



TRANSPORT AND WORKS ACT 1992

**TRANSPORT AND WORKS (INQUIRIES
PROCEDURE) RULES 2004**

**THE NETWORK RAIL
(ESSEX AND OTHERS LEVEL CROSSING
REDUCTION)
ORDER**

PROOF OF EVIDENCE

-OF-

ANDREW KENNING

Document Reference	NR30/1
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1. INTRODUCTION

- 1.1. My full name is Andrew Kenning. I am a Senior Project Engineer working for the Level Crossing Development Team (the project team) based in Milton Keynes. I have spent my whole career (29 years) working in the Signalling department of the rail industry. Since I joined Network Rail in 2008, I have been employed in numerous Project Engineer positions on various projects, from large multi-discipline re-signalling schemes, to small specific types of equipment renewals. I have worked with / on level crossings as a Project Engineer for the last 6 years continuously and intermittently throughout my career as a Signalling Tester.
- 1.2. Whilst working for Network Rail I also spent 2 years working within the Anglia Route as an Asset Engineer (level crossings). An Asset Engineer is a role within the Route Asset Managers (RAM) team. I worked in the Signalling RAM team, my role whilst within this team was to monitor the condition of the level crossing assets and manage the renewal programme for the level crossings within Anglia Route. I was also responsible for ensuring projects working on level crossings were delivering an asset the Signalling RAM would adopt as a live asset. Whilst my role was predominately concerned with the active level crossing assets, I was also aware that there were a large number of passive level crossings that, with the development of new technology, would have active assets deployed at them in the near future (within the team we considered near future as being within 10 years). During this time I was involved in workshops where the development of a level crossing reduction strategy was discussed, and, following the workshops I was asked to write the Anglia Level Crossing Reduction Strategy (this is the CRD Anglia CP5 Level Crossing Reduction Strategy (NR18)) based on the outputs of the workshops. The Anglia Level Crossing Reduction Strategy was a standalone strategy, which whilst dealing with opportunities specific to Anglia Route also embodied other national strategies, as mentioned in the Statement of Case (NR/26). The production of the Anglia Level Crossing Reduction Strategy led, in part, to the project which is the subject of the current Order.
- 1.3. My roles and responsibilities in my current role on this project are to ensure that the proposed changes to the level crossings on the Anglia Route (which I refer to as “the project”) are fit for purpose (in terms of the users), that they are designed to the appropriate standard (i.e. that any new or diversionary routes are suitable for adoption by the highway authority), and that the changes meet the needs of the operational railway. As part of the development of the proposals contained within this Order, Network Rail has engaged Contractors to assist with the technical development and wider appraisal of the proposed changes. I am responsible and accountable within Network Rail for the technical elements of the Contractors work.

2. SCOPE OF EVIDENCE

- 2.1 In this Proof of Evidence, I explain how the proposals contained within the Order were developed, including through consultation carried out with the highways authorities, other stakeholders, and members of the public (**Section 3**), and describe, in general terms, the works which would be required to implement the Order, if approved (**Section 4**).
- 2.2 I then set out a description of each of the crossings contained within the Order, and discuss Network Rail's proposals for the same. The individual crossings are addressed in the following sections of this Proof:

Code	Name	Section
E01	Old Lane	5
E02	Camps FPS	6
E04	Parndons Mill	7
E05	Fullers End	8
E06	Elsenham Emergency Hut	9
E07	Ugley Lane	10
E08	Henham	11
E09	Elephant	12
E10	Dixies	13
E11	Windmills	14
E12	Wallaces	15
E13	Littlebury Gate House	16
E15	Margaretting	17
E16	Maldon Road	18
E17	Boreham	19
E18	Noakes	20
E19	Potters	21
E20	Snivellers	22
E21	Hill House 1	23
E22	Great Domsey	24
E23	Long Green	25
E25	Church 2	26
E26	Barbara Close	27
E28	Whipps Farmers	28
E29	Brown & Tawse	29
E30	Ferry	30
E31	Brickyard Farm	30
E32	Woodgrange Close	31
E33	Motorbike	32
E35	Cranes No. 1	33
E36	Cranes No. 2	34
E37	Essex Way	35
E38	Battlesbridge	36

E41	Padget	37
E43	High Elm	38
E45	Great Bentley Station Foot Crossing	39
E46	Lords No.1	39
E47	Bluehouse	40
E48	Wheatsheaf	41
E49	Maria Street	42
E51	Thornfield Wood	43
E52	Golden Square	44
E54	Bures	45
E56	Wivenhoe Park	46
E57	Abbotts	47
H01	Trinity Lane	48
H02	Cadmore Lane	49
H03	Slip Lane	50
H04	Tednambury	51
H05	Pattens	52
H06	Gilston	52
H08	Johnsons	54
H09	Fowlers	53
HA01	Butts Lane	55
HA02	Woodhall Crescent	56
HA03	Manor Farm	57
HA04	Eve's	58
T01	No Name Number 131	59
T04	Jefferies	60
T05	Howells Farm	61

2.3 Network Rail's assessment as to why the proposed diversions are considered to be suitable and convenient are addressed in greater detail in the Proof of Evidence of Susan Tilbrook.

3. DEVELOPMENT OF THE DRAFT ORDER

3.1 Eliane Algaard has discussed in her Proof of Evidence how the Anglia Level Crossing Reduction Strategy (“the Strategy”) came into being and what it is intended to achieve. (A copy of the Strategy can be found at NR/18). As can be seen from that Strategy, Network Rail Anglia Route was looking to achieve a number of objectives in during Control Period 5 (CP5):

- i. Rationalising the level crossings on the Anglia Route: for example by reducing the number of at-grade level crossings where opportunities existed for diverting users to a pre-existing alternative crossing point of the railway;
- ii. Removing level crossings which were either dormant – in the sense of being sleeping dogs for example, because there is no crossing at the point shown on the Definitive Map and Statement – or that the route was not usable;
- iii. Regularising status of existing level crossings: for example, where a level crossing had the status of a public road, but there was no public road network beyond the level crossing point (or only for a very short distance), or there was a dispute as to the nature of rights enjoyed over a level crossing point;
- iv. Downgrading rights enjoyed over a specific level crossing – e.g. to remove the higher, unused public status with a view to facilitating any further action which might be taken in respect of that crossing point in the future.

3.2 As set out in the Proof of Evidence of Eliane Algaard, it is Network Rail’s intention to look at reduction of level crossings across the network in a number of phases. She sets out at section 2.6 of her Proof, what we were looking at in particular for this phase (the project) were opportunities to reduce the number of at grade level crossings on the Anglia Route, where opportunities existed for doing so without the need to provide expensive replacement infrastructure, such as bridges or underpasses. As set out in the Strategy, it was anticipated that closure of at-grade level crossings which did require such infrastructure to be provided would be looked at in a later phase of the Strategy and so those level crossings were omitted from this project.

3.3 In terms of identifying those opportunities, this was initially done by way of a desktop exercise. When assessing the level crossings we used the following as a broad means of assessment criteria;

- (i) where there were level crossings which had another crossing point nearby;

- (ii) where there was already an alternative option to the route passing over the level crossing which would take users to and from broadly the same point;
 - (iii) where the path over the level crossing did not appear to serve a useful purpose, in the sense appearing to terminate at the level crossing or be otherwise severed (e.g. by the A12 at E25 Church 2 level crossing).
- 3.4 We also looked at level crossings where in the past we had looked at options to divert or downgrade rights over the level crossing, but where we had not been able to do so, for example, because negotiations with the affected landowner(s) had not resulted in agreement or objections had been received by the Highway Authority (e.g. E16 Maldon Road level crossing).
- 3.5 Where we identified a situation where there were two or more level crossings which would seem to provide an alternative route for the other, or a potential alternative crossing point if one were to be shut, we then went on to consider which of the level crossings seemed to best correspond with the 'desire lines' of the users and/or minimise impact on the existing users of the level crossings in the area. An example would be E21 Hill House 1 where we decided that it would be better to divert users of Hill House 1 (a footpath) to Hill House 2 (200 m away – see plan) (which is a bridleway, and thus enjoys more extensive user rights), rather than diverting users of Hill House 2 to Hill House 1.
- 3.6 Where we were looking at a potential closure which would require users to divert to another crossing point of the railway (grade separated or otherwise), we also looked at potential routes for them to take to get to that other crossing point. At this point, we looked at the existing public right of way or highway network to see if existing routes could be used to access the alternative crossing point, and we also considered if and if so where, new routes could be provided to ensure a suitable diversionary route. At that stage, it was our aspiration to use Network Rail land, where possible, in order to reduce impacts on third parties. However, it became clear as the project progressed, that use of Network Rail land alone would often not provide an alternative which was acceptable to the highway authority or users of the existing right of way, and alternative alignments had to be looked at which involved greater use of third party land to provide the diversionary routes.
- 3.7 When we were looking at using alternative crossing points of the railway, we were looking to divert to either a grade-separated crossing, an active level crossing, or, if a diversion to such crossings was not practicable, we looked at an alternative level

crossing which would provide the best alignment, in terms of the rights of way which would result from the closure and diversion. E21 Hill House is an example of this.

- 3.8 Complexity of the railway infrastructure was also considered in the assessment of level crossings. For instance level crossings close to stations are known to be complex, in terms of managing risk (for example, due to variation of speeds of trains passing over the level crossing as a result of stopping and non-stopping trains) and, if technology needs to be installed to mitigate risk at such level crossings this can be both expensive to install and resource intensive to maintain. The more technology and/or infrastructure which is added to the operational railway, the more layers of complexity this adds to the railway – not least as it adds in greater opportunity for failure, and then adds further complexity in terms of ascertaining the source of a failure, and rectifying the issue. We therefore did not consider any passive crossings close to stations as potential diversionary routes, and indeed looked at passive level crossings located closed to stations as potential candidates for rationalisation as part of this phase of the strategy.
- 3.9 This initial desktop exercise led to around 217 sites being identified on Anglia Route that were considered as suitable for diversions or other action (including crossing points in Norfolk and Suffolk). At that stage (April 2015), we met with all the highway authorities for the affected areas to discuss, generally, interfaces between public rights of way or highways and the railway, and to catch up on rights of way interfaces with the railway and to introduce them to the project - including our proposal to proceed by way of TWAO. At these meetings we;
- (i) explained why we felt that the proposed crossing reductions, and the types of crossing identified, were a suitable way of moving forward with a rationalisation of PRoW / railway interfaces;
 - (ii) provided copies of the Route Requirements Document (Copies of the RRDs for Essex and Hertfordshire can be found at Appendix NR30/2 tab 1) so that they could see the sites we had identified and our proposals at that site;
 - (iii) provided a list of all level crossings in that highway authorities area, with the name it was known by Network Rail, and what we believed that status of the level crossing to be (public footpath etc.);
 - (iv) asked for general comments on what we were proposing, including any specification they would require diversions to be built to, (for example, surfacing). We asked them for any comments about the project to be returned to Network Rail by the end of May 2015 so that we could include them into the scope of works for the contract we proposed to enter into with the successful tender in respect of the feasibility appraisal work to be carried out on our proposals (discussed at 3.14 – 3.24 below);

- (v) set out our proposed timescales for the project with indicative dates for public consultation (etc.);
 - (vi) set out that we, or our appointed contractor, would contact them again once the contractor was appointed, and that there would be further discussions with the highway authority regarding the proposals (these meeting happened in September / October 2015).
- 3.10 At these initial meetings for the project the highway authorities seemed generally keen to listen to Network Rail to understand why we were proposing to proceed by way of TWAO (as opposed to individual applications under the Highway Act), but we did not receive comments on our proposals until the further meetings in September. We made clear that we were always contactable and would be happy to receive input at any time.
- 3.11 In June 2015 Network Rail met with the Essex Ramblers to discuss the project and provide an overview of what we were proposing. At the meeting we shared the RRD and the plans contained within them. We asked that the details be kept confidential at that time as we had not spoken to any of the land owners and we considered it would be wholly inappropriate for the land owners to be contacted by anyone other than Network Rail or an agent acting on their behalf.
- 3.12 The Ramblers were asked to provide comment on the proposals and if they saw fit any suggestions that they might feel would be better from a user's point of view.
- 3.13 We did not receive any feedback from the Essex Ramblers, however, until the public events held in June 2016.
- 3.14 Following a competitive tender process, in June 2015 Mott MacDonald was appointed as our Contractor to undertake a 'sense check' of the initial proposals that Network Rail had identified. This was the GRIP1 stage of the project (June 2015 – January 2016).
- 3.15 As a highway engineering consultant Mott MacDonald were appointed to undertake assessments of;
- (i) Ecological Constraints that would impact the proposals, covering the following areas;
 - (ii) Flood risk within 500m of the level crossing (this was considered large enough to include any proposed diversions route);

- (iii) Agricultural land classification around the level crossing such that the effect of any proposal could be understood;
- (iv) Watercourses within 10m the level crossing or any proposed diversionary route;
- (v) Active / historical landfill sites within 500m of the level crossing (this was considered large enough to include any proposed diversions route);
- (vi) Designated statutory sites of nature (such as SSSIs);
- (vii) Historic and cultural features (such as listed buildings);
- (viii) Nearby receptors (such as schools, residential, commercial);
- (ix) Ancient woodland, hedgerows.
- (x) Buildability of the proposals (for example, was the proposed diversion in an area likely to be affected by flooding, would the gradients of the proposed diversion be acceptable (by acceptable, this was taken to be no worse than currently experienced by the existing routes to the level crossing);
- (xi) The extent to which the proposals were compliant with Network Rail's obligations under the Equality Act 2010;
- (xii) Amenity of the proposed diversions.
- (xiii) Stage 1 Road Safety Audits (RSAs) where diversionary routes took users to roads.

3.16 Mott MacDonald was also asked to obtain land details from Land Registry so that landowner consultation could begin.

3.17 Mott MacDonald initially focused on diversionary routes provided by Network Rail; however during their site visits (in September 2015) they noted other routes that might be more suitable, and, in respect of a few proposals, identified where the Network Rail proposals were not, in their view, viable options.

3.18 Following the site visits, Mott MacDonald provided details of the assessments they had undertaken back to Network Rail to enable further discussion on the suitability of the proposals and any changes if required. There were workshops held between Network Rail and Mott MacDonald where it was decided what should be proposed to the highway authorities in October 2015.

3.19 Mott MacDonald was also asked to undertake some stakeholder consultation. Mott MacDonald undertook consultation, with the following stakeholders;

(i) Highway Authorities (for the areas affected by the proposals);

(ii) Statutory Consultees;

(a) Environment Agency;

(b) Natural England;

(c) Historic England;

(d) Highways England.

(iii) Local User Groups;

(a) Auto Cycle Union;

(b) British Driving Society;

(c) British Horse Society;

(d) Byways and Bridleways Trust;

(e) Cyclist Touring Club;

(f) Open Spaces Society;

(g) The Ramblers.

(iv) A prioritised list of potentially affected land owners.

