

## Haggett Camilla

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**From:** Haggett Camilla  
**Sent:** 21 October 2016 18:00  
**To:** 'michael.doughty@networkrail.co.uk'; 'Anjum.Pathan@networkrail.co.uk'  
**Cc:** Champion Karen; Rigney James; Hansen Sonia; Widdows Sarah;  
'andrew.kenning@networkrail.co.uk'; Day Steve; Clarke Jonathan; Street Works;  
Eddy Nicholas (Nicholas.Eddy@networkrail.co.uk);  
richard.schofield@networkrail.co.uk  
**Subject:** RE: TTRO application - Ely footpath 57 and 17 - alternative routes  
**Attachments:** Public Footpaths Nos 17 and 57 Ely\_Alternative routes.pdf; 2016-10-21 Ely FP17 & 57 full length.pdf

Dear Michael,

Further to my colleague's email below I thought it would be helpful to provide you with further information to explain why the County Council is requiring Network Rail to demonstrate its alternative routes for these closures as part of its Temporary Traffic Regulation Order (TTRO) application.

- As you may be aware, Network Rail's Anglia Level Crossing Strategy seeks to permanently close both crossings under a Transport & Works Act Order (TWAo), and the County Council is working with Network on the solutions. However the Order will not be granted until early/mid 2018, if successful. Works would follow that.
- The County Council recognises that Network Rail have closed Public Footpaths Nos 17 and 57 Ely on safety grounds, and is not requesting that the crossings are reopened pending the outcome of the TWAo.
- However, the public are using these paths, as they have the right to do, and the County Council has a duty towards ensuring that they can do so, and that they are safe. Currently, there is no safe alternative in place or currently being proposed by Network Rail in their TTRO application. It is NOT satisfactory simply to state that the alternative routes are Padnal Bank and Branch Bank roads, for the following reasons:
  - Walkers will be walking at least 3km from the western start of the paths, or nearly 1/2km from the eastern ends, often longer if starting from further afield. See the attached map which shows the network and why this is a problem.
  - The Rights of Way Officer has visited the sites today and confirms that there are currently no notices informing them that the paths are closed at the beginning of each path, nor the junctions with other paths, nor what the alternatives are.
  - Users are therefore having to make decisions when they see the notices/fences close to the crossing as to what they do (e.g. see photo 9 on the attached document 'Public Footpaths Nos 17 and 57 Ely – Network Rail TTRO Application - Problems with alternative routes'. Do they re-trace their steps several kilometres, or try to use unauthorised access off the bank, or try and slide down near the bridge into the road and putting themselves into danger of having an accident and potentially falling into the path of oncoming traffic, or into the river if they go the other side? Please see the attached photographs which illustrate:
    - The very steep nature of the banks (photos 1, 2, 7, 9, 10)
    - Barbed wire adjacent to the road which users are having to negotiate, and on which they could injure themselves (photos 2, 3, 9).
    - In places near the bridges, users have broken down landowner's fence to create alternative route around Network Rail's closure. This means that cattle could escape onto the road. (see photo 10)
    - Thick and slippery vegetation that users are having to negotiate, making it difficult to get purchase (verified by the ROW Officer's site visit today) (photos 1, 2, 3, 7, 8, 9, 10)
    - No level verge for safe refuge should people fall down the bank into the road (photos 2, 3, 4)
    - No safe refuges under the railway road bridge for FP17 (photo 4)

- Photos 2 and 10 show indentation in the vegetation on both paths, evidence that enough people are coming off the banks at the bridge to leave a mark
- We are already aware of at least one member of the public has injured themselves and considering making a claim against Network Rail.
- Pre-emptive closure signs are placed at locations encouraging people to leave the path and trespass onto land owned by the Environment Agency, without any information as to where they should go (e.g. there is a sign placed close to the Environment Agency anglers' steps down to the river, photo 5), rather than the start of the path.
- A safe alternative route therefore urgently needs to be agreed with the Rights of Way Officer, Karen Champion (ccd), through your application.

The County Council's preference would be for Network Rail to put in place the steps proposed for the permanent solution under the TWAO. This should have a handrail for safety, similar to what is provided for anglers on banks of similar heights nearby (see photo 5). There should be mirrors on either side of the road bridge sited to enable pedestrians to see oncoming traffic through the bridge from a safe refuge. Whilst this solution could not prejudice the outcome of the TWAO process, it would ensure efficient use of resources if it is successful, as no other work would need to be done.

If this cannot be achieved, please explain what alternative temporary measures you propose? This could involve floating steps to obtain quicker consent from the Environment Agency (EA), or negotiating temporary permissive access up a nearby EA ramp. A last option that the County Council would not like but you may have to consider is full closure of the paths back to a junction with other paths. You would need to fully advertise this to bring it home to users at early enough decision points.

The County Council does feel that these issues should be obvious to Network Rail when considering any closure, if appropriate risk assessments are undertaken not only of the rail crossing but also the alternative routes for users, as required by the County Council's application guidance. It should not fall to the County Council to have to take valuable time to visit the sites and detail the issues to you. This application has been unnecessarily delayed by months as a result, putting lives at risk. The County Council would appreciate full consideration and proposals for resolution in every instance henceforth, please.

I am copying this to your colleagues who are working on the Anglia Project, in case there is need for co-ordination.

Please acknowledge receipt.

Kind regards,  
Camilla

**Mrs Camilla Rhodes (Haggett)**  
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**From:** Street Works  
**Sent:** 21 October 2016 13:03  
**To:** 'michael.doughty@networkrail.co.uk' <michael.doughty@networkrail.co.uk>; 'Anjum.Pathan@networkrail.co.uk' <Anjum.Pathan@networkrail.co.uk>  
**Cc:** Champion Karen <Karen.Champion@cambridgeshire.gov.uk>; Rigney James <James.Rigney@cambridgeshire.gov.uk>; Hansen Sonia <Sonia.Hansen@cambridgeshire.gov.uk>; Widdows Sarah <Sarah.Widdows@cambridgeshire.gov.uk>; 'andrew.kenning@networkrail.co.uk' <andrew.kenning@networkrail.co.uk>; Haggett Camilla <Camilla.Haggett@cambridgeshire.gov.uk>  
**Subject:** Ely footpath 57 and 17

Good afternoon Michael,

Unfortunately the TTRO for Ely footpath 57 and 17 has not been processed as there is still some outstanding information required as listed below.

- You must provide us with detailed information as to the alternative route measures they will put in place by the end of the emergency closure – i.e. within 21 days
- Suitable safe alternative access is provided, e.g. safe provision to/from the top of the river bank to road and where a bank is obstructed by fencing to retain livestock a gate will need to be provided on the alternative route. NB. We would not accept a stile in any locations due to Equality Legislation.
- We require an end date for the works to be completed.


We are still also awaiting payment for the Order and please note your emergency closure has now expired. Your immediate attention to this request is now required.


Kind regards,


Kelly Estañol

Street Works and Permitting Coordinator  
Highways Service



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