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Patron Her Majesty The Queen

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Ms S Choudhary
Transport & Works Act Orders Unit
Department for Transport
Zone 1/14-18
Great Minster House
33 Horseferry Road
London SW1P 4DR

Via email
17 September 2018

Dear Ms Choudhary

Transport & Works Act 1992
Application for the Proposed Rother Valley Railway (Bodiam to Robertsbridge Junction) Order

I responded on behalf of the British Horse Society to this proposal in May to David Gillett, the RVR/TWA Project Manager but have since realised that this was sadly sent to the wrong person and so, it seems, my initial response has not been recorded.

My understanding is that one bridleway is affected by the reconstruction of this railway, namely, Salehurst & Robertsbridge 36b and c.

The British Horse Society would firstly like to convey the dismay of local horse riders to this proposal which, they feel, would introduce a significant hazard in to one of their comparatively few currently safe off road routes. In the event that the order was granted, the BHS would expect that the guidelines published by ORR in connection with crossings at grade for bridleways and footpaths be followed which include but are not limited to:

17. *Gates should be self-closing without any latches and should open away from the railway.* It is essential to provide the same facility at each side of the crossing (i.e. [...] both gates must be of the same width) so that users do not become trapped on the crossing. Miniature red stop and green lights or other active indication of an approaching train may be provided where sighting distance is limited, audible warnings may be provided at the crossing and, as a last resort, whistle boards provided to give further warning of an approaching train.
18. *It should be possible for horse riders to open gates on bridleway crossings without dismounting, unless there is a risk of contact with overhead power lines."*

The surface should also be considered

Furthermore, The British Horse Society recommendations for level crossings should also be used.

SPECIFICATIONS

User operated bridle gates at level crossings and side gates on vehicular routes MUST:

- only open away from the track so users don't walk blithely into a different, potentially dangerous, environment and so that users spend as little time as possible on the track

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- NOT have a catch that has to be operated by the user as this delays users getting off the track NB Catch-less gates can be opened in a straight line without the turning on the line side that would be needed to operate a catch
- have a clear width of at least 1.5m between the gate posts to comply with the law on bridleway gates

Such gates will also need to:

- be *gently* self-closing against the clap-post so that the long body of the horse has time to get through before the gate catches it
- stay shut in all conditions of wind and gravity so the next user realises they are entering a different, potentially unsafe, environment*. This should be achieved mainly via the hinge mechanism but catches, such as magnets, that do not need operating can help, provided they are not too strong for an elderly or child rider to counteract easily from horseback. Weights are NOT acceptable as a closing mechanism as the horse can balk at or get caught in these and delay leaving or getting on to the track
- have 1.8m clear space for the horse's head and neck beyond the clap-post above any gate/fenceline so the swing of its head/neck is not impeded. There should be no handle sticking up from the gate
- have 4m of manoeuvring space outside the gate clear of obstructions to allow the horse to move as its rider pulls the gate open and turns to go through it. This should include enough room beyond the hinge for the horse to approach the hinge end of the gate and turn to stand parallel to it with the rider next to the clap-post, ready to pull the gate open

If the recommendations regarding manoeuvring space and obstructions cannot be achieved due to site limitations, someone from The British Horse Society or an affiliated bridleways group with experience in advising on path furniture for equestrians should be asked to visit the site. A catch-less gate may need less manoeuvring space beyond the clapper post than is required for a gate with a catch.

Full details may be seen on the document "BHS advice on use of level crossings" attached to the same email as this letter.

Any temporary stopping up of the bridleway during reconstruction should be clearly signposted at either end of the bridleway to avoid the need for a user to turn back.

In Snowdonia, it appears that local riders have the timetables for the trains at the beginning of each year and a telephone number for the relevant person in the railway company and can check with them if there are delays before heading towards bridleways affected by the trains. This could be useful in the event that the order is made.

** Finally, when the railway line is not in use, the gates should be tied back to allow users of the bridleway to proceed without unnecessary obstruction.*

With thanks for your time in considering these matters.

