asset Manager – Information

2nd November 2017