

**APPLICATION FOR THE PROPOSED NETWORK RAIL
(SUFFOLK LEVEL CROSSING REDUCTION) ORDER**

SUFFOLK COUNTY COUNCIL

PROOF OF EVIDENCE:

ANDREW WOODIN – RIGHTS OF WAY AND ACCESS MANAGER

Bachelor of Sciences Honours degree in Ecology

TOPICS COVERED

OBJECTION TO THE CLOSURE OF S23 (HIGHAM)

Introduction

1. My name is Andrew Woodin, I am employed by Suffolk County Council (the Council) as the Rights of Way and Access Manager and have held this post since 2003. I hold a Bachelor of Sciences Honours degree in Ecology and am a member of the Institute of Public Rights of Way and Access Management. Before moving to Suffolk I managed the public rights of way service at Northamptonshire County Council, and started my access career as a rights of way officer with Cambridgeshire County Council in 1984 where I was responsible for protection and maintenance of the rights of way network and order making to modify the definitive map.
2. Most of my career has been involved with public rights of way and access rights and I consider I have a very thorough comprehension of public access both from a professional viewpoint and from the perspective of users.
3. I am a confident leisure walker and walk access networks all over the country and abroad. I am very used to walks which are often a mix of public rights of way, open access and public roads.
4. As the Rights of Way & Access Manager I am responsible for the public rights of way and open access network in Suffolk. This includes maintenance of the network and the definitive map; increasing usage of the network in line with local and national policy; policy development and the preparation of the annual business plan. I am responsible for discharging the Council's statutory duties and powers under the Highways Act 1980, the Wildlife & Countryside Act 1980 and other relevant legislation.
5. The ROW & Access service is part of Suffolk Highways' Environmental Management service and comprises four teams – two teams are responsible for the operational management of the physical access network, one team is responsible for the definitive map and one team is responsible for increasing use and enjoyment of Suffolk's Green Access Network and maximising public benefit from it. Mr Kerr, Definitive Map Manager, gives more background to the service in his evidence.
6. I have been very heavily involved in Network Rail projects for some years now, both individual crossing-specific projects and, more lately, this Transport and Works Act Order (the Order). The Council has committed an immense amount of resource to assisting Network Rail where it considers Network Rail's proposals are in Suffolk's

interests and, in this regard, Network Rail has benefitted a great deal from the Council's expertise and local knowledge, free of charge.

7. Where Suffolk County Council has objected to specific level crossing closure proposals in this Order, it is because it believes the negative impact of the proposal is greater than the public benefit to be derived from it. Again, Mr Kerr, Definitive Map Manager, gives more background in his evidence to the overarching concerns the Council has in respect of the Order.

Objection to Closure of Higham S23, Public Footpath 1 Higham

8. This proposal seeks to close the level crossing and adjoining public footpaths and divert users along country roads to re-join the walking route at The Round House on the A14 sliproad. The Council's objection letter of 3rd May 2017 states:

"The Council objects to this proposal as it considers the diversionary route to be inadequate in terms of pedestrian safety for the following reasons:

- *The Design Guide [p.40] notes users will be diverted along Higham Road crossing the railway at the existing bridge and will make use of existing verges and carriageways up to the point where Higham Road meets the A14 slip road.*
- *SCC wishes to point out that during an inspection on 9th April 2017, the verges were already overgrown, and in parts have a pronounced cross fall into the carriageway. Pedestrians are therefore forced into the carriageway for much of the route, creating an unpleasant walking experience and conflicting with vehicular traffic.*
- *The proposal uses FP5, Higham, and thence on to one of the proposed new Higham S24 public footpaths, as part of the diversionary route. This route requires pedestrians to cross Coalpit Lane, which is a fast country road. Where FP5 crosses Coalpit Lane, there is no visibility of traffic, and SCC considers this to be unsafe.*

"The Council considers the grounds for this objection can be addressed, and thus the level crossing closed, if the following measures are taken:

- *The Order modified to divert FP1 Higham, around the edge of the field, to exit on to*

Higham Road at a point as close as possible to the road bridge. This would minimise the amount of road walking required.