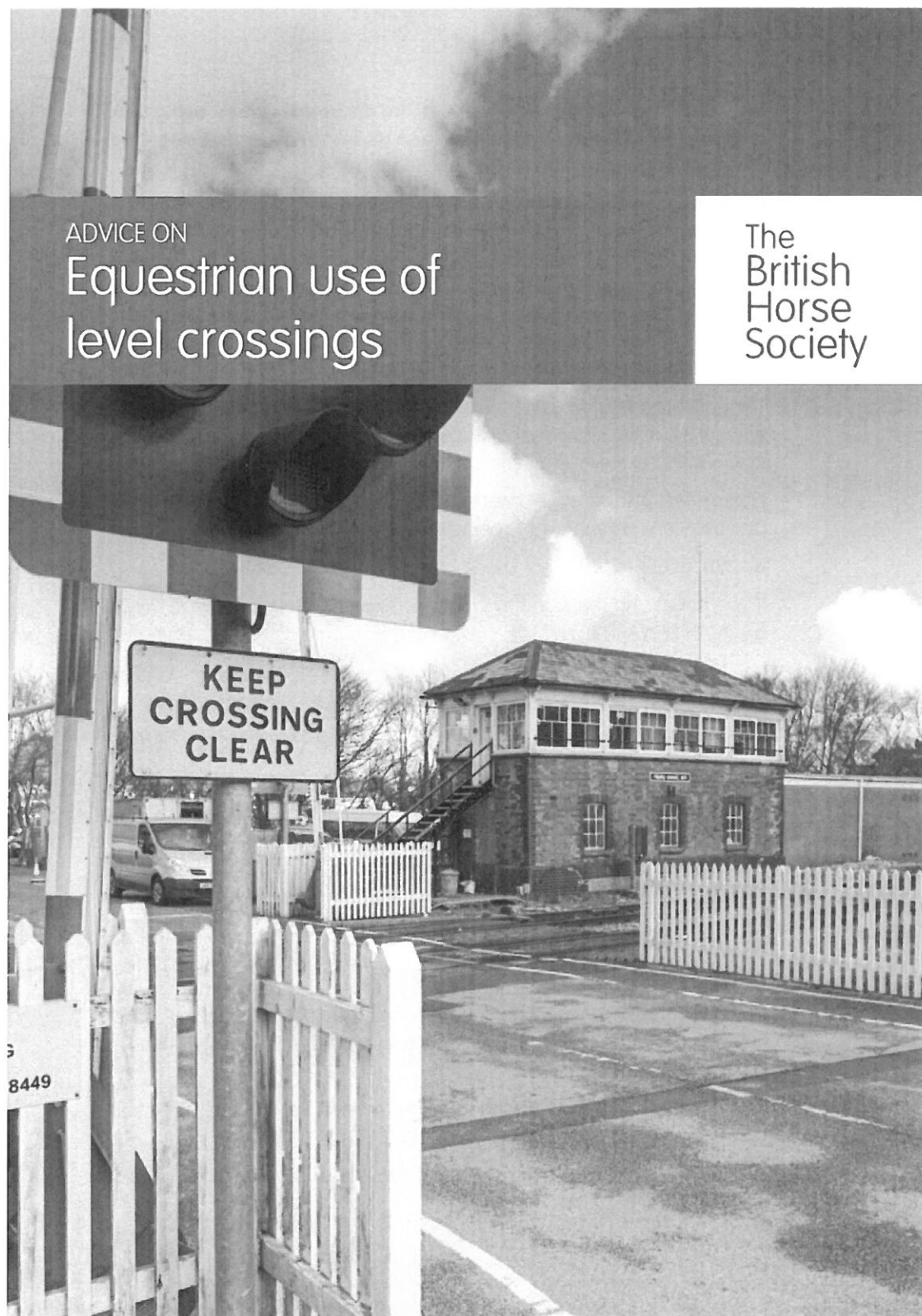
Yours sincerely



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ADVICE ON
Equestrian use of
level crossings

The
British
Horse
Society



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Network Rail's advice to riders is to dismount when using level crossings – <http://www.networkrail.co.uk/level-crossings/using-level-crossings/level-crossings-for-horse-riders.pdf>

However, The British Horse Society's advice is that horses should be ridden across level crossings as the rider has more aids to control their mount. A led horse can easily jerk the reins free and put the person – and others – in danger. However, the Society recognises that in some instances dismounting and leading may be the only way to use the crossing. If the rider chooses to do so, they must exercise extra care and use a trackside telephone if one is available.

The gates at a level crossing – whether normally open or normally closed – warn users of the highway that they are entering a new environment where they need to exercise a different kind of vigilance.

Horse riders and carriage drivers should always follow any relevant notices and obey any warning lights or instructions from the signalman.