3.20 Further meetings were held with the highway authorities (attended by both Mott MacDonald and Network Rail) in October 2015 where the results of the Mott MacDonald site visits were discussed along with other details of the proposals and any proposed changes / alterations. These meetings were lengthy and detailed.

3.21 In those meetings, all the highway authorities asked for the diversionary routes to be as direct (for the user) as possible. The diversionary routes we had originally considered - 'there and back' routes along the railway boundary and within railway land - were generally not considered by the highway authorities to offer sufficient amenity to users, and were considered to be too long in terms of distance. The highway authorities asked the project to 'round the corners off the proposed diversions, such that they were more aligned with the 'desire lines' of the users, so that the diversionary route would feel more natural to the user.

- 3.22 By the end of January 2016 Mott MacDonald provided further advice to Network Rail in respect of each level crossing, covering all the matters that they had assessed, including ecological impacts, safety, amenity of the proposed diversionary route, DIA compliance, records of incidents at the level crossings, and indicative costs. Mott MacDonald also made recommendations as to whether they considered individual level crossing proposals should be taken further forward by the project; this advice was taken into consideration by Network Rail when undertaking its review at the end of GRIP1. Mott MacDonald also identified whether they considered the proposed alternative route for each crossing was acceptable or whether they thought there was a better route and if so, reasons for that and why they thought it would be better than that which Network Rail had proposed.
- 3.23 At the end of the GRIP1 process (February 2016), those recommendations and indicative costs were considered by the Network Rail project team and the scheme Sponsor. At that point a decision was taken that there was not sufficient funding to take all of the proposals forward, and it could not be assumed that any further funding would be available within Control Period 6 (CP6), as the proposed CP6 funding plan had not been drafted at that time. A decision was made and the proposals for the whole of the Norfolk network and the Suffolk branch lines were paused: that is, the decision taken that they would not be taken forward as part of the current project, but that Network Rail would look to take those proposals forward at a later date once funding was available. The Network Rail project team also accepted some – but not all – of the recommendations made by Mott MacDonald. In some cases we were able to identify further alternatives warranting consideration, which we asked them to appraise at the next stage of works.
- 3.24 In March 2016 each of the highway authorities was issued with a ‘County Report’: a document prepared by Mott MacDonald which detailed the current position in respect of the crossings being considered for inclusion within the project in that authority’s area. A copy of the reports for Essex (including Southend-on-Sea), Hertfordshire and Thurrock can be found in appendix NR 30/2 tab 2.¹

¹ I have included the reports as issued to the highway authorities in March 2016. These are marked ‘Not for public issue’. At the time those reports were prepared, Network Rail had not been able to discuss the proposals with all landowners potentially affected, and therefore whilst wishing to keep the highway authority informed as to the current position, wished to avoid a situation where the first which affected landowners might hear of the proposals was through publication of the ‘County Report’ or its contents otherwise being made more widely available.

3.25 Following a competitive tender process, in March 2016 Network Rail awarded the GRIP2-4² contract to Mott MacDonald.

3.26 Mott MacDonald were contracted to undertake the following works;

- (i) GRIP 1 development for new diversionary routes identified by Mott MacDonald / Network Rail for crossings where the initial proposals had been identified as not viable;
- (ii) GRIP 1 development for some additional level crossings that had been identified as potentially suitable for inclusion within the project after the initial desktop exercise;
- (iii) Undertake phase 1 habitat surveys at all still under active consideration proposed by the project;
- (iv) Undertake usage censuses at all level crossings being considered for inclusion within the project;
- (v) Produce consultation materials;
- (vi) Undertake 2 rounds of informal public consultation on the proposals;
- (vii) Analysis of consultation responses to be fed back to Network Rail with recommendations;
- (viii) Undertake 2 rounds of informal private consultation with MPs, Councillors, and Parish Councils;
- (ix) Continue to consult with the highway authorities;
- (x) Undertake further RSAs as required by the proposals;
- (xi) Continue with the land owner consultation;
- (xii) Undertake additional land referencing;

² Network Rail uses a management tool called GRIP to manage its projects. GRIP was applied to this project, although the GRIP stages were slightly altered to suit this project. The GRIP stages applied to this project are as follows;

GRIP1 – Development / Feasibility

GRIP2 – Informal public consultation

GRIP3 – Drafting the TWA documentation and deposition of the order

GRIP4 – Public Inquiry

GRIP5 – Detailed Design

GRIP6 – Construction

GRIP7 – Handover to highway authorities

GRIP8 – Project close out

(xiii) Produce TWAO documentation.

- 3.27 The habitat surveys (detailed in 3.26(iii) above) were the next step for consideration of the potential ecological impact of the project, and also provided an opportunity for further assessment of the proposed diversionary routes. Previously, the environment assessments had been conducted as either desktop exercise or from publicly accessible land. At this stage of the project, the ecologists were able to walk the proposed diversionary routes on private land, the landowners permitting access for the assessment to be undertaken.
- 3.28 This access was often granted at short notice and unfortunately it was not possible for officers of the relevant highway authority to attend, although they were invited to do so.
- 3.29 Network Rail attended Local Access Forum (LAF) meetings (in April for Essex and in June for Hertfordshire) where we presented an overview of the project to the attendees. The routes of the diversions were not shared at that time, as not all landowners had been consulted, but the principle of what we wanted to do was communicated, and appeared to be well received by the forum.
- 3.30 At the beginning of June, 9 day censuses were undertaken at all the public level crossings to understand the usage of the level crossings. This would help to inform the requirements of any diversionary route.
- 3.31 In June 2016 Mott MacDonald (aided by Network Rail) held a number of informal public consultation events across the area affected by the proposals (as they then stood) which are the subject of this Proposed Order. In identifying locations for the events, we looked to hold an event no further than 10 miles from any of the level crossing being affected. That said the staff in attendance knew the project and were capable of fielding questions on any of the level crossings in the project. These events were held at the following locations;
- (i) Witham – Thursday 16th June 2016
 - (ii) Colchester – Friday 17th June 2016
 - (iii) Newport – Tuesday 21st June 2016
 - (iv) Upminster – Wednesday 22nd June 2016
 - (v) Harlow – Friday 24th June 2016
 - (vi) Wickford – Saturday 25th June 2016

- 3.32 For further details on these events including which level crossings were discussed at which events, the opening times of the events, and attendance details see Appendix NR30/2 tab 3. To inform the public of these events being held, notices were produced for each level crossing detailing when and where the events would be held. These were placed at the level crossings at least 7 days before the events. There were also leaflet drops to properties in the areas local to the level crossings, this was up to 1.5 miles from the level crossing depending on the density of residences. There were also advertisements placed in local papers advertising the events. At each informal public consultation event there were details of the level crossing proposals that were broadly within 10 miles of the event. I was in attendance at almost all of the events and for the full duration of the opening times.
- 3.33 At the events there were some generic project information banners explaining the approach Network Rail had taken and what the time lines were. There was also a large maps showing where the level crossing were.
- 3.34 There also someone in attendance at each event who could answer questions on:
- (i) Ecology;
 - (ii) Engineering;
 - (iii) Land use / rights over land;
 - (iv) Usage of the level crossing;
 - (v) Timings of things and what the next process is;
 - (vi) Why there was a need to alter the current position, and why Network Rail had taken the approach proposed.
- 3.35 Attendees could look at any level crossing in detail and there were plans on tables for discussion as well as paper copies people could take away and comment on / consider in their own time. These plans were also available on the Network Rail web page from the morning of the public event. Appendix NR30/2 tab 4 contains a sample of the information provided.
- 3.36 There was a private hour at the beginning of every event where we invited MPs, Councillors, and Parish Councillors to attend. The intention of this was to allow them to be briefed as required on the proposals and allow them to ask us any question they might have; as elected representatives for the areas affected by the proposals, we thought it important to offer them the opportunity to meet with us immediately ahead of the public consultation, so they had sufficient information if contacted about the proposals by their local community.

- 3.37 At the events we asked for feedback on both the event and the proposals. This could be done by filling in a questionnaire at the event, or online or by post. We asked people for their thoughts on the proposals, for example, whether they thought the proposed alternative was suitable. We also asked for any suggestions they might have as to how the proposal could be improved – for example, if they thought there was a better diversionary route which could be used - so that we could consider these during the development of our proposals. A copy of the questionnaire can be found at Appendix NR30/2, tab 4.
- 3.38 In some cases, we had identified more than one possible diversionary route, but had not decided which route was our preferred option, each option having its own merits. In respect of those crossing, we asked members of the public which they thought was the better route.
- 3.39 Some additional road traffic counts were undertaken following questions / feedback received at the round 1 informal public consultation and from the highway authority. The output of these traffic counts was used in workshops held between Mott MacDonald and Network Rail to further understand the nature of the roads that diverted users from the level crossings would need to interface with.
- 3.40 Following the informal public consultations there were further workshops held in August 2016 between Mott MacDonald and Network Rail to consider the feedback received, and discuss what changes (if any) were to be considered. All the feedback we received was taken into account in our decision making process before the second round of public consultations. Where there were constructive comments that we could work with we did and tried to resolve the issues to improve the alternative offered. Without this input we would not have overcome some of the problems we faced.
- 3.41 Land owner comments were also discussed at these meetings, although we were mindful of the suggestions to place a route on the other side of a fence / hedge line where this involved another party's land as this would simply move the problem not solve it. Land owners were keen to tell us how the land potentially affected by our proposals was used and how impacts on their land could be reduced or mitigation, for example, by removing cross field paths, or removing paths from farm yards. Where possible, and where alterations were appropriate to the proposals, we have tried to work with land owners to try and ease the burden of the rights of way network on them, although in doing so we have had to balance this with the needs of the future users of the right of way.

3.42 Further meetings were held with the highway authorities during August 2016. It was at these meetings where it became clear that Essex County Council's position had altered on potential extinguishments, and that they were not prepared to accept extinguishment of public rights of way without a diversionary route being provided, even where:

- (i) The PRoWs had not existed (on the ground) for a number of years;
- (ii) The PRoWs existed but were unusable as they had been severed by other infrastructure, such as the 6 lanes of the A12;
- (iii) An existing route already existed of the same or higher PRoW status (roads were not considered to be PRoWs).

As a result the project found that the objections from Essex County Council increased, even though the proposals had not changed. We therefore needed to explore what would be necessary to meet the concerns they had identified.

3.43 In respect of proposals where Network Rail had been proposing an extinguishment of the existing PROW without providing a new diversionary route, Essex County Council made clear that they did not agree with that approach, and that they considered a circular route, or other route ensuring connectivity of the PROW network, should be provided. (There were no instances in Hertfordshire where only extinguishments were being proposed).

3.44 In light of that advice, Mott MacDonald and Network Rail revisited the sites where an extinguishment had previously been proposed, and there was an onward PRoW route beyond the severance (an example of this was E25 Church 2).

3.45 The second round of informal public consultations was held in September 2016. The format was the same as the previous ones, except by this stage we had identified our preferred option for each crossing and there were no sites where we were asking the public to choose between potential diversionary routes. Notices informing users of these events were posted at the level crossings and in papers as with the round 1 event. There was also a denser leaflet drop than in round 1 to properties in the areas local to the level crossings as we had received complaints that some people had not received details of the first consultation (only attending through word of mouth information): this was up to 1.5 miles from the level crossing depending on the density of residences. The information provided at the events was more detailed than previously provided, and included details about the level crossing (numbers of trains a day, specific site risks and the ALCRM risk score). We also discussed the extinguishments which were being

proposed - shown in blue on the consultation plans. The material available at the consultation events detailed what Network Rail's preferred option was, including what the length of the diversion would be. There was also a questionnaire available, which had been adapted to cater for representation from users groups, something that we had received feedback on in the previous round 1 public consultation. A sample of the round 2 consultation material, and questionnaire, can be found in Appendix NR30/2, tab 5.

3.46 In general terms, we looked to hold the events no further than 10 miles from the level crossings being affected (as with round 1, we had identified specific level crossing closures to be discussed at each event, although the staff in attendance knew the project and were capable of fielding questions on any of the level crossings in the project). The round 2 consultation events were held at the following locations;

- (i) Bishops Stortford – Wednesday 21st September 2016
- (ii) Newport – Thursday 22nd September 2016
- (iii) Thurrock – Saturday 24th September 2016
- (iv) Witham – Tuesday 27th September 2016
- (v) Upminster – Wednesday 28th September 2016
- (vi) Colchester – Friday 30th September 2016
- (vii) Wickford – Saturday 1st October 2016

Further details on these events including which level crossings were discussed at which events, the opening times of the events, and attendance details can be found at Appendix NR30/2, tab 3. As with round 1, I attended most of these events and played an active role in the consultation.

3.47 We added an extra venue to the previous ones held in June as we were requested to hold a consultation in Thurrock, again responding to the feedback we had received.

3.48 We also invited to attend a further LAF meeting (for Hertfordshire) in September 2016, providing feedback to the meeting the results from the June consultation and giving a general project update. This was well received and generated some discussion at the meeting.

3.49 We held 2 rounds of informal public consultation not just to keep the communities informed of what we were proposing, but also because we thought it was important to make clear that we had been listening to the information and feedback we had

received, and that it had informed our development of the project. In some instances, the responses we received through the consultation process resulted in level crossings being removed from the project, as we were not satisfied that we had identified a suitable alternative. In other situations we altered our proposals to match the needs of the users, for example T05 – Howells Farm.

- 3.50 Following the informal public consultations further workshops were held between Mott MacDonald and Network Rail to understand the feedback received through the consultation process, and what changes to our proposals (if any) needed to be considered. These meetings were held in October 2016. The output from these meetings provided the details for the Order Limit Plans and the Draft Order.
- 3.51 We then had a further meeting with the highway authorities to discuss the information received through the consultations and what we were looking to include in the Draft Order. We also discussed the next stages of the process.
- 3.52 It is important to emphasise that throughout the development of the project we have constantly reviewed the level crossings proposed for inclusion within the Draft Order. These reviews were undertaken at the end of GRIP1; following each of the informal public consultations; prior to the orders being deposited; and when key items of new information have become available, such as the use of permissive rights of way (for example, in the case of E42, Sandpit, which was removed from the Draft Order post deposit). It has never been Network Rail's position that it would not alter its proposals or remove a level crossing from the Draft Order if it became apparent that that was the right course of action, as a better alternative had been identified, or it became apparent that the diversionary route proposed was not satisfactory.
- 3.53 For example, during the development of the project, it became apparent that not all the structures that we had identified could be used as part of a diversionary route were suitable for that purpose (for example, because of physical features, such as the extent of headroom provided, or because substantial alterations would be required to the structure), and in these instances that particular level crossing was removed from the project and deferred to a later phase for further assessment.
- 3.54 In some instances it became apparent, through consultation, that the proposed alternative was not suitable and that there were genuine reasons why the crossing point of the railway needed to remain at (or very close to) its current location. In these

cases the level crossing was removed from the project and again deferred to a later phase for further assessment.