- *SCC recommends significant hedge clearance is undertaken where FP5 meets Coalpit Lane to improve visibility.*

“Additionally, the Council would highlight that the Design Guide [p.40] notes it is not considered that there are any ongoing footpaths to the north of the A14. This is not the case and Drawing No. MMD-367516-S23-GEN-005 shows clearly a continuation of FP1, Higham as part of the diversionary route. This demonstrates the proposed route is part of a walking network.”

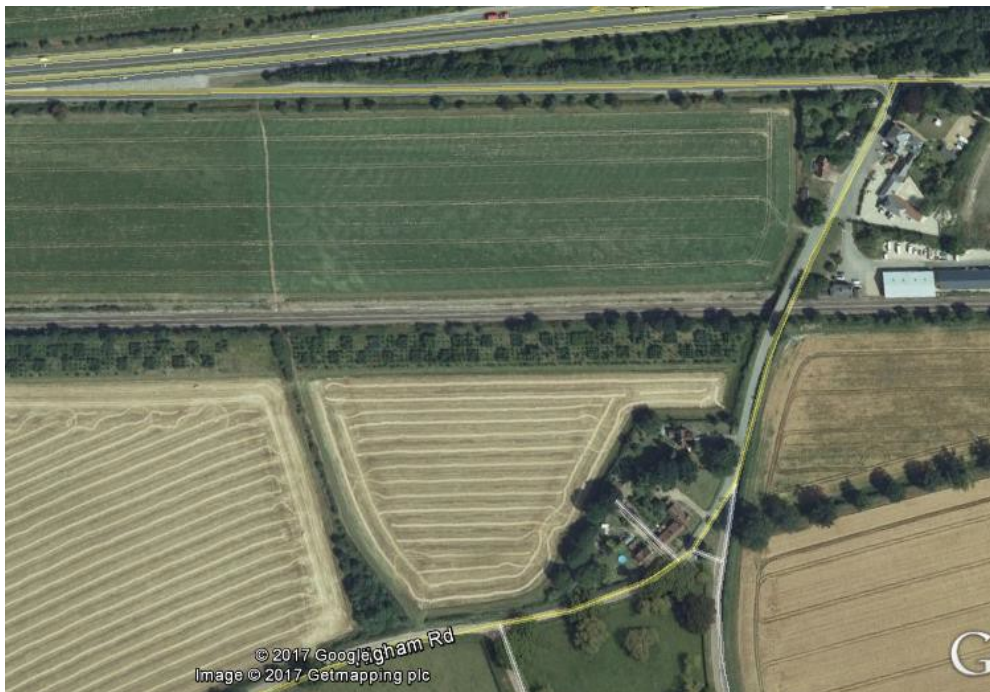
Background

9. I have visited the site on a number of occasions, starting on 26th June 2016 to look at the TWAO proposal. I was surprised to see the crossing itself had been fenced off, without any legal notices, even whilst cameras were on site undertaking a nine day census. Suffolk County Council had made it very clear to Network Rail that public rights of way cannot be obstructed without lawful authority.
10. The same thing had happened just a few months ago at Great Barton when the Council was working with Network Rail to divert a public bridleway from the level crossing to a new bridle bridge.
11. An application for a temporary closure of the level crossing for Higham for maintenance reasons followed shortly.
12. The maintenance that should have taken place to enable the reopening of the FP1 level crossing never happened, however, and it remains closed. This is despite an assurance from Michael Doughty in January 2017 that Network Rail had discovered embankment work is required on the approach to the level crossing before it could be safely be reopened to the public. He advised ongoing scoping work is being dealt with internally and Network Rail had already programmed in vegetation cutback to allow this to be carried out. A copy of the email is available as appendix 1.
13. At the time of drafting this proof the level crossing is still fenced off, there is no legal order for the closure of the crossing and it is therefore unlawfully obstructed. The

footpath, were the public allowed to use it, gives access to the pretty countryside around Higham and Gazeley, and to the Brecks on the other side of the A14. The Brecks is a sweeping area of heath and forest, one of the most important wildlife areas in Britain and a National Character Area as defined by Natural England (<http://publications.naturalengland.org.uk/publication/4282581?category=587130>).

14. I have shown below an image from Google Earth, showing FP1 north of the railway clearly marked out. I believe the image dates from 2008, but suggests the footpath has been in use. It cannot be used now as it is fenced off by Network Rail.

