

Secretary of State for Transport
Transport and Works Act Orders Unit
General Counsel's Office
Department for Transport – Zone 1/18
Great Minster House
33 Horsesferry Road
London
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13 July 2017

Objection to Network Rail's application (the Application) to the Secretary of State under section 6 of the Transport and Works Act 1992 for an Order "Network Rail (Suffolk Level Crossing Reduction) Order" under sections 1 and 5 of that Act.

Statement of Case

Details and Status of Objector

This objection is submitted by Forest Heath District Council (the Council), in its capacity as a Statutory Objector, following a resolution made by the Council when it met at 6.00 pm on 14th June 2017 at the Council Chamber, District Offices, College Heath Road, Mildenhall, IP28 7BW (Report No: COU/FH/17/015).

The Council has considered the Application and wishes to object insofar as it relates to the proposed closure of the level crossing at Weatherby in the Parish of Newmarket as described in Part 2 of Schedule 2 of the draft Order. It is requested that the Council's objection be heard before a person appointed by the Secretary of State.

Stated Grounds for Objection

The Council objects to the closure of the level crossing at Weatherby on five grounds which are set out as follows:-

1. Community Impact

Unlike many closures in the Suffolk order which are in the countryside, this crossing is located near the centre of Newmarket with a population of 20,300 (2011 census). A large number of Newmarket residents use the crossing (up to 506 pedestrians¹ at the weekend according to Network Rail's recent census). Closure of this crossing would be

extraordinarily disruptive for residents, local schools, the GP surgery, public services and the town's main retail offers, which are all to the north of the railway line and therefore the crossing is used heavily by pedestrians from the south.

Likewise the football club located just south of the railway line is a big draw for pedestrians from the town heading south across the rail line for matches, training days and other social events.

2. Acceptability of Proposed Diversion

The proposed diversion using existing roads is considered unacceptable due to the length and steepnessⁱⁱ of the route (see plan Appendix 1), which disadvantages those with disabilities, the elderly and parents of small children. At the June 2016 public consultation undertaken by Network Rail, 97% of responses disagreed with the proposals and 67% of responses preferred another route.ⁱⁱⁱ If residents cannot cross the railway line then the journey will be longer and walking will become significantly less attractive leading to more trips by car and adding to congestion within Newmarket. We are unclear as to how Network Rail has taken into consideration the feedback from both phases of public consultation regarding the proposed diversion.

3. Level of Risk

Regarding the level of risk associated with this crossing it is noted that:

- a. the crossing is over a single track line
- b. an hourly rail service serves this line, with generally 34 trains per day
- c. there are no plans presently for increased or faster services on this line within Network Rail's control period 6 (2019-2024)^{iv}
- d. the crossing is located approximately 400 metres from Newmarket Railway Station meaning trains will be slowing on the approach and will not have gained full speed on departure.
- e. there is no rail freight in operation on this section of the line due to the constraints at Warren Hill tunnel
- f. despite a high level of use, between 2011 and 2015 there were no incidents of misuse, 8 near misses and 1 accident at this crossing between 2011 and 2015^v

4. Public right of way

Whilst this crossing is not a public right of way, it has been in longstanding and frequent use (408 people per day according to Network Rail's recent census). It is significant that Network Rail has maintained it as such for many years and is now including it within the necessary process for closing a public right of way.

5. Mitigation instead of closure

The proposal to address the risk – closure – is not the only option available to Network Rail. Alternative measures could include:

- a. extending the braking zone by two hundred metres

- b. including warning sounds and lights at the pedestrian crossing
- c. introducing automatic locking gates for the crossing
- d. a better diversion route (a new path along the south verge of the track bed westwards toward the railway bridge has been previously discussed with Network Rail). This option would be considerably less expensive than a footbridge and more convenient than the proposed diversion route.

Prior to submission of the Order, discussions with Network Rail were progressing, which aimed to defer the closure of the crossing, while developing a medium to long term closure plan linked to and triggered by heavier usage of the railway line – specifically the introduction of twice hourly Ipswich to Cambridge services as noted in Network Rail's, *Anglia Route Strategy WAC07*^{vi}.

Summary

As stated above we do not feel that there is significant risk to justify the closure of Weatherby level crossing given the community impact of closure, the proposed diversion being both unacceptable and unwelcome to the community as identified in Network Rail's own consultation, and there being no planned increases to services on this line in the short to medium term. In addition there does not appear to be any public support for this closure.