- 3.55 During December 2016 it became apparent to Network Rail that there would need to be further engagement on a number of our proposals, following some feedback we had received from the second consultation. This engagement exercise took the form of seeking to inform affected landowners by letters and the public by posting notices at the affected level crossings rather than the consultation events which had been held during June and September 2016. It was considered that the changes were of a minor nature, and as such that it would not be proportionate to engage on a third round of consultation events, mirroring those previously undertaken, and that the key thing was that the public were informed of the changes.
- 3.56 At the next meeting in early January 2017 with Essex County Council, Network Rail tabled new proposals which provided for new diversionary routes, where previously an extinguishment had been proposed. Some of these changes were driven by an effort to address highway authority objections which had not previously been raised (for example, in respect of E16 Maldon Road). The highway authority also provided further information to support their objections to specific proposals. In some instances Network Rail agreed, on reviewing the proposals, that what had been proposing was not suitable and / or adequate, and in those cases the level crossing was removed from the project / order as Network Rail felt that it was not able to offer a suitable alternative.
- 3.57 I acknowledge that it was unfortunate that these changes had not been made in time for the September round of informal consultations, not least as it also meant that the changes affected additional land owners who had previously been unaffected by the project and not contacted before. However, as will be seen from the above, these changes resulted from our meeting with, and advice received from, the Essex highway authority in September 2016, we sought to overcome the problems caused by the lateness of the changes by the further round of engagement which I have referred to at para 3.54 above. Nigel Billingsley also discusses in his Proof of Evidence the steps which were taken to engage with affected landowners prior to the application and Draft Order being deposited.
- 3.58 Mott MacDonald and Network Rail then held a series of meetings to finalise the Draft Order Plans.

- 3.59 Bruton Knowles were contracted in November 2016 to undertake the land referencing necessary to support the Draft Order on behalf of Network Rail. Nigel Billingsley sets out in his Proof of Evidence the steps which Bruton Knowles have taken to engage with affected landowners (or those holding an interest in land) since their appointment.
- 3.60 Network Rail has sought to use all information available to it throughout the development of the project – including, importantly, that received from our engagement with the highway authorities, landowners and members of the public – to make informed decisions as to whether each proposal should be pursued, through inclusion in the Draft Order

4. WORKS TO BE UNDERTAKEN IF THE DRAFT ORDER IS APPROVED

- 4.1 I understand that some concerns have been raised as to the nature and extent of the works which would need to be undertaken to implement the Order if approved. These works can be broken down into a number of categories. I list these below and describe what the works to be undertaken would broadly consist of.

Temporary Access.

- 4.2 Access will be required in undertake the changes required by this Order – in particular, creation of new PROW, removal of existing level crossing infrastructure, and erection of additional security fencing. Some access will be undertaken via the railway corridor, but some will be over third party land, as shown on the Order Limit Plans. The access taken over third party land will be limited to those activities detailed in the order. I set out below what, in broad terms, those activities are likely to entail.
- 4.3 In general, it is likely that the actual time required on the land will be short: that is to say days, rather than months. The types of vehicles are unlikely to be anything larger than a transit sized flatbed truck, which would most likely be used for delivery of materials and removal of any materials from site. It is not perceived that there would be any need to provide any specific haul road surface, and access is intended to be planned such that the land can tolerate the vehicles intended to be used without such treatment. The numbers of vehicles on any site is not likely to exceed 2 large vehicles and 2 smaller ones (car sized vans) – although could be less, depending on what exactly is being undertaken.
- 4.4 Numbers of staff have not been worked up in detail but based on the types of work being undertaken it is not envisaged that the team would generally need to be greater than 10 staff on site.
- 4.5 The only exception to this is where we need to create a structure over a water course or ditch. In these instances due to the construction activities required to create the new structure, there may need to be larger vehicles on site, especially if piled foundations are required or when lifting activities are being undertaken. At these sites detail is still being worked up as part of the detailed design of the bridges and will not be known until the design has been finished.

Vegetation Clearance.

- 4.6 Almost all of the proposals contained within the Order will require some vegetation clearance to be undertaken in order to be able to create the new PROW on the alignment shown on the Order Limit Plans, or to allow the railway boundary fencing to

be erected to secure the railway from trespass. This vegetation clearance would be mostly undertaken with hand operated tools, although it may be possible to use mechanised clearance equipment in some instances, where access allows. It is not intended that trees would be removed by the project; however it may be necessary to remove low hanging bows, these are likely to be chipped. Before any clearance is undertaken there will be a further ecology survey to ensure that no protected species would be affected.

PRoW Construction.

- 4.7 The vast majority of the PRoWs being created by this project are unsurfaced. These unsurfaced PRoWs would generally have a finished surface of grass, however in order to create the path there would potentially need to be some levelling of the ground, this would be done either by hand if very localised or with the use of powered machinery. As the PRoWs are generally 2m wide for footpaths and 3m wide for bridleways, the machines used would generally be no wider than that of the PRoW they are creating. Any materials required to firm up the ground or to be provided as surface treatment (tarmac plainings) would be brought to the site where it is required by similar sized machines.

Fencing.

- 4.8 The majority of fencing being provided by the project is to secure the railway boundary from trespass. For the most part this fencing is to be 1.8m high chin link fencing. Where fencing is required, there would be some vegetation clearance to ascertain the ground levels, and other features to be accounted for by the fencing. There may be some localised levelling of the ground, such that the fence is effective to ground level.
- 4.9 The fence would be erected from whichever side is easier (railway / third party), except where the third party land is of a sensitive nature (for example, a garden). In this instance every effort would be made to erect the fence from the railway side of the boundary.
- 4.10 There are 2 distinct groups of fencing required by the project: one is the fencing required as part of the diversionary route, and the other is the fencing required to secure the site of the level crossing. The diversionary route fencing will be erected at the same time as the creation of the diversionary route, such that it is effective for when the new route is opened. The level crossing on the other hand cannot be closed until the highway authority (for that level crossing) has confirmed that the new diversionary route has been constructed to their reasonable satisfaction. Only then can the level crossing be fenced over, this means that there would possibly be 2 occasions

when fencing activates are being undertaken for one level crossing, which would result in 2 occasions when access is required.

Temporary Closures.

- 4.11 Where there is an interface between the new diversion PRoW with another existing PRoW there may be a need to put in place a temporary traffic restriction order (TTRO), closing the PRoW whilst works are undertaken to 'join' the new PROW to the existing PRoW. This would be likely to be in the region of 1 day. The need for this closure is to ensure the public are safe from any construction works / vehicles. In some instances it will be necessary to close the existing PRoW whilst the new diversion is being created, as construction of the new PROW would affect the existing PRoW. An example of this is E31 Brickyard Farm, where the movement of the fencing would reduce the sighting from the level crossing to a point where there would be insufficient warning of approaching trains. The existing PRoW would therefore need to be closed, in the interest of public safety.

Temporary Road Closures.

- 4.12 Some of the proposals require works to be undertaken close to public roads, and in these instances it will be necessary to undertake a form of road closure. These are likely to be of a lane closure where single file traffic is imposed for the duration of the works. It is not proposed that any road will need to be closed in totality to enable construction work, so it should always be possible to enable traffic to flow along such roads.

Removal of Level Crossing.

- 4.13 The level crossing deck (if fitted) will be removed from between the rails during a possession of the railway, however it is not always possible to obtain a possession long enough to enable its removal from site. In these instances the deck would be placed where it can be removed via the third party land identified in the Order Limit Plans as required for temporary access. There may be other level crossing elements to be removed such as steps, hand rails, and signage. These would be the last materials to be removed from site as the level crossing cannot be closed until the new PRoW is accepted by the highway authority, as discussed above. These materials are of a size and nature that a flatbed truck with lifting equipment would be used to remove them from site. The numbers of staff required for this is not expected to exceed 10.

Maintenance of PRoW.

- 4.14 Network Rail is responsible for the maintenance of the new PRoWs for the first 12months after they have been accepted by the highway authority as having been completed to their reasonable satisfaction. Network Rail is planning to use the PRoW as

the means of access to maintain the new PRoWs, however temporary access rights are provided for in the Order (as detailed on the Order Limit Plans) in the event that more substantial works needed to be undertaken, which could not be undertaken solely from the PRoW itself.

5. E01 Old lane.

- 5.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing, which can be found at Appendix F of NR26.
- 5.2. Old Lane footpath level crossing (footpath13) is currently temporarily closed due to safety reasons as set out in Daniel Fisk's proof of evidence. If the level crossing were open to use it would form a footpath link from just south of the level crossing to a point to the northeast of the level crossing where it meets footpath 44. The route of the current footpath involves crossing 2 water courses and an area that suffers from a greater susceptibility to flooding than footpath 44 to the east of the level crossing. The current footpath consists of an unsurfaced path through grassland / water meadow.
- 5.3. Our proposal is to close Old Lane level crossing permanently and to extinguish the public right of way from just south of the level crossing (where it meets footpath 79) to the point northeast of the level crossing where it meets footpath 44. The extinguishment is shown as blue dotted line on the design freeze plan.
- 5.4. For users wishing to travel in a north-easterly direction from Harlow Road / Roydon they would need to use footpath 79 to reach Wildes level crossing (located to the east of E01 Old Lane) at which point they could travel north on footpath 44 to reach a point where they would have come to had they not been diverted.
- 5.5. The proposal for this level crossing has not changed from that originally identified by Network Rail, and appraised by Mott MacDonald, in 2015.
- 5.6. There was a previous proposal to close this crossing, under s.118A of the Highways Act s118a due to the known issues of whistle boards at this location (as discussed by Mr Daniel Fisk in his evidence) Unfortunately, there was an objection to the proposal from the Essex Ramblers and the highway authority withdrew the application.
- 5.7. We understand that the highway authority, Essex County Council, does not object to this proposal, and it identified at an earlier meeting that the diversionary route proposed will reduce the maintenance burden on the highway authority as there will be 2 fewer bridges for the authority to maintain. I would also highlight that when the issue of there being two crossings protected by whistle boards being too close to each other was first identified, Wildes Level Crossing was closure under a Temporary Traffic Regulation Order. The County Council's position at that time was that they would prefer for Old Lane to be subject to temporary closure, rather than Wildes Lane, as Wildes Lane was a more convenient location for a crossing.

- 5.8. We believe that this diversion will not impact greatly on users as the existing route via footpath 13 is available less than the diversionary route provided by footpath 44 due to footpath 13 being flooded at certain times of the year.
- 5.9. There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

6. E02 Camps

- 6.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 6.2. Camps level crossing has two elements to it. One element is a private vehicular level crossing which is unaffected by this project: the land accessed by the vehicular level crossing is predominately used for grassing in the summer months. The other element is a public footpath level crossing and it is this level crossing that is the subject of the Order. The footpath which crosses Camps footpath level crossing forms a link broadly southeast to northwest. To access Camps footpath level crossing footpath 75 would be used. The current footpath consists of an unsurfaced path through grassland / water meadow.
- 6.3. Our proposal is to create a new unsurfaced east - west footpath from the point where footpath 122 heads north to where footpath 78 heads north. It is proposed to close Camps footpath level crossing and extinguish public footpath 75 leading from Roydon Lea farm yard north to the level crossing and the section from the level crossing to a point where it meets footpath 181. This extinguishment is shown as blue dotted line on the Design Freeze Plan.
- 6.4. Users wishing to travel in a westerly direction from Little Parndon using footpath 122, would continue to travel in a broadly westerly direction along the new footpath, until they reach the point where they can head north on footpath 44. They would cross the railway via Wildes level crossing and continue to head north. Once they meet footpath 13, they would follow this in a north eastern direction until they reach footpath 75 heading north. At which point they would continue as if they had not been diverted.
- 6.5. This proposal has changed through the development of the project with input from consultation helping to shape the solution. It was originally proposed that the public rights of way over both Camps level crossing and Sadlers level crossing (E03) would be

extinguished, and it was proposed that users of Sadlers would be diverted to the underpass located to the east of Sadlers level crossing. In proposing this we also proposed to create a direct link to the underpass close to where footpaths 122 and 73 meet south of the underpass. This direct link would have enabled the removal of all the public footpaths in and around Roydon Lea farm. It was proposed that the headroom under the underpass would be increased to enable users to walk through without stooping).

- 6.6. However the headroom which the highway authority stated needed to be provided in order to comply with standards from the Design Manual for Bridges and Roads section TD36/93 - 2.3m - was not considered to be achievable, not least, due to the extent to which the current ground under the underpass would have to be lowered, in an area already susceptible to be flooding.
- 6.7. The proposal to use this underpass - and to extinguish the public rights of way over E03 Sadlers - was therefore removed from the project. With the decision not to pursue this proposal, it was not possible to remove the public footpaths completely from Roydon Lea farm yard as we were not altering that section of footpath 74 which leads to Sadlers level crossing. We acknowledge that this removal would have benefitted the farm.
- 6.8. Objections have been received on behalf of those with an interest in the farm on the basis that we are not removing all the footpaths we had originally planned and have not listened to the suggestions they had advanced. (Objections 133 and 069). I have explained above why removal of all footpaths affecting the farm could not be pursued as part of this project, following the removal of Sadlers level crossing from those proposed for closures. Network Rail has, however, sought to incorporate the suggestions made by the landowners in respect of the proposed E02 Camps diversion (that is, the route shown in red on the Design Freeze Plan).
- 6.9. We understand that the highway authority, Essex County Council, does not object to this proposal.
- 6.10. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place (for the footpaths), such that the works can be carried out without endangering the public. These temporary closures are only

expected to last a few days and may not be needed at all. Way markers will be altered as appropriate.

7. E04 Parndon Mill

- 7.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing, which can be found at Appendix F of NR26
- 7.2. There is currently no crossing point of the railway at the site at the assumed location of Parndon Mill level crossing. The physical crossing is believed to have disappeared in the 1950s when the Harlow Development Corporation was developing the 'New Town'. There is no evidence of footpath 73 on the north side of the railway and there is a section of footpath 73 that runs through a commercial site that is completely fenced off with no evidence of the footpath. The paths in the area (footpath 122 and 73) are unsurfaced grass paths.
- 7.3. Our proposal is to create a new unsurfaced footpath from where the existing footpath 73 meets the western boundary fence of the commercial site to Elizabeth Way to the south. It is also proposed to legally extinguish the PRoW over the railway, to extinguish the section of footpath 73 to the north of the railway and to extinguish the section of footpath 73 south of the railway to the western boundary fence of the commercial site. The proposed extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 7.4. For users wishing to travel in a north easterly direction from Little Parndon they would follow footpath 122 and 73 until they reach the boundary fence of the commercial site. At this point they would turn south along the new footpath until they reach Elizabeth Way. On reaching Elizabeth Way they would head east until they reach Parndonmill Lane where they turn north and cross the over the railway on to Mill Lane, and then on to their original destination as if they had not been diverted.
- 7.5. Originally Network Rail had planned to extinguish the footpath over the railway, without providing an alternative route, as it had not existed on the ground for such a period of time. However the highway authority (Essex County Council) made clear during the course of our discussions that they did not agree that an alternative route was not required, and that they considered a diversionary route should be provided so that connectivity was restored to the network.