15. Image from Google Earth showing Higham FP1 clearly marked out:

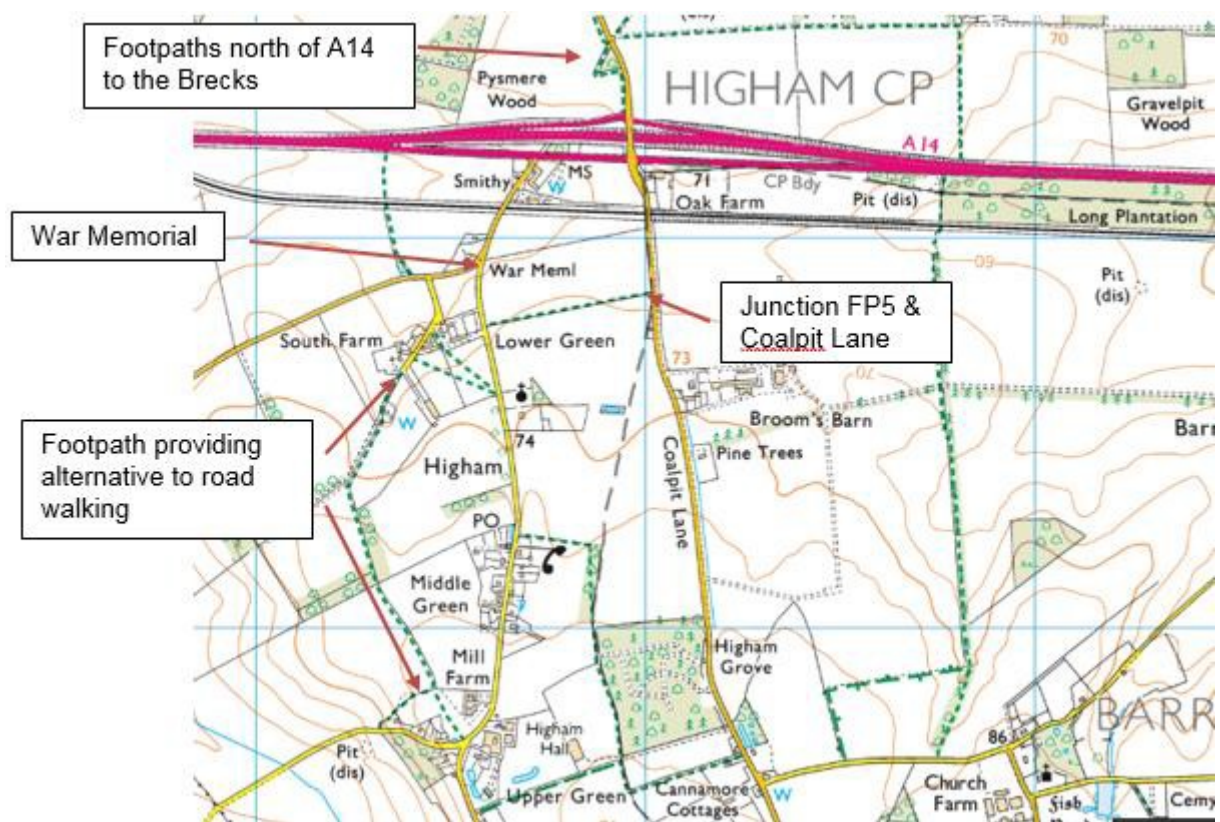


Safety Concerns – Lack of Walking Route in Road and Visibility

16. My last visit to site was on 8th January 2018. On each visit I have been struck by the absence along much of the alternative route of a walkable verge for pedestrians, who for most of the alternative route are thus forced to use the carriageway, including over the railway bridge, and are confronted with a blind bend at the war memorial on a road. The Design Freeze Drawings state that for S23 the alternative route has footway and verge available, whereas I consider walkable verges are only partly present, on a road with traffic travelling at some speed (I estimate 50mph to 60mph). This despite road bend warning signs to alert drivers to the hazard ahead. Users are required to cross the

road to ensure better visibility around this bend.