Contact Details for West Suffolk Council

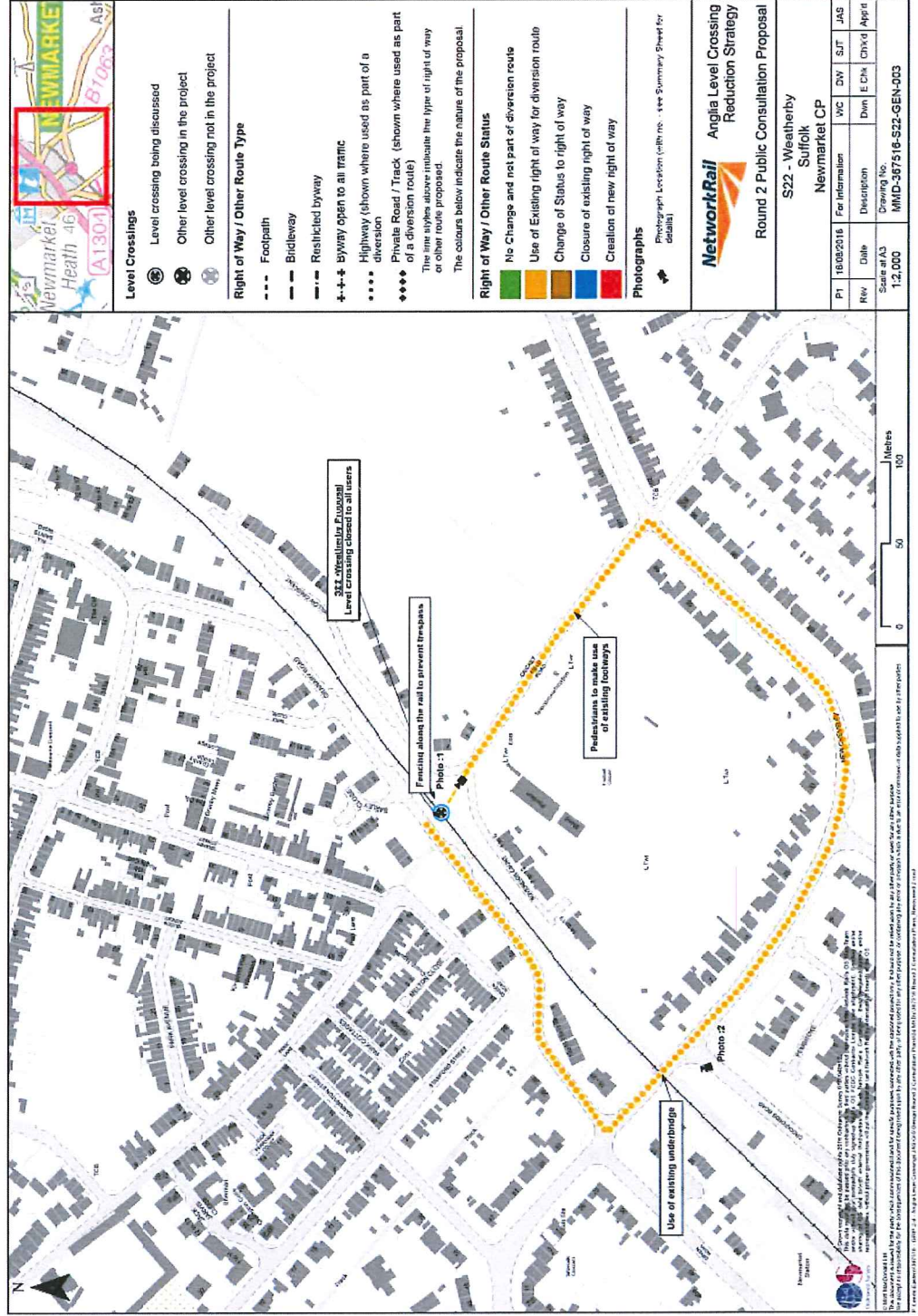
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Appendix 1 - Plan from Network Rail, Anglia Level Crossing Reduction Strategy Round 2 Public Consultation Proposal - S22 Weatherby Suffolk Newmarket CP



Documents Referenced

- ⁱ *Anglia Level Crossing Reduction Strategy (ALCRS), Summary Sheet – September 2016*
- ⁱⁱ Using online mapping tools the gradient from the level crossing end of Cricket Field Road to the junction with New Cheveley Road is a 5 metre ascent, in the opposite direction from the junction of New Cheveley Road and Green Road to the junction of New Cheveley Road and Cricket Field Road is an 8 metre ascent
- ⁱⁱⁱ *ALCRS, Summary Sheet, – September 2016, Network Rail*
- ^{iv} *Anglia Route Study (ARS) – March 2016, Network Rail*
- ^v *ALCRS, Summary Sheet, – September 2016, Network Rail*
- ^{vi} *ARS – March 2016, Network Rail*