- 7.6. We understand that Essex County Council does not object to the proposal contained within the Draft Order. The developer of the sports field site, located to the south east of the assumed location of the level crossing, has some raised concerns over the alignment of the proposed diversionary route, as it considers that this would affect some trees which are subject to Tree Preservation Orders (Objection 75). Network Rail continues to work with the developer to resolve this issue, and is hopeful of reaching a satisfactory solution prior to commencement of the inquiry.
- 7.7. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place (for the footpaths), such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

8. E05 Fullers End

- 8.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 8.2. Fullers End footpath level crossing provides a footpath crossing point over the railway between the ends of two public roads (Robin Hood Road to the north and Tye Green Road to the south). It has tarmacked surface approaches on both sides and is provided with a level crossing deck. It has an active warning system that has red / green lights and also an audible warning that warns when it is not safe to cross the railway. It also benefits from street lighting. There are a number of new housing developments in the area (some being built, some are at planning stage and there is also land allocated for housing), which would have the potential to increase the number of users of the level crossing. Network Rail has not always been made aware of the planning applications in the area, and as such is concerned by the increase enclosure of the level crossing by housing.
- 8.3. Our proposal is to provide a new footpath that utilises an underbridge to the southwest of the current level crossing and extinguish the public rights of way across the crossing. This new footpath would have tarmac plainings approaches, and be street lit to match the existing arrangements. On the north side of the railway the new footpath would be located adjacent to the railway boundary on third party land. The existing footpath

(footpath 29) that runs as a cross field path would be extinguished and diverted onto the new alignment. The extinguishment is shown with a blue dotted line on the design freeze plan. At a field boundary close to the underpass there will be a new link provided to footpath 29; this link path would be an unsurfaced grass path. The route through the underpass would tarmac plainings surfaced and lit.

- 8.4. On the southern side of the railway the path will run through a new housing development site on the old Sawmill site. It was not known how soon this site would be developed, when our proposals were being developed, although we were aware that it been granted planning permission.
- 8.5. The current alignment of the footpath on the Order Limit Plans avoids the existing industrial buildings: we did not plan to demolish / remove any of the buildings as part of this Order. The landowner has objected to the current alignment of the footpath through the sawmill site (Objection 170). We understand the development has progressed on site and Bruton Knowles, has attempted to contact the objector to arrange a meeting to discuss the details of the development and how their concerns may be addressed. We will update the Inquiry of the outcome of these discussions and any progress with resolving the issues raised by the objector.
- 8.6. Users travelling in a south-easterly direction along Robin Hood Road would, on reaching the site of the level crossing, turn right and travel in a south-westerly direction along the new footpath. Once they arrive at the underbridge, they would turn left and pass through the underbridge and the railway. Once they had passed through the underbridge, they would turn left and travel through the housing development until they reach Tye Green Road. From here they would resume their normal journey.
- 8.7. There have been previous attempts to dedicate a public right of way through the underpass before, but it has never been possible to secure the agreement of all the landowners whose land would be affected by a new public right of way in this location. Previously the land to the south east of the railway was a commercial site and security was an issue if a public footpath were to be routed through it. This concern has been removed with the change of use of the site from commercial to the housing development.
- 8.8. We understand that the highway authority, Essex County Council, does not object to this proposal. There objection raised at the informal public consultations on the basis that we did not create a cycleway instead of the footpath; however Network Rail does not believe there are sufficient sight lines to enable this to be a cycleway without taking more 3rd party land to provide the visibility splays that would be required for cyclists. We have not received any formal objections raising this matter.

- 8.9. Network Rail is aware that the Uttlesford District Planning Authority Local Plan has plans to allow for large amounts of housing in Elsenham, some of which would affect Fullers End level crossing. Extracts of the Local Plan can be found at Appendix NR20/2 tab 6 for extracts of the Local plan for Uttlesford. As set out in the Statement of Case, an aspect of Network Rail managing risk associated with potential increase in users of the footpath network, such as may arise from increased housing development in an area, is to direct users to the most appropriate crossing point of the railway, as, in this case, by directing users through the underbridge close to the existing crossing.
- 8.10. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some work creating the surfacing. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

9. E06 Elsenham Emergency Hut

- 9.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 9.2. Elsenham Emergency Hut footpath level crossing is currently temporarily closed for safety reasons as set out in Daniel Fisk's Proof of Evidence. If the level crossing were open to use it would form a footpath link from New Road to the south west of the level crossing and Old Mead Road to the east of the level crossing. This path comprises footpaths 14 and 32. The path is a mixture of field edge, cross field, and alleyway paths, all of which are unsurfaced.
- 9.3. This is one of a series of whistle board protected level crossings (all of which are included in this project) between Bishops Stortford and Audley End that are a limiting factor on line speed along this stretch of line.
- 9.4. Our proposal is to provide a new north-south linking footpath from footpath 32 (adjacent to the level crossing) to footpath 24 (north of the level crossing). It should be noted that footpath 7 (in the north) was truncated on both sides of the railway when Edges level crossing closed 3 years ago. At the time the highway authority did not permit the footpath to be extinguished: it was their aspiration to provide a north-south

link at this location. The draft Order, if approved, would extinguish the truncated sections of footpath 7 as well as the public rights of way across the level crossings, and extinguish the section of footpath 32 to the east of the railway. In order to reduce on road walking and potential pedestrian conflict with vehicles turning in and out of both the station car park and industrial businesses, it is proposed to divert footpaths 15 and 22 around the south side of the station car park. This would provide some benefit to those users who previously used footpath 14 and 32 as an east west route. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.

- 9.5. Users travelling in a broad westerly direction along footpath 15 would reach eastern side of the station car park, at this point they would turn left and follow the edge of the car park until they reach Old Mead Road. They would turn left onto Old Mead Road and cross the railway via the manned level crossing and then on to New Road. From here, they would continue on the westerly route as if they had crossed the railway at Elsenham Emergency Hut footpath level crossing.
- 9.6. This proposal has changed through the development of the project with input from consultation helping to shape the solution. In particular, concerns were raised about on-road walking along Old Mead, and in order to address these concerns, the diversion of footpaths 15 and 22 were included, as discussed at 9.3 above.
- 9.7. We understand that the highway authority, Essex County Council, does not object to this proposal. In discussions with the Council, they stated that they were happy that the north south link, which had been a long-standing aspiration for the Council, could finally be delivered.
- 9.8. The land owners on the west side of the railway have objected to the new north south link (Objections 146 and 123), but the developer (Fairfield Elsenham Ltd) (Objection 130), who is intending to develop some of the land primarily to the east of the railway for housing has not objected to the proposals. The land on the west of the railway is planned to be Fairfield Elsenham Ltd's new sewage works for their development on the east side of the railway. Fairfield Elsenham Ltd (Obj130) has objected to the alteration to footpath 15 and 22, around the station car park as they believe it will have an impact on their development. I have explained above why Network Rail considered this diversion to be necessary and appropriate. Further, Network Rail does not agree that the diversion would impact adversely on the proposed development as the plans for the site show the area adjacent to the station car park as being open space, with the current section of footpath 15 (unaffected by the Order) running at the back of their site. Network Rail does not understand that planning permission has yet been granted for the proposed development.

- 9.9. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some work creating the surfacing. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

10. E07 – Ugley Lane

- 10.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 10.2. Ugley Lane is a private user worked level crossing with a telephone and no public rights. There is an adjacent public road (North Hall Road) which passes under the railway. The bridge under the railway has tight approach bends and has a narrow width, as well as a 12 foot height restriction. The level crossing was retained as a means of providing access for agricultural vehicles that were too wide / high to pass over the railway when the level crossing was previously downgraded. This need has fallen away, as there is believed to be only one landowner with land on both sides of the railway (as far as Network Rail is aware) and those parcels of land are separated by some considerable distance and another, more suitable, diversionary route is available. Records of usage show that the level crossing has not been used for a number of years (in excess of 5 years).
- 10.3. The proposal is to extinguish all rights over the level crossing. There are no proposed alternative routes, as it is believed that a suitable and convenient alternative route is already provided by existing highway network. The northern approach to the level crossing is used to access a feeder station for the Network Rail overhead traction supply. This access will be retained, and the site will be used (as it is today) as a means of getting on-track plant onto the railway.
- 10.4. There have been previous discussions with the landowners enjoying private rights over the crossing regarding the potential release of those private rights by agreement, however those discussions were not successful. There has been no objection received for this proposal.
- 10.5. We understand that the highway authority, Essex County Council, does not object to this proposal.

- 10.6. There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure (gates on the south side), the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point.

11. E08 – Henham

- 11.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 11.2. This is one of a series of whistle board protected level crossings (all of which are included in this project) between Bishops Stortford and Audley End that are a limiting factor on line speed along this stretch of line.
- 11.3. Henham is currently a footpath level crossing and the PRowS leading up to it on either side provide a broadly east west link. On the western side of the railway the approach is from a bridleway (bridleway 21) that passes under the M11 via an underbridge using a farm access track. This track has a loose aggregate surface. The bridleway leads to North Hall Road, and does not directly link to footpath (26). There is currently some on-road walking in a northern direction to gain access to footpath (26), there are no footways on North Hall Road. Footpath (26) is accessed via a set of steps up through the hedge and into a private yard. The footpath passes across the yard (made up of a loose aggregate surface) and along the side of a shed (on an unsurfaced dirt path) before using a small concrete footbridge to cross over the stream (River Cam). Once across the bridge the user is on Network Rail land, and steps (up) are provided to access the level crossing. Once over the railway, steps (down) lead to footpath 26 which continues via an unsurfaced grass field edge that runs adjacent to an arable field in an easterly direction.
- 11.4. Our proposal is to create a new footpath on the western side of the railway from the bridleway south within a field boundary but adjacent to North Hall Road to a point adjacent to an unnamed road that passes under the railway. There would also be a new footpath created on the eastern side of the railway heading from the unnamed road to link into footpath 26 near the point of the existing level crossing. The draft Order would, if confirmed, authorised the extinguishment of the public rights from the point where the diversion heads south on the eastern side of the railway to the point where the footpath meets North Hall Road on the western side of the railway. The extinguishment is shown with a blue dotted line on the design freeze plan.
- 11.5. Users travelling east on bridleway 21 would turn south just before North Hall Road onto a new footpath heading south to a point where the footpath ends adjacent to an

unnamed road. At this point users would head east, cross over North Hall Road, onto the unnamed road, under the railway, and then turn left (north) onto a new footpath. This new footpath heads north to meet up with footpath 26, where users can continue on their way as if they were not diverted.

- 11.6. The land owner to the east has suggested in his objection letter (Objection 83) that he had tried to implement this proposal before, but was not able to progress it as Essex County Council had raised highway safety concerns. It is not believed that there had been the inclusion of the footpath on the western side at the time), and we understand that the highway authority, Essex County Council, does not object to this proposal.
- 11.7. The land owner on the eastern side of the railway (Objection 083) has also raised a concern that the alignment of the new PRoW as shown on the Order Limit Plans as he is concerned that it would involve the removal of trees which had been planted to provide screening of the M11 from his property. It is not intended to remove any trees as part of this proposal.
- 11.8. The land owner on the western side of the railway (Objection 138) has objected to the use of their land for the creation of the diversionary footpath, on the basis that users could walk along North Hall Road. Network Rail does not believe this would be an acceptable solution in this location, for the reasons set out by Susan Tilbrook in her Proof of Evidence.
- 11.9. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

12. E09 Elephants

- 12.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

- 12.2. This is one of a series of whistle board protected level crossings (all of which are included in this project) between Bishops Stortford and Audley End that are a limiting factor on line speed along this stretch of line.
- 12.3. Elephants footpath level crossing is currently temporarily closed due to safety reasons as set out Daniel Fisk's Proof of Evidence. If it were open to users it would provide a link from the High Street (B1383) to the footpath network on the eastern side of the railway, which mainly provides either an eastern link to open countryside or a circular walk within Newport. The eastern approach is via an unsurfaced dirt footpath that winds its way through shrubs to a point where the path comes out of the shrubs and turns due west towards the level crossing. This section is unsurfaced grass path through an open section of grassland. On the western side of the railway, the user would follow an access track from High Street down to the point where it crosses over the River Cam via a vehicular bridge. From this point the path enters a small orchard / wooded area where it raises slightly to reach the railway. The path through the wooded area is unsurfaced grass.
- 12.4. The proposal is to divert users to the south and to utilise an existing over- bridge to cross over the railway. To do this, a new unsurfaced field edge path would be created on the eastern side of the railway from the point where footpath 14 currently turns west towards the crossing. This new footpath would run to Debden Road, running in field edges, and users would cross the railway on the bridge which carries Debden Road. Network Rail proposes to provide a set of traffic lights to regulate the traffic flows over the overbridge of the railway, in order to provide safe passage for pedestrians. The draft Order, if confirmed, would authorise extinguishment of the sections of footpath 14 from the point where it turns west to the point where it joins High Street. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 12.5. Users from the west, who would otherwise travel along footpath 14 in an easterly direction from High Street, would instead continue south on High Street until they reach Debden Road, at which point they would turn left and head east along Debden Road. On the approach to the railway bridge they would cross the bridge using the pedestrian request crossing to cross the bridge (signal/traffic light controlled) and continue along Debden Road until they are able to turn left onto the new footpath. They would then head north, continuing along the new footpath until they re-join footpath 14. From this point they would continue as they would currently.
- 12.6. This proposal has changed through the development of the project with input from consultation helping to shape the solution for this crossing. There have been a number of proposals advanced in respect of this crossing, some that were not achievable due to introducing potential flooding risks and others that we received feedback on suggesting that the diversionary route would be too long. Network Rail is now confident it has

found an appropriate permanent alternative to the route which currently passes over the level crossing.