17. I note too that the alternative route is also a bus route, being the Newmarket – Barrow – Bury St Edmunds 312 service, that further compromises the availability of the road to pedestrians over sections where there is no walkable verge.
18. I have copied below a map showing features of interest, including the existence of a public footpath from Higham which avoids road walking to get to the commencement of FP1:



Ordnance Survey Crown Copyright

19. When I was on site on 13th December 2017 I spoke to the occupier of The Cottage, Lower Green Higham, and explained why I was on site. The Cottage is the detached house nearest the railway bridge on the bend in the road. In her words there had been accidents at this location and the road is lethal. She explained the road is a rat run from Gazeley to the A14 and cars speed, also farm vehicles use the road. Without prompting, the occupier went on to say “why couldn’t they have put the path in the field behind the house”.

She could not believe pedestrians would be expected to walk in the carriageway.

20. I have included below illustrative photographs, all taken by me on 9th April and 13th December 2017. They show the alternative pedestrian walking route with overgrown verges and insufficient verge to walk on.

9th April 2017 on the alternative pedestrian walking route showing overgrown verges and insufficient verge to walk on:



13th December 2017 showing a van on the railway bridge and two cars passing on the blind bend:



21. On my site visits of 9th April and 13th December 2017 I also looked at FP5, Higham, where users will cross Coalpit Lane to access the proposed new Higham S24 public footpaths, as part of the diversionary route. I assessed the footpath both on foot and by driving down Coalpit Lane and am struck by the absence of any verge on the west side of the road where footpath 5 exits on to it, the high hedge and the speed and volume of traffic, including container lorries. There is virtually no visibility of traffic travelling north up Coalpit Lane when attempting to cross the road from footpath 5.

22. I have included below illustrative photographs taken by me on 9th April 2017 showing the exit of FP5, Higham onto Coalpit Lane.

23. 9th April 2017 showing the exit of FP5, Higham onto Coalpit Lane:



Overall Safety Concerns

24. I do not accept that this proposal can be perceived as safe for pedestrians to use. I am an experienced walker, wearing a high visibility jacket with sleeves on each visit, and still felt very vulnerable to being hit by passing vehicles. It is notable that whilst a new 1.5m footway is to be created as part of the proposal alongside the A14 access and slip road, where the road is wide and visibility is good, no such provision is made where the alternative walking route is narrow and visibility very poor on the blind bend.

25. As Mr Kerr has noted in his proof, the test to be applied to whether an alternative route provided by Network Rail is adequate is whether it is “convenient and suitable for existing users” (TWA Guidance Annex 2, p.105). The 2011 edition of the Concise Oxford English Dictionary defines suitable and convenient in the following way:

suitable: right or appropriate for a particular person, purpose, or situation; and

convenient: fitting in well with a person’s needs, activities and plans involving little trouble or effort.

I would expect suitable to include safe.

26. According to the Road Safety Factsheet of February 2017, in 2015 116 pedestrians were

killed on rural roads, 685 were seriously injured and 2,043 were slightly injured. The factsheet notes that rural roads are narrow and often have no pavement or crossing facilities. Whilst this may be less of an issue for S23, child pedestrian casualties in rural areas are more likely to occur when children are walking along the road rather than crossing it.

<https://www.rospa.com/rospaweb/docs/advice-services/road-safety/drivers/rural- road-safety-factsheet.pdf>

27. In the same period (2015-16) there were 3 fatalities at level crossings, all to pedestrians using level crossings, according to the Office of Road and Rail Rail Safety Statistics 2015-16 Annual Statistical Release.

http://orr.gov.uk/ data/assets/pdf_file/0007/22876/rail-safety-statistics-2015-16.pdf

28. I acknowledge this data is anecdotal, but it illustrates there are many more fatalities and injuries sustained on rural roads than on level crossings, serving as a reminder that rural roads, in general, pose a danger to pedestrians. The point I wish to emphasise strongly at Higham is that I have seen no attempt by Network Rail to assess the comparative risks of closing level crossings and pushing vulnerable users on to alternative routes that often include stretches of road walking.

29. The Council commissioned its own road safety assessment from Capital Traffic to provide a second opinion on the safety of the proposal, and this has been submitted as a separate proof of evidence. The audit notes there are road safety concerns to be addressed with the alternative route.