Be alert at all times. Do not spend unnecessary time on the track.

If you have rung the signalman for permission to cross, ALWAYS PHONE BACK AFTERWARDS.

Advice for horse riders and carriage drivers using Level Crossings on roads where the gates are open except when trains are passing

Ridden horses are expected to behave as if they are a car, and cross without using any roadside phone but obeying any signals or instructions. (These phones are aimed at long/slow vehicles and are usually sited on the far, right-hand, side of the road so they can easily be seen by HGV drivers. Riders using such a telephone are likely to put themselves and their horses in danger from oncoming traffic.)

Driven horses should also behave as if they are a car but tandem or four-in-hand turnouts may wish their groom to use the phone to ensure there is sufficient time to cross. If so, they should follow the advice below for use of gated level crossings.

Long whips should be kept clear of any overhead electric lines.

NB There are a small number of 'open' crossings where there are no gates and road users must assure themselves there is no train coming before crossing.



Advice for horse riders and carriage drivers using Level Crossings where the gates are normally closed across the highway

Where gates are provided for vehicles, all equestrians have historically been expected to use the vehicular gate, not the narrow side gate provided for those on foot.

Riders: The vehicular gates have catches and are usually difficult to open from horseback, so the lone rider will spend time on the line shutting one gate and opening the far one. They may have to dismount while on the track. This is inherently unsafe as spending time on the track increases the risk from trains, especially where there is no way of talking to the signalman.

On bridleways there should be bridle gates (see below) but where a bridleway runs on a private means of access, such as a farm drive, there may only be gates for vehicles unless space allows.

Riders should ask Network Rail for any narrow side gate to be widened to bridleway standard (see below) or, if space does not allow this, for catches to be supplied that can be operated from horseback.

Groups of three or more horses, especially if they are unable to talk to a signalman, should have one rider dismount, leave their horse with another rider, and open the FAR gate first then cross back to do the near one -- this reduces the risk of the horse(s) trying to go on to the crossing too soon, let them cross, and then come back to close the gates.

Each person is responsible for their own safety each time they cross the line. The dismounted rider, and each member of the group, should check any automatic signalling and up and down the line before stepping on to the crossing, to ensure that there is no train coming.

If the group is too large to cross in one body, organise to cross in twos or threes to ensure that a lone horse is not left behind, which might then panic. Keep checking any automatic signals. If you are under the control of a signalman you may need to contact him again if there is a delay.

You must contact the signalman when everyone has crossed and the gates are shut to say that the line is now clear.

Carriage Drivers: Drivers using any gated route must be accompanied by a competent and active groom who will use the telephone and open and close gates for them. Any carriage driver who attempts to use a level crossing without a groom is liable to have invalidated their insurance and laid themselves open to criminal charges if there is an accident.

At the crossing, the groom should obey any warning signs and use any telephone, then – when the line is clear – open the FAR gate first then cross back to do the near one. This reduces the risk of the horse(s) trying to move on to the crossing too soon .

The carriage is then driven across and the groom re-crosses to close both gates, then phones the signalman to say the carriage has cleared the line.

If there is automatic signalling, such as mini-warning lights, both groom and driver should check them each time before going onto the line. If there is neither signalling nor telephone both groom and driver should check up and down the line in both directions to see/hear if a train is coming.

Telephones at Gated Level Crossings

Unless there are red/green mini warning lights or some other control system, there should be – but there isn't always – a telephone on gated crossings to contact the signalman in order to:

- ascertain there's enough time for you/your group/vehicle to cross
- warn the signalman there's a potential obstruction – you and your horse – on the line so that trains entering that section can be halted. That's why it's essential to phone back when you're clear of the line and the gates are all closed.

You must obey any instructions from the signalman, even if this means waiting for several trains to pass, and you **MUST** phone back when you are

safely across.

If there's no phone at that crossing ask Network Rail to have one installed – although this may depend on the number of riders using the crossing, the frequency of trains and whether the crossing is in the closure programme (see below).

Electrified Lines

In the past there have been reports of horses receiving electric shocks at some crossings. It has been noted that voltage can increase as a train passes. Equestrians are advised to delay a little to allow voltage to normalise after a train has passed.

The standard height for the contact wire is 4.7m. At vehicular crossings this increases to 5.6m to allow for clearance of vehicles using the crossing. Riders and carriage drivers should take care not to hold up their whips while passing under the wires

Any incidents attributable to electric shocks should be instantly reported to Network Rail and to the Society's incident reporting website at horseaccidents.org.uk.