- 12.7. Essex County Council had previously expressed concerns regarding the use of the narrow overbridge, however we understand that they are content that the proposed traffic lights would appropriately manage the risks which had been identified.
- 12.8. There is an objection (Objection 113) from the land owner of the small field that the proposed footpath would run through on the eastern side of the railway (from where it joins the existing footpath 14 to the dog leg to the south). The landowner queries why the footpath has been situated in this 'small' field, when it could instead be located on the boundary of the larger field to the east. As can be seen from the Design Freeze Plan, footpath 14 already passes through the 'small' field in question. To locate the new section of footpath to the south in the boundary of the neighbouring would give rise to the need to break through the field boundary close to the current footpath 14, and unnecessarily affect vegetation close to Debden Water SSSI site.
- 12.9. There has been an objection from the land owner on the eastern side of the railway at the southern part of the new footpath (Objection 181) suggesting that our proposal would prevent the development of the former pigsties into a residence. Network Rail does not believe this to be the case as the footpath is proposed as far away from the existing buildings as possible, as can be seen on the Design Freeze Plan.
- 12.10. There are some temporary works associated with this proposal. The provision of the traffic lights on Debden Road will require a form of traffic control to provide safe working areas whilst they are being installed. It is not believed that the road would need to be completely closed during these works, so traffic should always be able to flow, albeit with restrictions (for example, single lane controlled by temporary traffic lights). In addition to the road works and vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

13. E10 – Dixies

- 13.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 13.2. This is one of a series of whistle board protected level crossings (all of which are included in this project) between Bishops Stortford and Audley End that are a limiting factor on line speed along this stretch of line.
- 13.3. Dixies is a footpath link that provides a short east west link from Cambridge Road on the eastern side of the railway there are to a footpath and a byway (both of which run broadly north south) on the western side of the railway. The eastern approach from Cambridge Road (B1383) to the railway is via a narrow unsurfaced dirt path that runs between two residential properties. The railway is elevated to the surrounding land and therefore there are inclines to reach the railway on the eastern side. The western approach is an unsurfaced grass path through school playing fields of the Joyce Frankland Academy. There are sports nets erected against the railway boundary to prevent balls from inadvertently entering the railway. The footpath / level crossing is provided with a small gate (similar to a tennis court gate) to allow access to the level crossing.
- 13.4. The proposal in the draft Order is to extinguish the current footpath over the level crossing, without providing a new footpath as a diversionary route, as it is believed that the existing highway network provides sufficient connectivity. The extinguishment is shown with a blue dotted line on the design freeze plan.
- 13.5. Users travelling in a westerly direction from Cambridge Road would travel south on Cambridge Road. They can do this all the way to the traffic light crossing point close to Gaces Acre, or they can use Bridge End / Water Lane, which is a quieter road of equal distance. On reaching the crossing point of Belmont Hill, users would then cross the road and head west along Gaces Acre. At the end there is a footpath on the right that heads north to Bury Water Lane, on reaching the Bury Water Lane users would turn left. On the right after just a short distance there are footpath 4, users would take this heading north and come to the point which they would have reached using Dixies crossing.
- 13.6. The proposal has not changed from that originally identified by Network Rail, and appraised by Motts, in 2015.
- 13.7. There have been (and continue to be) various planning applications to develop the land into residential use close to the level crossing. Network Rail is aware that the Uttlesford

District Planning Authority Local Plan has plans to allow for large amounts of housing in Newport, some of which could affect Dixies level crossing. A copy of relevant extracts from the Local Plan can be found at Appendix NR20/2 tab, 6 for extracts of the Local plan for Uttlesford.

- 13.8. We understand that the highway authority, Essex County Council, does not object to this proposal.
- 13.9. There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

14. E11 – Windmills

- 14.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 14.2. This is one of a series of whistle board protected level crossings (all of which are included in this project) between Bishops Stortford and Audley End that are a limiting factor on line speed along this stretch of line.
- 14.3. Windmills footpath level crossing provides an east west link from Cambridge Road (B1383), to the east of the railway, to the byway to the west of the railway. The footpath – footpath 8 - on the western side of the railway is a cross field path from the railway to the point at which it meets the footpath that takes users to Rookery Lane.
- 14.4. The proposal is to create a new unsurfaced footpath on the eastern side of the railway from Rookery Lane to join up with footpath 8. The Order, if approved, would authorise the extinguishment of the section of footpath 8 on the western side of the railway to the point where it meets footpath 4 heading south. The extinguishment is shown with a blue dotted line on the design freeze plan.
- 14.5. Users wishing to head east along footpath 18 would need to use footpath 17, heading north, to reach Rookery Lane, following Rookery Lane across railway (via the Trees CCTV level crossing) and then head south on a new section of footpath proposed on Network Rail land which would head south from Rookery Lane to the field boundary where the footpath would become a field edge path and join up to with the existing footpath 8, just to the west of the current level crossing.

- 14.6. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.
- 14.7. We understand that the highway authority, Essex County Council, does not object to this proposal.

15. E12 – Wallaces

- 15.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 15.2. Wallaces is a private footpath level crossing. We understand, from the landowners, that the level crossing is used during shoots to allow the beaters to cross the railway.
- 15.3. The proposal is to extinguish the rights over the level crossing and for users of the crossing to use either the existing private over-bridge within the estate to the south of the crossing or the existing (public) road underbridge to the north as a means of crossing the railway.
- 15.4. There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point.
- 15.5. There have been previous discussions (during 2010) between Network Rail and the landowners regarding the potential release of the private rights by agreement, however they were not successful.
- 15.6. We understand that the highway authority, Essex County Council, does not object to this proposal.

16. E13 – Littlebury Gate House

- 16.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 16.2. Littlebury Gate House is a public footpath level crossing that links a public road on the southeast of the railway to a public Byway Open to All Traffic (BOAT) on the northwest side of the railway. The BOAT to the northwest is unsurfaced and has no through route at byway status. If the level crossing is used as a circular walking route within Littlebury this would result in on road walking on Strethall Road (to the north and east) and Green Road (to the south).
- 16.3. The proposal is to provide a new link on the western side of the railway and along Littlebury Green Road. The new link on the western side of the railway would be an unsurfaced footpath along the field boundary to the point where it meets Littlebury Green Road. Not all of Littlebury Green Road has verges that users can step into if needed, so it is proposed to provide a section of footpath in the field boundary to provide safe off road walking for users. The draft Order, if confirmed, would authorise the extinguishment of the public rights over the level crossing and the downgrading of a section of the BOAT3 to the north of the level crossing to footpath status. The downgrade is shown with a brown dotted line on the design freeze plan. The extinguishment is shown with a blue dotted line.
- 16.4. Users wishing to travel in a southerly direction on BOAT3 would use the downgraded BOAT (now footpath) and then travel further south on the new footpath. Once users reach Littlebury Green Road they would cross over and turn left. At first users would walk on the verge and then on a new footpath created adjacent to the road. Once users reach Peggys Walk they can cross over and resume their normal walk.
- 16.5. Early in the project, Network Rail had considered providing a link on the eastern side of the railway from the level crossing to the overbridge to the north within Network Rail land. This would, however, have required steps to be installed to provide access to the overbridge, and movement of existing Network Rail infrastructure. It was not therefore considered to be a practical solution. In meetings with Essex highway authority it was considered that the current proposal provided better amenity and connectivity for the PRoW network. It was proposed, at the first round of consultation, to provide a link further to the west to link into a footpath heading south, and this was subsequently consulted on with the highway authority. It was considered, however, that providing connectivity within Littlebury should be our priority, and that is what we have focussed on.

16.6. We understand that the highway authority, Essex County Council, does not object to this proposal.

16.7. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

17. E15 – Parsonage Lane / Margaretting

17.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

17.2. Margaretting is currently a user worked level crossing with pedestrian wicket gates at the side. It has an active warning system that has red / green lights and also an audible warning that warns when it is not safe to cross the railway. There is also a telephone should a user need to contact the railway operator (signaller). Currently the gates are not locked and anyone can open them to use the level crossing. The level crossing is reached by a public road on the northern approach.

17.3. The proposal for Margaretting is to remove all public rights over the level crossing and lock the vehicular gates. Network Rail would issue (and record) authorisation to those individuals who are property owners on the south side of the railway and have a need to use the level crossing.

17.4. There is already a public footpath (FP32) available that utilises an underbridge to the northeast of the level crossing for those members of the public who wish to use the onward public footpath rights of way. It is not believed that there is any public road network beyond the level crossing on the southern approach.

17.5. The authorised users would continue to use the level crossing as they do today. Authorised users would be those who have land / property to the south of the railway and require access over the railway. The pedestrian wicket gates would be removed to prevent unauthorised use. The vehicular gates would be padlocked to prevent unauthorised use. The active warning system and telephone would be retained.

Members of the public would use the existing public footpath, via the underpass, to cross the railway.

17.6. There have been previous discussions with the highway authority regarding the status of this level crossing. Network Rail do not believe there are any public vehicular rights over the level crossing (only private rights and public footpath rights) whereas Essex County Council considers it carries a public road. The draft Order, if approved, would authorise the extinguishment of all public rights across the crossing. We understand that the highway authority, Essex County Council, does not object to this proposal.

17.7. There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure (wicket gates only), the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point.

18. E16 – Maldon Road

18.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

18.2. Maldon Road footpath level crossing is currently temporarily closed due to safety reasons as set out Daniel Fisk's Proof of Evidence. If it were open to users, footpath 21 would provide a north – south link from Maldon Road to the southeast of the level crossing to the A12 junction 15 off slip road. The southern approach is mostly by way of cross field paths across grassland, all of which are unsurfaced grass paths. The northern approach is a cross arable field path, which is unsurfaced and ploughed / disturbed periodically.

18.3. Our proposal is to extinguish the current footpath 21 from Maldon Road to the A12 off slip. The extinguishment is shown with a blue dotted line on the Design Freeze Plan. In mitigation for the loss of network, it is proposed to provide a bridleway adjacent to Maldon Road to improve the conditions for those who are being diverted to the rail underbridge to the south. The proposed bridleway would be unsurfaced grass.

18.4. Pedestrian users wishing to travel in a north-westerly direction from bridleway 22 would turn right onto the new bridleway. Once on the bridleway they would travel in a west / southwest direction until the end of the bridleway. They would then walk on the pavement of Maldon Road until they reach footpath 20, heading in a north westerly direction. This footpath leads to B1002. Once on this road, they would continue as if they had not been diverted.

- 18.5. Network Rail had previously proposed to extinguish the PROW by means of an application under s118A of the Highways Act, but this was not pursued by the highway authority following receipt of an objection.
- 18.6. When we originally put forward our proposals in respect of this crossing, Essex County Council were content for this to proceed as an extinguishment without the provision of a new, alternative route. However, they later took the view, (in October 2016) that a diversionary route was required, as it was necessary to compensate for the loss of PROW network which would result from the proposed closure and extinguishment of the PROWs on either side of the railway. The Council initially requested that Network Rail improve the walking arrangements along Maldon Road, which Network Rail suggested could be met by way of a footpath adjacent to Maldon Road. The Council then requested that the diversionary route provided have the status of a bridleway as this would allow for cyclists and improve connectivity to the bridleway that the footpath was linking to. That is therefore what is included in the draft Order.
- 18.7. As a result of those changes, we understand that Essex County Council does not now object to this proposal.
- 18.8. Objections have been received from the land owners on whose land the new bridleway will be situated (Objections 139 and 87) – specifically, as to why the new route will have the status of a bridleway rather than a footpath, or how this is a replacement for the existing. I have explained the reasons why the bridleway has been proposed at para 18.6 above.
- 18.9. There are some temporary works associated with this proposal. In addition to the vegetation clearance needed to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

19. E17 – Boreham

- 19.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

- 19.2. Boreham bridleway level crossing would have been part of a longer broadly north-south bridleway route (BR23) had the A12 not severed that route in or around 1971. The current level crossing is accessed from the north via a cross field bridleway. This cross field path is ploughed / cultivated periodically and has no formal surface. The southern approach is accessed along the A12 junction 19 northbound on slip, from the A130 roundabout. There are no formally surfaced paths; users would have to use the highway verge. There are no breaks in the nearside vehicle restraint system on the slip road and thus it is not thought likely that this route is used by equestrians.
- 19.3. Our proposal is to create a circular bridleway, linking the bridleway to the north of the current crossing and footpath 24 to the north of E18 - Noakes Level Crossing. The proposed bridleway would be field edge in most parts with a small amount of cross field. The path would be unsurfaced grass where it is field edge and there would be no formal surface where it is cross field. The draft Order, if confirmed, would authorise the extinguishment of a short section of the current bridleway, from where it crosses the railway to where it joins the A12. The extinguishment is shown with a blue dotted line on the design freeze plan. There would also need to be a short section of upgrade to bridleway of the footpath 24 leading to Noakes (E18).
- 19.4. Users in the area will be able to enjoy a circular walk / ride, which currently they are not able to using the current network.
- 19.5. This proposal has changed through the development of the project with input from consultation helping to shape the solution.
- 19.6. During the development of the project, a separate team within Network Rail announced a proposed upgrade to power supplies to the overhead traction supply in the area, with a new substation to be located just to the south of the existing supply point at Boreham level. As a result the alignment of the link to Boreham was changed.
- 19.7. The route has also been designed having regard to the future proposed new railway station and Beaulieu development (which is a large new housing development (3500 houses) to the north east side of Chelmsford), with changes made to the proposed alignment as a result of consultation with the developer of the Beaulieu site. The alignment was selected to be broadly away from the proposed railway station, so that it should not need to be moved when the new railway station is built. I would also note that we are not proposing to extinguish all of the currently truncated PRowS, so as not to preclude the possibility, in the future, of a new link across the A12 being created, reinstating the old bridleway. Discussions with the Beaulieu developer identified that they had no objection to our proposal as it broadly matched their proposals for a cycleway in that area.

- 19.8. We understand that the highway authority, Essex County Council, does not object to this proposal. We understand from our discussions with the Council that they regard our proposal as providing an improvement to the PROW network as the two PROWs leading to the A12 are effectively truncated today.
- 19.9. There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

20. E18 Noakes

- 20.1. I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 20.2. Noakes footpath level crossing does not exist on site. It is believed to have been removed sometime after the A12 Boreham Bypass was built. If it were available to users it would provide a broadly north – south link from a footpath (FP24) to the north of the level crossing to the A12 to the south. The link would originally have been longer and have led to Main Road (B1137 Boreham), but it has been severed by 6 lanes of the A12 (believed to have been created in 1971 as part of the Boreham bypass). There are no breaks in the vehicle restraint system in the centre of the A12. Currently, footpath 24 north of the railway is located adjacent to a vehicular access track. The track has a loose aggregate surface.
- 20.3. The proposal at Noakes is to create a circular link to the PROW network at E17 Boreham to the southwest. The circular link would be of bridleway status, to reflect the status of the PROW at E17 Boreham. A short section of footpath 24 would be upgraded to bridleway. The remaining section of footpath 24, running south towards the railway and to the A12, would be extinguished. The proposal takes into consideration the need to provide a new supply substation to power Network Rail overhead traction supply. This new substation is proposed to be located to the west of the existing footpath (footpath 24); this is why the bridleway follows the stream, rather than continue adjacent to the railway until reaching E18 Noakes level crossing. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.