Conflicts with Relevant Policies

30. In his evidence, Mr Kerr highlighted those local and national policies which relate to encouraging and promoting walking. I am not an expert in all aspects of relevant evidence but consider the proposal at Higham is contrary to:

- (i) Suffolk's **Local Transport Plan 2011-2031**, which emphasises the importance of having safe, healthy and inclusive communities; the important role the public rights of way network can play in rural areas and on the fringes of towns in providing traffic-free and safe routes for walking and cycling journeys; the use of this network will become

very important given the likely financial constraints on providing new facilities such as pavements alongside roads in rural areas; the aims of providing safe continuous routes for cycling and walking, removing gaps and addressing barriers and disincentives to users. This proposal is not safe in my opinion and undermines access to public rights of way in rural areas.

- (ii) The Department for Transport's **Cycling and Walking Investment Strategy 2017**, for example wanting cycling and walking to be the natural choices for shorter journeys in every urban and rural community in England, and for cycling or walking to be normalised in this way, they need to be safer, and be perceived to be safe, normal and enjoyable ways to travel. This proposal cannot be perceived as safe and will deter walking being the natural choice for shorter journeys.
- (iii) The **Suffolk Walking Strategy 2015-2020**, for example that walking is seen as beneficial, easy, inclusive, accessible, pleasant and safe. again, this proposal cannot be perceived as safe and will deter walking being the natural choice for shorter journeys.
- (iv) 2.2 of Suffolk County Council's **Highway Infrastructure Asset Management Strategy 2015** includes keeping users safe as an objective of highway maintenance. I would take the opportunity to stress here that even on those verges which are level and wide enough to walk on, verges of rural roads with less than A or B road status, which the Gazeley Road is, are cut only once a year, to a maximum width of 1.2m from the edge of the carriageway.
- (v) The **Suffolk Nature Strategy** which notes rights of way provide a strategic links between settlements and into the natural environment, for a variety of needs and are a vital means of improving health and wellbeing. Recommendation 28 states Suffolk County Council should seek opportunities to improve the connectivity of the public access network and the development and improvement of the public rights of way network. Again this reinforces the importance of public rights of way and access to the natural environment.
- (vi) The **Rights of Way Improvement Plan 2006 to 2016** (and still the policy document the Council works to until it is replaced), which seeks to provide a better signed, maintained and accessible network, and develop a safer network, under objectives A and C respectively. In my opinion the alternative route for FP1 is neither safe for

pedestrians nor does it provide a more accessible network. For example I do not consider the proposals for FP1 and the crossing of Coalpit Lane are compliant with C.1 Provide safe links between PRow along roads, or C.2 Improve safety of road and rail crossings.

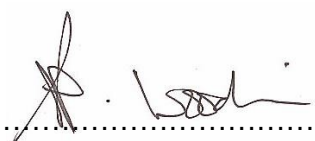
(vii) The draft **ROWIP II 'Policies and Action Plan'** where one of the draft policy seeks to ensure that where PRow level crossings are closed, new PRow are created which work well for users, are well maintained and safe. This proposal does not work well for users as they are required to share a rural road with inadequate verges and a blind bend with vehicular traffic.

Conclusion

31. To conclude, in my professional opinion, this proposal is neither suitable nor convenient, and will have a significant negative impact on people's enjoyment of the rights of way network. The Inspector cannot, therefore, be satisfied that an alternative route has been provided pursuant to section 5(6) of the Transport and Works Act 1992. Furthermore, the proposal goes against both local and national policies that are meant to encourage walking.
32. I am also very concerned I have seen no attempt by Network Rail to assess the comparative risks of closing the level crossing and pushing vulnerable users on to alternative routes that often include stretches of road walking.
33. On this basis I ask that the inspector recommends the modification of the order to divert Higham Public Footpath 1 around the inside edge of the field on the south east edge, to exit onto the road at the rail overbridge, as consistently put forward by the Council. This straightforward expedient will avoid the worst of the road walking for those heading towards the access network to the north of the A14. In respect of the crossing of Coalpit Lane, I ask that the roadside hedge is cut back and a pedestrian refuge created in the verge allowing a pedestrian to assess when it is safe to cross the road

END

Signed:



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Andrew Woodin

Dated: 10 January 2018