

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

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**SUFFOLK COUNTY COUNCIL**

**PROOF OF EVIDENCE:**

**GLYN FRENCH – WEST AREA RIGHTS OF WAY MANAGER**

**TOPICS COVERED**

S27 (BARRELLS)

S31 (MUTTON HALL)

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## Introduction

1. I have been employed by Suffolk County Council (SCC) as a rights of way officer since 1993 and during this time have served as Senior Definitive Map Officer for 5 years before being appointed manager of the west area protection and maintenance team in 2008, giving me a total of 25 years of experience in matters concerning public rights of way.
2. I am currently employed by SCC as the manager of the team of rights of way officers responsible for the protection and maintenance of the rights of way network covering the west half of the county of Suffolk.
3. My current role includes the assessment of Planning Applications and Public Path Orders that require a public right of way to be diverted or the alignment changed. For obvious reasons, the safety of the public using any new or amended route is the highest priority when making any recommendations or responses to the relevant District Council planning or order making authority.
4. The rights of way network I am currently responsible for includes 16 rail crossings routes that are included in the rail crossing reduction application made by Network Rail (NR) under the Transport and Works Act 1992 Order (TWAO). I have visited all 16 sites listed in the order that fall under my area of responsibility.
5. After carrying out an assessment of the proposals put forward by NR, SCC has given the highest priority to the safety of the public using the alternative routes put forward and has subsequently objected to the proposals for 6 crossing closures in my area of responsibility.
6. I will provide a proof of evidence for 2 of the proposed crossing closures: -
  - (i) S27 Barrells (Public Footpath 5 -Thurston).
  - (ii) S31 Mutton Hall (Public Footpath 35 – Wetherden).
7. The remaining 4 objections in my area will be covered by other officers, as follows:-

- (i) S22 Weatherby, S23 Higham, S25 Cattishall covered by Andrew Woodin
- (ii) S69 Bacton – RSA covered by Andrew Haughton and Mr Kerr.

### **S27 Barrells (Public Footpath 5 - Thurston)**

- 8. The NR proposal requires the closure of Footpath 5 that crosses the railway to the east of Thurston village. The alternative routes NR are proposing will promote greater use of the local road network, including Barrell's Road and the road bridge over the railway.
- 9. As can be seen from photographs GF1 and GF2, the road bridge has steep approaches on both sides and the safety of the public using the route is considered to be at risk.

### **Photo GF 1**



**Photo GF 2**



10. Visibility is very limited for both pedestrians and drivers, creating a potential situation where a vehicle and pedestrian find they are suddenly sharing the same road space. Whilst there are small verges on both sides of the bridge, these consist of uneven grass and earth raised up from the highway. Even with the suggested improvement works detailed in 3.2 1.2 of the NR Design guide (page 31), they may not allow pedestrians sufficient space to avoid oncoming traffic. This applies particularly for the elderly, less able or dog walkers. It is unclear from the Design Guide if the existing grassed verges are going to be replaced with an 'at grade' tarmac surface.
11. The situation is exasperated when the sun is low and shining directly in the eyes of a driver, reducing visibility even further (photo GF3).

**Photo GF 3**



12. Continuing on from the Barrells's Road Bridge, the route proposed by NR takes pedestrians along rural roads, and if following the Highway Code advice to keep on the right and face oncoming traffic, they will have unsighted corners (photos GF4 and GF5) and verges that are not easily accessible, particularly when the growth of vegetation on the verges is at its height during spring, summer, and autumn months

**Photo GF 4**





**Photo GF 5**



13. In contrast to these potential new hazards, the S27 rail crossing has no apparent visibility issues for pedestrians using the crossing and from the information provided by NR (even though NR has calculated it to have an ALCRM score of C6 - High Risk), no incidents of misuse, no near misses and no accidents recorded between 2011 and 2015 (and presumably no records of any incidents at any other times).
14. If rail crossing S27 remained open, there is the potential to utilise the proposed route on the section of NR land to the north of the railway line, without the need to cross the Barrells Road bridge.
15. It is noted that there is a difference in the NR proposals contained within the Design Guide and the Public Consultation document.
- The Design Guide Document for S27Ref MMD-367516-S28-GEN-005 shows a new path (shown in red) running south from Barrells road, over a new footbridge, to the north side of the rail line.
- The plan used in the Public Consultation (Sept 2016), Ref MMD-367516-S28-GEN- 003, simply shows the existing section of FP5 adjacent to 'Woodlands' providing the link from Barrells Road. It does not show the new path in red, further to the east.
- Although the connectivity is the same, using the existing route would avoid the need for the new footbridge bridge proposed by NR and the ongoing maintenance liability.

## **Summary**

16. The effect of closing of S27 Barrells and the nearby S28 Grove Farm crossing will be to promote more use of a rural road network that has inherent hazards, due to the lack of visibility, particularly when using the existing road bridge on Barrells Road. More generally, NR has not provided sufficient justification to show why, on balance, it is in the interests of safety that the proposed alternative route be used instead of the level crossing, nor why it is otherwise necessary to close this crossing and the adjacent S28 (Grove Farm) crossing.
17. Due to the ongoing safety concerns with the proposed alternative route, 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. On this basis, SCC requests that the Inspector recommends the removal of this level crossing from the order.

### **S31 Mutton Hall (Public Footpath 35 - Wetherden)**

18. The NR proposal is to close the S31 rail crossing and divert footpath users along existing public footpaths 36 and 20 Wetherden on the northern side of the railway.
19. On the south side of the railway, a new footpath would be established along the field edge, from the rail crossing to the road bridge.
20. Linking these 2 routes would require users to walk over the road bridge on the U4622. The concern over this proposal is the use of the U4622, which carries 60 mph traffic with limited visibility for both drivers and pedestrians, due to bends in the road on both approaches, as shown in photographs GF 6, GF 7 and GF 8.

### **Photo GF 6**





**Photo GF 7**



**Photo GF 8**



21. This limited visibility is considered to represent an increased risk to pedestrians, particularly those approaching from the south, as they will be required to use the western (left) side of the carriageway and therefore, not facing oncoming traffic, as recommended by the Highway Code. The reason for using the left side of the carriageway is again the restricted visibility if using the right hand side, as shown in photo GF 9.

**Photo GF 9**





22. The restricted visibility created by the NR proposals would appear to be at odds with the unrestricted views in either direction at the point where the footpath crosses the railway, as shown in photos GF10 and GF11.

**Photo GF 10**



**Photo GF11**



## Summary

23. The NR proposal includes works to the carriageway and associated safety precautions, to provide 'a safe standing area for pedestrians'. The fact that NR consider these are considered necessary, indicates that there is an increased level of risk for pedestrians using the new route, however, SCC does not see where NR has justified the need to close the rail crossing sufficiently and require the public to use a section of highway that has inherent risks, due to limited visibility.
24. Due to the ongoing safety concerns with the proposed alternative route, 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. On this basis, SCC requests that the Inspector recommends the removal of this level crossing from the order.
25. I confirm that this statement is true to the best of my knowledge and belief.

Signed: .....

Glyn French GWR French

Dated: 10 January 2018