- 20.4 Users in the area will be able to enjoy a circular walk, which currently they are not able to using the current network.
- 20.5 We understand that the highway authority, Essex County Council, does not object to this proposal. We understand from our discussions with the Council that they regard our proposal as providing an improvement to the PROW network as the two PROWs leading to the A12 are effectively truncated today.
- 20.6 There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

21. E19 Potters

- 21.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 21.2 Potters footpath level crossing forms part of a northwest – southeast footpath (FP43) from Hoo Hall in the north and the A12 at Rivenhall Bridge. There are no formal crossing points of the A12 at this location, which would enable users to access onward routes to Durwards Hall or further easterly destinations such as Kelvedon Hall Farm. The northern approach is an unsurfaced cross field path which is ploughed and cultivated at periodic intervals. The southern eastern approach is an unsurfaced grassed field edge path from the A12. The southwestern approach is an unsurfaced grassed field edge path from Oak Road.
- 21.3 There are signals located close to this level crossing, which mean that if a train was required to stop, the train would stand over the level crossing, obstructing the right of way.
- 21.4 Our proposal is to create a new footpath to the north of the railway running west to join to the southerly heading footpath (footpath 48) that leads to Rivenhall. The existing footpath 43 at Hoo Hall would be extinguished from the point where the new path heads west to meet footpath 48, to a point just south of the level crossing. The extinguishment is shown with a blue dotted line on the Design Freeze Plan

- 21.5 Users travelling in a south-westerly direction from Hoo Hall area would turn right onto the new footpath and travel in a westerly direction. Once the user reaches footpath 48 they would turn left and travel south towards Henry Dixon Road. They would pass under the railway at the existing underbridge on Oak Road, then turn left onto footpath 47. They would then travel northeast to their original destination.
- 21.6 We understand that the highway authority, Essex County Council, does not object to this proposal. There has been an objection from the landowner affected by the route of the proposed new bridleway (Objection 173), raising concerns as to of potential crop damage, trespass, and vandalism of machinery. Network Rail does not believe that their proposals would increase the likelihood of this behaviour, but will continue to engage with the landowner, particularly during detailed design of the new footpath, to discuss measure which could be included to address these concerns.
- 21.7 There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

22 E20 – Snivellers

- 22.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 22.2 Snivellers bridleway level crossing currently provides a link from Felix Place (to the north of the level crossing), to the A12 at Hole Farm. The northern approach bridleway (BR34) from Snivellers Lane / Crab Lane is a field edge unsurfaced grass track to the level crossing. The southern approach from the A12 is semi-metalled track marked as a bridleway on finger posts at the A12, but there are no PRow details from the highway authority as they classify it as a road. This track suffers from some fly-tipping making passage along the track difficult at the southern end.
- 22.3 There are signals located close to this level crossing, which mean that if a train was required to stop, the train would stand over the level crossing, obstructing the right of way.

- 22.4 The proposal is to extinguish the rights over the level crossing only, leaving the rights of way on the approaches to the north and south unaffected as it is alleged, by the Parish Council and the Ramblers, that these are ancient tracks and of historical value. It is proposed to create a new bridleway diversion adjacent to the railway, running in a north easterly direction to an overbridge at Crabs Lane. From the Crabs Lane over bridge there is an existing route that can be used to access Snivellers Lane at the A12. This would be via Crabs Lane and the shared pedestrian / cycleway along the North bound carriageway of the A12. It was felt that it was very unlikely that equestrians would take horses along the A12, which was why it was considered to create a circular route on the north western side of the railway.
- 22.5 Users travelling south on bridleway 34, on reaching the railway, would turn left and head northeast until they reached Crane's lane at which point they would turn right. Travelling in an easterly direction the users would then pass over the railway via existing overbridge and along Crabb's Lane until they reach the A12 slip road. At this point the users would turn right onto the cycle track alongside the A12 and head southwest to their destination.
- 22.6 There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.
- 22.7 We understand that the highway authority, Essex County Council, does not object to this proposal.

23 E21 – Hill House

- 23.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 23.2 Hill House 1 is a footpath level crossing that provides a footpath (FP7) link between Little Tey Road to the north and the A12 to the south. There are no immediate connecting PROWs to the north or to the south. The northern level crossing approach is a field edge unsurfaced footpath. The field is an arable field which will be cultivated

periodically. The southern level crossing approach is via Hill House Farm access track for part of the route and the edge of the farm yard for the other part of the route.

- 23.3 The proposal is to divert the users of Hill House 1 via a new footpath on the northern side of the railway to Hill House 2 level crossing (which is a public bridleway level crossing). From here, users can continue to their destination via Hill House Farm track. The proposed new footpath would be an unsurfaced field edge path adjacent to the railway. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 23.4 Users travelling in a south-easterly direction on footpath 7 would turn left onto the new footpath on reaching the railway. They would travel in a north-eastern direction until they reached Hill House level crossing, at this point they would cross the railway and travel south on the road to their destination.
- 23.5 In 2012 there were discussions between Network Rail and the land owner regarding the potential diversion of to divert the footpath to the adjacent bridleway. There was some pre-consultation undertaken in 2014, but this did not result in a change to the PROW network at that time.
- 23.6 Network Rail's original proposal, at the beginning of the project, was to extinguish the footpath running over the level crossing without providing a replacement, as there was a PROW of a higher status (Byway 5) serving very similar locations, in very close proximity (approx. 150m from the level crossing). However, it became apparent from discussions with the highway authority (Essex County Council) that they did not support this approach, and considered that provision of a diversionary route was required so that connectivity could be retained. This proposal has there been altered to provide for the diversionary route now shown as a result of that engagement with the highway authority.
- 23.7 We understand that the highway authority, Essex County Council, does not object to the current proposal. The land owner of the field to the north of the railway (which has the new footpath proposed in it) has objected (Objection 119) to their field being encircled on three sides by PROWs.
- 23.8 There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

24 E22 – Great Domsey

- 24.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 24.2 Great Domsey footpath level crossing provides a link between Little Tey Road to the north of the level crossing and the A12 to the south. The northern approach to the level crossing is a mixture of field edge paths and cross field paths. Both are unsurfaced and the fields are arable fields that will be cultivated periodically. The southern approach to the level crossing is a cross field path and the field is an arable field that will be cultivated periodically.
- 24.3 There are signals located close to this level crossing, that should a train be required to stop at these signals, the train would stand over the level crossing obstructing the right of way.
- 24.4 The proposal is to divert users to the northeast where it is proposed that they use an existing overbridge which has a farm access road (known as Domsey Chase) passing over it. The new footpath on the north of the railway would be an unsurfaced field edge path. The route along Domsey Chase would be road walking, but this is a private road with only traffic to the Great Domsey Farm using it. The extinguishment is shown with a blue dotted line on the Design Freeze Plan
- 24.5 Users travelling southeast on footpath 3 would reach the railway and turn left onto the new footpath. They would travel northeast until they reached Domsey Chase, where they would turn right and follow the road over the railway and to the A12. On reaching the A12 they would turn right to travel southwest to their destination.
- 24.6 Network Rail's initial proposal was to extinguish the footpath passing over the level crossing in its entirety, without provision of a replacement route as there was a PRoW of a higher status serving very similar locations in very close proximity. However, it became apparent from discussions with the highway authority (Essex County Council) that they did not support this approach, and considered that provision of a diversionary route was required so that connectivity could be retained. This proposal has thus been altered to provide for the diversionary route now shown as a result of that engagement with the highway authority. We understand that the highway authority, Essex County Council, does not object to the current proposal.
- 24.7 The land owner whose land is affected by the new footpath has objected to the proposal (Objection 126), and suggests that the footpath should be extinguished. I have explained above why Network Rail has included this replacement route in the draft

Order, being guided by the highway authority who clearly considered a replacement was required for connectivity.

- 24.8 There are some temporary works associated with this proposal. In addition to the vegetation clearance to create the new footpath, there will also need to be some localised levelling to remove any trip hazards. Where the new path ties into the existing paths there will need to be some works such as signage and way marking, as well as any vegetation clearance. It is planned that when these works are undertaken there will be temporary closure orders in place, such that the works can be carried out without endangering the public. These temporary closures are only expected to last a few days and may not be needed at all. Way markers would be altered as appropriate.

25 E23 Long Green

- 25.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 25.2 Long Green footpath level crossing was legally closed in 2016 with the construction of an accessible footbridge at the site of the level crossing. The bridge was opened in 2014, but Network Rail has not received confirmation of its dedication to the public from Essex County Council
- 25.3 The Order would confer powers to create public rights of way over the existing footbridge.

26 E25 Church 2

- 26.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 26.2 Church 2 footpath level crossing is currently temporarily closed on safety grounds, as discussed Daniel Fisk's Proof of Evidence. If open to users, it would form part of a north south route from Gallows Green to Copford. This route was, however, severed when the A12 was upgraded to 6 lanes in or around 1971. This means that users have to make use of the road network to reach Gallows Green or Copford via this route. The current northern approach to the level crossing is field edge paths.

- 26.3 Our proposal is to formalise the diversion route currently used. In doing so we would be create a new public footpath where currently only a permissive right exists. The new PRoW would run between Turkey Cock Lane and footpath 1 to the south of the A12. The new footpath would be an unsurfaced grass footpath as it is today. The Draft Order, if confirmed, would also authorise the extinguishment of footpath 11 from the south side of the railway where it crosses the A12 to a point where it joins footpath 23 to the north of the level crossing. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 26.4 Users heading south from Gallows Green would use footpath 23 to where it joins Turkey Cock Lane, then head south to a point where they could pass under the railway and the A12 via under bridges. From this point they would turn west and use the new footpath to where it joins footpath 1 on the south side of the A12.
- 26.5 Network Rail's initial proposal was to extinguish the footpath passing over the level crossing in its entirety, without provision of a replacement route. However, it became apparent from discussions with the highway authority (Essex County Council) that they did not support this approach, and considered that provision of a diversionary route was required. This proposal has thus been altered to provide for formalisation of the diversionary route currently being used, as a result of that engagement with the highway authority. We understand that the highway authority does not object to this proposal
- 26.6 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

27 E26 Barbara Close

- 27.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 27.2 Barbara Close footpath level crossing provides a link from housing immediately to the east of the railway to the public footpath (FP21) that follows the railway on its western side north and south. Footpath 21 is accessed via a public road and to the south via a Byway Open to All Traffic. There are no other PRoWs which connect with footpath 21.

- 27.3 Our proposal is to close Barbara Close and extinguish the public right of way from Lesney Gardens on the east side of the railway to the point where it joins footpath 21. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 27.4 Users wishing to access footpath 21 would need to travel south on Lesney Gardens, then travel east onto Roche Avenue. On reaching Ashington Road, they would head south to Ironwell Lane. At this point they would travel west to meet footpath 21. At this point they can continue along footpath 21 as before.
- 27.5 Our proposal would involve some temporary road closure to enable the pavement to be created along Ironwell Lane under the railway bridge. This road closure would only be a lane closure to provide staff protection, and would not prevent users from passing along Ironwell Lane. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 27.6 The proposal has not changed from that originally identified by Network Rail, and appraised by Mott MacDonald in 2015.
- 27.7 Network Rail is aware that the Rochford District Planning Authority Local Plan has plans to allow for large amounts of housing in Rochford, some of which could affect Barbara Close level crossing. Relevant extracts from the Local Plan can be found at Appendix NR20/2 tab 6 for extracts of the Local plan for Rochford.
- 27.8 We understand that the highway authority, Essex County Council, does not object to this proposal.

28 E28 Whipps Farmers

- 28.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 28.2 Whipps Farmers has two elements to the level crossing. Firstly, there is a private vehicular element that provides access from the north to a field that is to the south of the railway which is land locked and has no other access. There is also a public footpath (FP178/179) that provides a north south link from Great Warley Hall and St. Mary's Lane.

- 28.3 Our proposal is to close Whipps Farmers level crossing and extinguish both the public rights and the private rights. The extinguishment of the public rights would be from the point where the footpath meets the industrial business park to the north of the railway to the point where it meets St. Mary's Lane to the south of the railway. The extinguishments are shown with a blue dotted line on the design freeze plan.
- 28.4 For users wishing to travel in a southerly direction from the Great Warley Hall, upon reaching the industrial business park they would travel west to cross over B186 Warley Street at a new crossing point, then once on the west side of Warley Street they would travel south. Upon reaching the railway they would travel west until reaching Puddle Dock level crossing. At this point the user can head south to St. Mary's Lane or continue west to meet other PRow's and into Cranham. The new footpaths would consist of unsurfaced field edge paths.
- 28.5 Our proposal will involve some temporary road closures whilst the new crossing point is constructed on Warley Street. This is expected to be a lane closure with temporary traffic lights to provide a safe working area for staff. It is not expected that there will be any need for a complete closure of the Warley Street and therefore there it should always be passable. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 28.6 This proposal has changed through the development of the project with input from consultation helping to shape the solution. Originally Network Rail had proposed to use the road overbridge on Warley Street as the point for users to cross the railway, but the RSA identified that this was not a viable option. At the first round of consultation, two options for diversionary route were under consideration (one to the east and one to the west). As a result of feedback received, the current proposal was decided to be the preferred option for inclusion within the Order.
- 28.7 We understand that the highway authority, Essex County Council, does not object to this proposal.

29 E29 Brown and Tawse

- 29.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

- 29.2 Brown and Tawes footpath level crossing is on a north south footpath that runs from Childerditch (and Thorndon Park) in the north to Blankets Farm and Stone Hall to the south. The path consists of a mixture of cross field paths and field edge paths.
- 29.3 The level crossing is located close to sets of point that switch the trains from on track to another (trains are signalled in both directions on both lines), which has the potential to cause confusion about whether a train is approaching or moving away.
- 29.4 Our proposal is to divert users to the west and utilise an existing road over bridge to cross the railway. This would involve the creation of new footpaths along the railway's southern boundary, along the western edge of Childerditch Lane, and along the northern edge of the industrial estate to the east of Childerditch Lane in field margins.
- 29.5 Users heading north would, upon reaching the railway, head west on the new footpath (within Network Rail land) towards the overbridge. A set of steps would provide access to the road, and once at road level, the users would cross the railway heading north and then use the new footpath in the field margin on the west side of Childerditch Lane to either continue north along Childerditch Lane, or east long the new section of footpath north of the industrial estate to the existing footpath 39.
- 29.6 We believe this diversionary route (although longer than existing) will not impact adversely on users as our understanding is that this route would be used as part of a long distance walk and the increased distance will not increase the distance of the walk by a significant amount.
- 29.7 This proposal has changed through the development of the project with input from consultation helping to shape the solution. Originally Network Rail had proposed an extinguishment at this site, however the highway authority stated that a diversion was their preferred option. At the first round of consultation, two options for the diversionary route were under consideration (one to the east and one to the west). As a result of feedback received from consultation with the public and the highway authority, the current proposal was decided to be the preferred option for inclusion within the Order.
- 29.8 We understand that the highway authority, Essex County Council, does not object to this proposal. Thurrock Unitary Authority has objected to the proposal for this crossing (Objection 186); however, their objection letter appears to refer to an earlier option which was being considered for the proposed diversionary route. Following consultation, Network Rail's proposal was improved to provide new footpaths on Network Rail land and field edge so that the diversionary route is all off-road to and from the level crossing at the road bridge on Childerditch Lane.

