

PUBLIC INQUIRY

APPLICATION BY NETWORK RAIL UNDER TRANSPORT AND WORKS ACT 1992

PROPOSED NETWORK RAIL (CAMBRIDGESHIRE LEVEL CROSSING REDUCTION) ORDER 201X

OBJ/12-CAMBRIDGESHIRE COUNTY COUNCIL REBUTTAL PROOF OF EVIDENCE

LAURENCE SMITH

ASSET INFORMATION DEFINITIVE MAP MANAGER C04 NO NAME NO. 20, MELDRETH

1. This document is a Rebuttal Proof of Evidence (Rebuttal), which is submitted to the Inquiry in response to, and with the intention of rebutting evidence previously submitted to the Inquiry by Network Rail (NR) and by Mott MacDonald (MM) on NR's behalf. Each of the numbered paragraphs which are referenced below features in the respective NR or MM Proof of Evidence (PoE).

Andrew Kenning

Paragraph 8.4

2. In this paragraph Mr Kenning states:

"We have worked with the authority to minimize the additional distance on the diversionary route and have provided field-edge walking to remove the need to cross Station Road twice, which we believe will encourage walking in the area, and create better connectivity from Meldreth to the south. We calculate the maximum additional distance for current users of footpath 10 as 314m, which compares favourably with the likely length of ramps if ever a footbridge were to be built to replace the level crossing."

3. Mr Kenning's comparison of the distance of the proposed alternative route with the length of ramps is not relevant, as the proposal amounts to an extinguishment where users will have to follow a detour from point K (as shown on the plan for C04 at Tab 28 of CCC's Bundle) walking along the narrow pavement next to the busy road at point I over the railway bridge to reach the remaining section of Footpath No. 10 at point H next to the industrial estate.
4. Paragraphs 9 to 11 of Iain Green's Proof of Evidence explains the documented research relating to the importance of access to good quality green space on physical and mental health, and the known adverse effect that changing such access can have on people's habits.
5. Paragraphs 15-21 point out the flaws in the Diversity Impact Assessment methodology undertaken by Mott MacDonald, and the concerns that CCC has over NR's consequent understanding of level of use of public rights of way relative to their importance to the local community in public health terms. Paragraph 22 relates this knowledge specifically to the C04 proposal, and points out that the 'diversion' would negatively impact the green aesthetics of the route. Users are therefore unlikely to tolerate such a diversion.
6. I consider that if a ramped bridge were to be provided over the current crossing location, it would have a minimal effect on users, because it would maintain their general desire line in the existing rural location away from the road.

Paragraph 8.5

7. In this paragraph Mr Kenning states:

"In terms of circular walks, a circuit from Meldreth via Chiswick End, footpath 10 and Station Road is currently 1.7km. With the proposed diversion, this will reduce to 1.3km."

8. Mr Kenning's statement is of limited relevance, as this reduction in length reflects the loss of amenity that the public will suffer as a result of this proposal. Users following this route will have a shorter circular route to follow via points H-G-F-E-D-C-B and A (as shown on the plan for C04 at Tab 28 of CCC's Bundle) and then on the unaffected section of the Footpath No. 10 running in a north-westerly direction to Chiswick End; however it will be less enjoyable and less safe due to crossing the access tracks into the industrial estate and following the narrow pavement next to the busy road on the railway bridge. This shows a lack of understanding both of the adverse impact that this proposal has upon public enjoyment of the route and of the reasons for people using this route. Users do not necessarily want a shorter route if it means it is less attractive, less safe route alongside a busy road and in close proximity to an industrial estate when their reasons for using the current route are likely to have been walking along a country footpath for recreational and physical or mental well-being. This is proved by the evidence of Geoffrey Grimmett and David Robinson.
9. In addition, Mr Kenning's point only deals with one of the route permutations and completely ignores the fact that the proposal would result in a route twice the length (699m to 385m) for pedestrians walking from Chiswick End south to the garden centre at Bury Lane. Pedestrians following this route would have to walk via points A-B-C-D-E-F-G-H and then along Station Road via points I and J to point K (as shown the plan at Tab 28 of CCC's Bundle) before reaching the garden centre and connecting on to Byway No. 12 or Footpath No. 9 Meldreth (see CCC's table of route length analysis at Tab 30 of CCC's Bundle).

John Prest

Paragraphs 9.8 and 9.13

10. Mr Prest gives statistics and details about the "sightings recorded at last risk assessment which was completed on 16/02/2016". They are substantial and far in excess of the acceptable minimum standard and meet industry standards in all directions, as shown in the table included at paragraph 9.8 of Mr Prest's proof. This

is at odds with the stated key risk drivers identified by NR in respect of this crossing as low sighting time.

Paragraph 9.15

11. In this paragraph Mr Prest states:

“No Name no 20 FPS is a lightly used crossing being only used by pedestrians. (...) The 9 day census on average says that only 5 people use the crossing a day and that could be the same jogger or dog walker coming back on themselves.”

12. Mr Prest states that this crossing is lightly used; however I would dispute this and cite the census results included in Sue Tilbrook of MM’s proof. Even over the limited 9-day census undertaken, 53 pedestrians used the crossing. Public rights of way are not as well used as the road network; however this level of use in a rural location is consistent with a high level of use of a popular route and shows a lack of understanding of the relative importance of rights of way and their contribution to quality green space, and I again draw attention to the evidence on this as set out by Iain Green in his PoE at paragraphs 9 -11 and 21. I therefore disagree with his statement and dispute the implication that these routes are lightly used and therefore unimportant.

Susan Tilbrook

Paragraph 2.3.3-2.3.5

13. In these paragraphs, Ms Tilbrook states that 53 pedestrians used the route during the nine day census period and 12 pedestrians used it on a Sunday in para 2.3.3. She then goes on to state, in paragraph 2.3.5, that it is used by a relatively small number of people, which suggests a lack of understanding as to the relative importance of public rights of way in a rural context to the local community and other users (cf the evidence of David Robinson, Professor Geoffrey Grimmett, Dr Roger James and County Councillor Susan van de Ven).

Paragraph 2.3.18

14. In this paragraph Ms Tilbrook states:

“Pedestrian figures suggest that approximately 6 additional pedestrians a day can be anticipated to divert to Station Road to join the average 75 existing pedestrians a day that safely use existing Station Road footway provided by CCC at present.”

15. Firstly, I would point out that Ms Tilbrook’s assumptions are based on the very limited 9-day census, with which CCC has raised significant concerns as documented in CCC’s letter to Mott MacDonald dated 15th July 2016 at Tab 10 to CCC’s Bundle. It is highly likely that this figure is variable, depending on a wide variety of factors not considered by Mott MacDonald, such as local walking groups who may only use the route once a month.

16. Second, there are likely to be considerably less than 6 additional pedestrians per day on the diverted route, for the reasons cited above at paragraphs 4-5. Further, this does not consider the character of users. For example, dog walkers are unlikely to want to use the narrow footway running alongside a busy road as it will be difficult for some of them to keep their dogs on the narrow pavement and they prefer a grassy area for dogs to exercise and be themselves. CCC witness Jenny Thornton describes the difficulty of walking in the road in her PoE in relation to proposal C07 at Harston.

Signed 

Dated21/11/2017.....