The government is investing in a programme of rail electrification across the country. This will lead to increased frequency of trains and some closure of level crossings (see below).

Reporting Difficulties

If you encounter any difficulty using a level crossing you should contact Network Rail. A telephone number is usually provided at each crossing. Our experience is that issues such as slippery boards, damaged gates or faulty telephones are promptly dealt with. Relocating or installing telephones takes longer.

If there are concerns about a wide gap between board and rail, contact Network Rail immediately. Ponies with small hooves who 'point' their feet can get them stuck in such gaps. Usually the cause is that new boards have been installed without observing detailed guidelines.

Sightlines in each direction need to be as long as possible. Ask for vegetation to be cut back if this would improve sightlines.

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Stock control and level crossings

Keeping stock off the line and ensuring riders, cyclists and walkers have easy and safe exits from the line may be difficult to reconcile. The Society

recommends that a corral is constructed with a more stock-proof gate, easily operable from horseback, at the field end. This should open one-way, into the field. It is recommended that there should be at least 8m between the two gates and a width of 5m, more if space allows, and particularly if the route is used by groups as everyone needs to get off the line quickly.

Mounting blocks will be needed for re-mounting at crossings where riders habitually have to dismount. They should be built in the left-hand side of the track leading away from the crossing and according to the specification in the Society's advisory booklet on Gates:

<http://www.bhs.org.uk/~media/BHS/Files/PDF%20Documents/Access%20leaflets/Advice%20on%20Gates.ashx>

Telephones:

A telephone should be located near the gate onto the track, bearing in mind the following:

- That it is at a height where it can be reached from horseback. Immediately above a post and rail fence usually works for both riders and those on foot
- That the horse will need to stand side-on to the telephone so that the rider can use it. The rider sits roughly in the middle of the horse, which can be up to 3m long. So there needs to be an obstruction-free length of 1.5+m (preferably 2m) each side of the telephone in which the horse can approach, stand and eventually turn away. This will normally be part of the 4m² clear of any posts in front of the gate onto the railway which is required for the horse to move as the gate is opened outwards.
- Made so that it only requires one hand to operate. For safety reasons the rider must use the other hand to control the horse. A phone on a cable inside a box with a door that needs holding open is not acceptable. Modern weather-proof phones that don't need a box should be substituted.
- If a 'speak into box'-type phone is not acceptable, then the phone should have as long a cable as possible, remembering that the rider will need to stay mounted and be able to speak into the phone even if the horse fidgets. (Remounting so as to be in control while crossing the line would take valuable time.)

If there is a telephone but it is inconveniently situated, then Network Rail should be asked to relocate it so that it is easy and safe to use. The convenience of other users may have to be considered in the siting of telephones.

Permissive Riding or Driving Routes that include Level Crossings

Unless the level crossing has public bridleway, byway or all-purpose highway rights, great care needs to be exercised both by the landowner and the users to ensure that the crossing is used correctly. Where the crossing provides a private means of access the access rights need to cover riding or driving, they must be for more than use on foot, for instance, and a landowner holding those rights needs to be party to the permission. Network Rail will hold the landowner responsible for ensuring correct use as many accidents are due to careless use of private crossings and some have resulted in prosecution of the landowner or occupier. The Society would advise that, where only private access rights are being exercised over the level crossing, permissive use is limited to the clients of a single yard for example, and that regular reminders are issued about obeying signs, closing crossing gates and so on.

Closure of Level Crossings

To increase rail safety, to minimise train delays due to incidents and also to increase train speeds and therefore traffic throughput, Network Rail is working to eliminate as many level crossings as possible. Discussions are ongoing with highway authorities about this process and strategic lines are being targeted first. Local Access Forums (LAFs) should ask to be kept informed and give advice where necessary. Riders and carriage drivers who currently use level crossings and equestrian representatives on LAFs should ensure that bridleway, byway and minor road crossings are not closed without acceptable alternative provision – it is not acceptable to be diverted onto a busy road bridge, for instance. The Society's access officers ought also to be consulted on proposed closures. Some crossings will be closed sooner than many others but, even if closure is imminent, Network Rail and the highway authority have a duty to ensure that crossings are as safe as practicable in the meantime.

For more information on The British Horse Society's rights of way work contact:

08/2015

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