- 29.9 There are likely to be a temporary road or street closures associated with this proposal where the steps are to be created. This will not be a total closure of Childerditch Lane. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

30 E30 Ferry and E31 Brickyard Farm

- 30.1 I discuss what is proposed for these crossings, and how that design has developed, by reference to the Design Freeze Plan for these crossing which can be found at Appendix F of NR26.
- 30.2 E30 Ferry footpath level crossing is currently temporarily closed due to safety reasons as discussed in Daniel Fisk's Proof of Evidence. If it were to be open to users, it would provide similar access as E31 Brickyard Farm: both are footpath level crossings, and both provide links from Canvey Island into Hadleigh Country Park. These footpath level crossings provide a reasonably level access (no hills involved) into the country park: the official entrance to the park is from Station Road, which has a steep hill from the railway to where the park entrance is located.
- 30.3 Our proposal is to close both Ferry and Brickyard Farm permanently and extinguish all public rights over the railway and to the south to where these public footpaths meet the public road (Ferry Road). The extinguishment is shown with a blue dotted line on the design freeze plan.
- 30.4 Users from Canvey Island wishing to access Hadleigh Country Park, would follow the existing footway along Ferry Road west towards the station, cross the railway via the existing public subway under the railway, and then head east towards the park. A dedicated segregated walkway is proposed through the station car park. At the end of the car park they would follow a new footpath east, following Network Rail's boundary fence, until they reached PROW network to the north of E31 Brickyard Farm level crossing.
- 30.5 As set out in the Proof of Evidence of Susan Tilbrook, it is believed that people currently using the footpaths over Brickyard Farm level crossing (and over Ferry level crossing prior to its temporary closure) did so as part of a longer leisure walk, and as such we do not believe that the extra distance caused by the diversion would adversely impact on users of those footpaths. Further, the provision of the new route from the station, heading east along the railway boundary, towards Hadleigh Country Park does not require users to climb any hills, and therefore increases the accessibility of the Park from the station.

- 30.6 We understand that the highway authority, Essex County Council, objects to this proposal on the grounds of loss of amenity, that the crossings form part of a circular route, and length of the diversion. Under Network Rail's proposal the public rights of way to the north and south of these crossings will continue to be used by pedestrians with no loss of amenity value. Network Rail considers that the provision of a level walking route from Benfleet station into Hadleigh Country Park will be a significant overall benefit, although users from Canvey Island will have to walk further. As I have indicated above, Network Rail considers that the increased length of diversion is minimal compared to the onward walking routes that users would be likely to take. Overall, Network Rail considers that its proposals offer a suitable and convenient route, and provides as much off-road walking as is possible.
- 30.7 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required

31 E32 Woodgrange Close

- 31.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 31.2 Woodgrange Close is a footpath level crossing that provides a link across the railway for residents on either side of the railway. The footpath has a metaled or compacted aggregate surface throughout.
- 31.3 Our proposal is to close Woodgrange Close and divert users using existing road / PRow network. We would extinguish the footpath 189 in its entirety from Wood Grange Close in the south to Southchurch Boulevard in the north (Pilgrims Close not being an adopted road). The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 31.4 Users wishing to travel north from Woodgrange Drive would travel in a south westerly direction until they reach Buttery's Road, where they would travel in a north westerly direction following the road until joining footpath 192 where they continue on to Lifstan Way. From here they would head north, turning right onto Southchurch Boulevard, and then travel east until they reached Pilgrims Close (the north end of footpath 189).
- 31.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the

crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

- 31.6 We understand that the highway authority, Southend Unitary Authority, objects to this proposal on the grounds of the additional length for users to travel. Network Rail acknowledges that the diversion will be greater for some than for others (specifically, those closest to the crossing) however Network Rail remains of view that, having regard, amongst other factors, to the close proximity of schools to the level crossing, the built up nature of the surrounding area and the previous incidents at this crossing (including a fatality in January 2017) that diverting users from the level crossing along the route identified remains the correct solution..

32 E33 Motorbike

- 32.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 32.2 Motorbike footpath level crossing provides access from Pitsea Railway Station and Vange (a suburb of Basildon) to Vange Marshes. The current footpath is unsurfaced.
- 32.3 Our proposal is to close Motorbike level crossing and provide a new footpath link on the south of the railway from Pitseahall Lane. The draft Order, if confirmed, would authorise the extinguishment of the footpath that leads from the junction with footpath 136 to a point just south of the railway where it joins the new footpath. The extinguishment is shown with a blue dotted line on the design freeze plan.
- 32.4 Users from Pitsea railway station would head south from the station exit along Pitsea Hall Lane over the active level crossing and then once past the Pitsea Hall turn right onto the new footpath via a new crossing point of the road. The new footpath would follow the boundary of Pitsea Hall and link up to the existing footpath near the current level crossing.
- 32.5 Users from Vange (to the north) heading towards the marshes (to the south) would utilise an existing public footpath (footpath 136) to reach Pitsea Hall Lane, where they would cross over Pitsea Hall Lane and head south following the same route as those from the railway station as described above (32.7).
- 32.6 Our proposal would involve some temporary road closure to enable the creation of the crossing point (dropped kerbs and tactiles). This road closure would only be a lane closure to provide staff protection, and would not prevent users from passing along

Pitsea Hall Lane. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

- 32.7 The proposal has changed slightly from that originally identified by Network Rail, and appraised by Motts, in 2015, the change included some improved routing to avoid the carpark area of Pitsea Hall.
- 32.8 We understand that the highway authority, Essex County Council, does not object to this proposal.

33 E35 Cranes No.1

- 33.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 33.2 Cranes No.1 footpath level crossing provides broadly a northeast to southwest link.
- 33.3 Our proposal is to divert footpath 14 slightly to the south to utilise an underpass. This will involve the creation of 2 short sections of new footpath from the existing footpath 14 to the underpass which is broadly to the south of the level crossing. The remaining sections of footpath 14 which lead to the level crossing would be extinguished. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 33.4 Users heading south from Stubbles Farm would follow the diversion to the underpass. The underpass has restricted headroom (1.75m) and a narrow width (1.1m). This was considered acceptable as the underpass is only 10m long with clear vision through the underpass such that there should be no need for users to have to pass each other within the underpass.
- 33.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 33.6 We understand that the highway authority, Essex County Council, does not object to this proposal.

34 E36 Cranes No.2

- 34.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 34.2 Cranes No.2 footpath level crossing provides broadly a northeast to southwest link. This is broadly duplicated by another right of way (footpath 10) that runs in a similar direction further south, which utilises an underbridge to cross the railway. The footpath passing over Cranes No 2 is an unsurfaced field edge route on both sides of the railway.
- 34.3 Our proposal is to extinguish the footpath that crosses Cranes No 2 level crossing, with users wishing to travel from northeast to southwest instead using the existing route that uses the underbridge to the south (footpath 10). The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 34.4 Users heading in a southerly direction from Hawbush Green would utilise footpath 28 to head south and then footpaths 12 and 10 to reach the underbridge. Once they had passed under the railway, they would head south for a short distance before heading northwest on footpath 21 to join up with the unextinguished section of footpath 8.
- 34.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 34.6 We understand that the highway authority, Essex County Council, does not object to this proposal

35 E37 Essex Way

- 35.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 35.2 Essex Way is a footpath level crossing (it does not carry the nationally promoted long distance footpath 'The Essex Way', despite its name), that provides a broadly northeast to southwest route across the railway. The footpath is cross field on the north side of the railway and field edge on the south side. The cross field path is across an arable field and subject to cultivation periodically.

- 35.3 Our proposal is to create new footpaths that take users to an existing underbridge to the southeast of the current level crossing. These new paths would be a mixture of field boundary and cross field paths. The existing footpaths leading up to the level crossing would be extinguished. The extinguishments are shown with a blue dotted line on the Design Freeze Plan.
- 35.4 For users wishing to travel in a south westerly direction from Cressing Temple (at the B1018) they would utilise a new unsurfaced footpath running in field boundary in a broadly southerly direction to an underbridge. Once they had passed under the railway, users would turn right heading west on an unsurfaced cross field path (subject to periodic cultivation). Once across the field the user would pass through a small wood before using field edge paths to reconnect the original footpath.
- 35.5 The proposal has not changed from that originally identified by Network Rail, and appraised by Motts, in 2015.
- 35.6 We understand that the highway authority, Essex County Council, does not object to this proposal.
- 35.7 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

36 E38 Battlesbridge

- 36.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 36.2 Battlesbridge footpath level crossing forms part of an east west (footpath 23) between Battlesbridge and Runwell-Wickford. The footpath is a mixture of field edge and cross field paths, with some woodland walking.
- 36.3 Our proposal is to divert users of Battlesbridge level crossing onto the existing A1245 overbridge. This would be accessed via steps at each side of the road bridge on embankments. There would be a short footpath route over the bridge leading to another set of steps on the other side of the road bridge. The footpath rights over the railway would be extinguished. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.

- 36.4 There would be some temporary road or street closures associated with this proposal during the construction of the steps and associated works along the A1245. These closures will not be full road closures and traffic will be allowed to pass the site. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 36.5 The proposal has changed from that originally identified by Network Rail, and appraised by Motts, in 2015. Originally Network Rail had suggested providing a new footpath on the north side of the railway from the level crossing to Battlesbridge station to the east. This was discounted due to the large amount of vegetation clearance that would be required to achieve a clear footpath and the difficulties of accessing Hawk Hill.
- 36.6 We understand that the highway authority, Essex County Council, objects to this proposal on the grounds of the need for steps, alterations to the vehicle restraint system on the overbridge, and the additional length added to the walking route.
- 36.7 As there is no formal pathway to the level crossing on either side of the railway and the existing crossing is accessed via a grassy path which leads to steps up to the crossing itself. Network Rail considers the diversionary route, including steps, is suitable and convenient for the current users of the crossing. For this reason, the additional land take required for a ramp would not be justified.
- 36.8 The level crossing is located on a long distance footpath which provides the only means of access to the level crossing from the east and west. Pedestrians using the crossing from Footpaths 08 and 23 already have to walk approximately 2100m between Hawk Lane and Runwell Road and the amenity value in this area is already affected by the presence of the railway, the A130 and A1245.
- 36.9 The diversion route was amended following consultation to provide a more direct route on the south side of the railway. However, due to the need to appropriately modify the VRS (Vehicle Restraint System or crash barriers) it was not possible to shorten the diversion route further. Signage will be provided to direct all users along the diversion route and the route does not require anyone to cross the A1245.
- 36.10 Network Rail remains of the view that this is an appropriate solution for this crossing.

37 E41 Padgets

- 37.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 37.2 Padget footpath level crossing provides a link from the north of Wivenhoe to the south side of the railway and the riverside. The northern approach is made up of a loose aggregate surfaced un-adopted road. The southern approach is via a tarmacked road.
- 37.3 Our proposal is to close Pagets level crossing and create a new link within Network Rail land to Phillips Road (a private road). It is also proposed to provide some pavement improvement works to assist with buses turning into and out of Station Road onto High Street.
- 37.4 Users heading south from the Queens Road / Valley Road area could either use Anglesea Road to cross the railway via an existing road over bridge. This route involves an un-adopted road (namely Anglesea Road) which has a loose aggregate surface and does involve a steep approach up Queens Road.
- 37.5 Alternatively users heading south could use the new footpath link to Phillips road, which has a shallower gradient.
- 37.6 There would be some temporary road or street closures associated with this proposal during the construction of the steps and associated works to create the link between Phillips Road and Padgets Road. The proposed pavement improvements on High Street and Station Road would involve some traffic controls whilst the works are being undertaken. These closures will not be full road closures and traffic will be allowed to pass the site. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 37.7 This proposal has changed through the development of the project with input from consultation helping to shape the solution. During the consultations Network Rail were informed that if there was a shallower gradient (than Queens Road) access to the High Street from Pagets Road this would go a long way to providing an equally beneficial link to the town. The proposal has the benefit of providing access to the planned Medical Clinic on Phillip Road.
- 37.8 We understand that the highway authority, Essex County Council, does not object to this proposal.

38 E43 High Elm

- 38.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 38.2 High Elm footpath level crossing provides a north south footpath link from Tenpenny Farm to the B1027 St Osyth Road. There are no onward rights of way to the south of St Osyth Road. On the south side the footpath is unsurfaced track leading to the railway.
- 38.3 Our proposal is that High Elm level crossing would be closed. Footpath 4, leading into the woods on the north side, would not be extinguished, but truncated (at the request of Essex County Council) to enable the amenity of the woods to continue to be enjoyed. We would also be providing 2 new crossing points (with central islands), to assist users crossing St Osyth Road.
- 38.4 Users travelling from Frating (to the northeast of the level crossing) to Alresford on footpath 120 would use footpath 5 to continue west until they reached St Osyth Road where they would use the new crossing point to gain access to west side of St Osyth Road. From here they could travel into Alresford directly via Coach Road, or if wishing to travel south they could use the pavement to continue south along St Osyth Road. A second crossing point is provided for users wishing to continue along St Osyth Road beyond the end of the existing footpath.
- 38.5 There would be some temporary road or street closures associated with this proposal during the construction of the crossing points / islands and associated works along the St Osyth Road (B1027). These closures will not be full road closures and traffic will be allowed to pass the site. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 38.6 This proposal has changed through the development of the project with input from consultation helping to shape the solution. Originally Network Rail had proposed to provide a link on the north side of the railway to St Osyth Road, however this proved unfeasible and the plan changed to a proposed extinguishment. However, during consultation, requests were made for Network Rail to retain the footpath to the wood, which Network Rail and the highway authority agreed to.
- 38.7 We understand that the highway authority, Essex County Council, objects to this proposal on the grounds of the additional length for users to travel and the creation of a dead end footpath. Network Rail considers that the diversion route is suitable and

convenient and takes users to a safe crossing point of the railway. The footpaths in the area are rural routes, considered to be used for recreational walking purposes. The length of the diversion will vary depending upon the origin and destination point for any particular journey. A road traffic survey and safety audit was undertaken to assess use of existing footways on the B1027. These were considered to be suitable with the addition of crossing points and refuge islands where pedestrians would have to cross the road twice to continue on the footway. Much of the footway on the western side of the B1027 is segregated from the road by crash barriers.

38.8 Network Rail remains of the view that this is an appropriate solution for this crossing.

39 E45 Great Bentley and E46 Lords No.1

- 39.1 I discuss what is proposed for these crossing, and how that design has developed, by reference to the Design Freeze Plan for these crossings which can be found at Appendix F of NR26
- 39.2 Great Bentley and Lords No.1 level crossings provide links from Great Bentley village to countryside to the south of the railway and to Aingers Green village. Both these footpaths are unsurfaced and have cross field sections that are subject to periodic cultivation.
- 39.3 Our proposal is to create a new footpath between Plough Road and Great Bentley footpath 8 (from Great Bentley level crossing), and to extinguish the public rights of way across both level crossings and the footpaths on the north side between the railway and the public road (Birch Avenue). On the south side of the railway line there would be an extinguishment of the section of footpath 8 from Great Bentley level crossing to the point at which the new footpath would join footpath 8. On the south side of Lords No1 the existing footpath would be extinguished from the railway to a point where it joins the public bridleway 20. The extinguishments are shown with a blue dotted line on the design freeze plan.
- 39.4 Users from Great Bentley village wishing to travel south would use the road network to reach to Plough Road and cross the railway by means of the active level crossing at the station. They would continue south a short way before entering the industrial estate off Plough Road where they would join the new unsurfaced footpath. This footpath would then follow the boundary fence of the planned allotment area and join footpath 8 to continue south.
- 39.5 Those users who would otherwise have used Lords No.1 (footpath 12) would follow the diversion as set out above, however after joining footpath 8 (at the end of the diversion described above) they would continue south on footpath 8 until they reach bridleway

20. At this point they would need to travel further east until reaching the point where the existing footpath 12 meets the bridleway today.

39.6 This proposal has changed through the development of the project with input from consultation helping to shape the solution. This has resulted in the removal of a cross field path on the south side of the railway linking footpaths 8 and 12.

39.7 We understand that the highway authority, Essex County Council, does not object to this proposal.

39.8 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

40 E47 Bluehouse

40.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

40.2 Bluehouse footpath level crossing provides a north south link from Kirby Cross Village to Great Holland village. The footpath is a mixture of field edge and cross (arable) field where the field will be cultivated periodically.

40.3 Our proposal is to create a new footpath along the railway northern boundary on the field edge, leading to Pork Lane (the same road as the current footpath takes users to). The existing footpath to the south of the railway would be extinguished. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.

40.4 Users would follow the new footpath on the north of the railway until they reached Pork Lane. At this point they would cross the railway via the active level crossing and then continue south on Pork Lane as they do today.

40.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.

40.6 The proposal has not changed from that originally identified by Network Rail, and appraised by Motts, in 2015.

- 40.7 We understand that the highway authority, Essex County Council, does not object to this proposal.

41 E48 Wheatsheaf

- 41.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 41.2 Wheatsheaf footpath level crossing provides a north west - south east link between Lower Farm and Cook's Corner (footpath 19). There are no onward public footpaths near either end of the existing footpath, although the northern end is close to a dead end road which leads to the coastal footpath.
- 41.3 Our proposal is to close the level crossing and divert the footpath along the northern boundary of the railway (in field boundary) so that it runs in an east west direction. This is intended to provide a link to the railway station for those accessing the countryside by rail. The section of footpath over the railway and to the south of the railway would be extinguished. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 41.4 Users travelling south from Lower Farm would follow the diverted footpath on the northern side of the railway until they meet Church Road from here; they would head south to Station Road.
- 41.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 41.6 We understand that the highway authority, Essex County Council, objects to this proposal on the grounds of the additional length for users to travel. Network Rail considers that the proposed diversion would in fact be of benefit to the community. The census undertaken in June/July 2016 showed low use of the existing crossing, with an average use of 3 people per day. The proposed diversion, and creation of new route, would allow residents from the north western section of the Parish to access the community hall and other facilities, including the railway station. The proposed alternative footpath still allows circular and recreational walking in and around Wrabness and offers good connectivity to the wider footpath network. In developing our proposal for providing a suitable and convenient diversionary route, Network Rail has sought to provide as much off-road walking as possible to meet the requirements of

the highway authority, and it is hoped that the diversionary step-free route will encourage walking for people with reduced mobility.

42 E49 Maria Street

- 42.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 42.2 Maria Street footpath level crossing provides an east west link between Ferndale Road and Maria Street in Harwich. Both the approaches are tarmacked and the crossing is surfaced and it is located in an urban setting.
- 42.3 Our proposal is to close Maria Street level crossing and extinguish the public rights over the railway. As there is already an extensive road network in the area it was not considered necessary to provide any additional public network. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 42.4 Users travelling in an easterly direction would travel south on Albert Street for approximately 175m before turning left and travelling east along Alexandra Road, across the railway via Alexandra Road (CCTV), level crossing, to Fernlea Road, and then head north along Fernlea Road to Ferndale Road.
- 42.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 42.6 The proposal has not changed from that originally identified by Network Rail, and appraised by Motts, in 2015.
- 42.7 We understand that the highway authority, Essex County Council, does not object to this proposal.

43 E51 Thornfield Wood

- 43.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.

- 43.2 Thornfield Wood forms part of an east - west footpath from Boarded Barn in the east to Lane Farm in the west. There are no onward public footpaths at the ends of this east west footpath.
- 43.3 Our proposal is to close Thornfield Wood and create new footpaths on both sides of the railway heading to the north, where they join an un-named road, which crosses the railway via a bridge. These footpaths would be unsurfaced field edge paths. The public rights of way over the level crossing railway would be extinguished, as shown on the Design Freeze Plan.
- 43.4 Users heading in a westerly direction from Boarded Barn, would travel west along footpath 12 until they reach the railway. At this point they would head north along the new footpath to the east of the railway until they reached the unnamed road, at which point they would turn left (west) and cross the railway via the road bridge. Once over the railway they would continue along the road and then head south (a new footpath to the north is also provided) along the new footpath on the western side of the railway until they reached footpath 11. At this point they would turn right and continue west as they would today.
- 43.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 43.6 We understand that the highway authority, Essex County Council, objects to this proposal on the grounds of the additional length for users to travel, and states that it is part of a wide network of paths. Network Rail believes its proposed route creates a new, linear north south link in this area that has predominately east west links. We also believe we are opening the area up to those who travel by train as today there is very little opportunity to explore this area from the stations other than by road walking (due to the east west manner of the PRoWs). This is discussed further in the Proof of Evidence of Susan Tilbrook.

44 E52 Golden Square

- 44.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.

- 44.2 Golden Square footpath level crossing is part of an east west footpath that links roads on either side of the railway (from Golden Square in the east to Beak Farm / Patricks Farm in the west).
- 44.3 Our proposal is to close Golden Square level crossing and provide new footpaths leading north and south on the western side of the railway. The footpath on the eastern side of the railway (footpath 21) would be extinguished. The extinguishment is shown with a blue dotted line on the Design Freeze Plan. During consultation there was concern regarding road walking along the road (Chappel Road) to the west of the railway. To help to mitigate this and improve footpath connectivity it is proposed to re-locate footpath 7 from being a cross field path to become a field boundary path. This brings it closer to footpath 152, thus reducing on road walking.
- 44.4 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 44.5 This proposal has changed through the development of the project with input from consultation helping to shape the solution, as I have outlined above.
- 44.6 We understand that the highway authority, Essex County Council, objects to this proposal on the grounds of the additional length for users to travel and states that it is part of a wide network of paths. Network Rail believes it is creating linear north south links in this area that has predominately east west links. We also believe we are opening the area up to those who travel by train as today there is very little opportunity to explore this area from the stations other than by road walking (due to the east west manner of the PROWs). This is discussed further in the Proof of Evidence of Susan Tilbrook.

45 E54 Bures

- 45.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 45.2 Bures is a footpath level crossing that provides an east west link over the railway on the edges of Bures village. There is no onward PROW connectivity on the western end of the footpath, and it only connects back into the village by walking north on Colne Road / Parsonage Hill.

- 45.3 Our proposal is to extinguish the footpath over the railway and on the western side of the railway. The extinguishment is shown with a blue dotted line on the Design Freeze Plan. It is also proposed to improve footway connectivity (currently there are sections missing) along Station Hill between Water Lane and The Paddocks. This new section of footway would be provided on the north side of Station Hill in the existing highway verge. This new footway would be consistent with other footways in the area. Crossing points (drop kerbs) would be provided where appropriate to inform pedestrians where to cross.
- 45.4 There will be a need for temporary road or street closures associated with this proposal. These closures will be to provide a safe working environment for the construction of the new footway. These are likely to be of a nature where traffic can still flow, but in single file, so it should not be the case that the road is completely impassable. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 45.5 We understand that the highway authority, Essex County Council, does not object to this proposal.

46 E56 Abbots

- 46.1 I am going to discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 46.2 Abbots footpath level crossing is currently temporarily closed due to safety reasons as set out in Daniel Fisk's proof of evidence. If the level crossing were open to users it would form part the start of a network of paths leading from Ardleigh to the southeast.
- 46.3 Our proposal is to close Abbots level crossing and create new footpath links on both sides of the railway to enable use of a road (Little Bromley Road) over bridge to the north of the current level crossing. We are also extinguishing some paths that would no longer be required. The extinguishments are shown with a blue dotted line on the Design Freeze Plan.
- 46.4 Users wishing to travel from Ardleigh to the southeast could use the road network (Station Road) and cross the railway via the active level crossing, and then upon reaching footpath 49 travel east to access the footpath network.

- 46.5 Alternatively, they could leave Ardleigh via the existing footpath 27 which would be re-located to field boundary, and follow the edge of the field heading broadly in a north-eastern direction towards Little Bromley Road. Upon reaching a point where the field is level with Little Bromley Road users would head east along Little Bromley Road over the railway. They would continue until they are able to turn right and head south on the new footpath. From the new footpath they can access the same paths as they would via Abbotts level crossing.
- 46.6 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 46.7 We understand that the highway authority, Essex County Council, does not object to this proposal.

47 E57 Wivenhoe Park

- 47.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 47.2 Wivenhoe Park level crossing has two elements to it, one is a public footpath (which is unaffected by these proposals) and the other element is a private user worked vehicular level crossing (which is included in the Order). The private vehicular level crossing currently provides access to a sliver of land that is locked between the railway to the east and the River Colne. This land is currently being used as part of a land stewardship scheme.
- 47.3 The level crossing is also used by Sustrans as an access point to enable them to maintain the surface of the permissive cycle track (NCN 51) along the river bank footpath.
- 47.4 The proposal is to provide the land owner with an alternative means of access, by acquiring rights for the land owner over an existing access route to the west of the railway. The vehicular level crossing would then be closed and removed, leaving just the public footpath level crossing on site. The alternative access would utilise the same access as currently used by the Environment Agency for its regular maintenance activities.

- 47.5 Due to the nature of the land it is not believed that the farming of the land would require any heavy vehicles or any particularly large vehicles. The farming of the land consists mainly of grass cutting to maintain the land in a suitable fashion as required by the high level stewardship scheme that the land is currently used for. There would also be the occasional ditch maintenance and some hedge trimming. None of these require wide or long vehicles, certainly not articulated.
- 47.6 Network Rail understands from the land owner that grass cutting is undertaken annually with approximately 1/3 of the land being cut every year. This is not supported by Network Rail records of phone calls to cross the railway at the level crossing, nor is it evident from the level crossing southern approach, or the land that such cutting / access has been undertaken.
- 47.7 Currently the Environment Agency access their sluice screens and undertakes regular maintenance duties from Lightship Way, travelling along the top of the flood bund with their vehicles. These vehicles are regular sized trucks, below is photo of one working at Salary Brook Sluice clearing debris from the sluice screens. The sluice is located where the fencing / handrails are on the right of the photo. The truck and other vehicles will have access this site along the track on the right (passing over the top of Salary Brook Sluice).



Environment Agency vehicle working at Salary Brook Sluice



Environment Agency vehicles that have traversed the flood bund and Salary Brook Sluice

Sustrans operate their cycletrack under a Licence and are responsible for maintaining the cycle track. It is considered that the risk of harm resulting from the small number of additional vehicles on the cycle track each year is very low and comparable with the existing levels of risk to the footpath users.

- 47.8 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point.
- 47.9 We understand that the highway authority, Essex County Council, does not object to this proposal, although objections have been received from Sustrans (Objection 42), the University of Essex (Objection 177) and the landowner who currently enjoys private rights over the crossing (Objection 160).

48 T01 Trinity Lane

- 48.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 48.2 Trinity Lane is a public road level crossing that leads into the Lea Valley Regional Park. The public road extends approximately 10m beyond the level crossing before becoming a public footpath. The level crossing provides vehicular access to 2 allotment parks. There is a level crossing keeper who operates the vehicular gates on the behalf of users as required.
- 48.3 The proposal is to downgrade the level crossing to public bridleway. This is the highest status of public rights required over the level crossing. Private rights would be granted

by Network Rail to those who need vehicular access to the east side of the railway at that location. The level crossing keeper would be retained following the downgrade and operation of the level crossing would remain as it is today.

48.4 There are no temporary road or street closures associated with this proposal.

48.5 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal.

49 H02 Cadmore Lane

49.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.

49.2 Cadmore Lane level crossing was physically closed 3 years ago when a new, jointly funded, cycle bridge was opened. The bridge has not yet been dedicated, although it is open to the public on a permissive basis. This level crossing is regarded by Network Rail as public footpath. The level crossing is regarded by Hertfordshire County Council as possibly a public road, due to an error on the Definitive Map, which shows the footpath starting on the eastern side of the railway, and heading east. The Draft Order, if approved, would authorise the extinguishment of any existing rights over the level crossing.

49.3 There are no temporary road or street closures associated with this proposal.

49.4 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal.

50 H03 Slipe Lane

50.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

50.2 Slipe Lane has two elements to it, one is a public footpath (which is unaffected by these proposals) and the other element is a private user worked vehicular level crossing (which is included within the Order). The private vehicular level crossing provides the sole legal access to Kings Weir Fisheries, located within the Lea Valley Regional Park. Slipe Lane has not been used as the means of access to Kings Weir Fisheries for a

number of years as access is more readily available when accessing Lea Valley Regional Park from Wharf Road active level crossing (located to the north of Slipe Lane).

- 50.3 Our proposal is to acquire rights for Kings Weir Fisheries to use the active level crossing (Wharf Road) and extinguish the rights over Slipe Lane. The proposed means of access is via existing roads that are well established within the park and other than securing the level crossing there are no physical works in the park.
- 50.4 Users would continue as they have done for several years, and would not need to change the way they currently access their property.
- 50.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point.
- 50.6 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal.

51 H04 Tednambury

- 51.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 51.2 Tednambury footpath level crossing provides a north west – south east link from Spellbrook Road to the Lock on the River Stort. There are no onward footpaths at the north-western end of the footpath; however there are onward footpaths at the eastern end, these onward links run north / south along the River Stort and east to Gartson Green.
- 51.3 Our proposal is to create a new footpath on the western side of the railway, within railway land, from the current level crossing to an existing overbridge south of the level crossing. There would also be a new footpath from the overbridge to the lock on the River Stort. The existing footpath on the eastern side of the railway would be extinguished. The extinguishment is shown with a blue dotted line on the Design Freeze Plan.
- 51.4 Users travelling from the north west via footpath 3 would, on reaching the level crossing, instead head south along the new footpath, towards the overbridge. On reaching the overbridge they would ascend a set of steps and cross over the railway, and then head east along the new footpath around the fields to the south of

Tednambury Farm and along the side of a tributary stream until they reached the lock on the River Stort.

- 51.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required. There will be construction work at the over bridge to construct the steps.
- 51.6 This proposal has changed through the development of the project with input from consultation helping to shape the solution. At the first round of consultations we had 4 potential diversionary routes and feedback from the event helped to formulate which diversion should be progressed.
- 51.7 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal.

52 H05 Patterns and H06 Gilston

- 52.1 I discuss what is proposed for these crossing, and how the design has developed, by reference to the Design Freeze Plan which can be found at Appendix F of NR26
- 52.2 Patterns and Gilston are both footpath level crossings which provide an east west link across the railway. Patterns level crossing provides a link from the A1184 to the lock on the River Stort (a crossing point of the river). Gilston level crossing provides a link Thorley Street (B1383) and Pig Land to the northeast of the level crossing.
- 52.3 Our proposal is to create a new east west link through an existing underbridge located between the two crossings, and to the south of H09 Fowlers. This new link would connect with north-south paths on the east side of the railway to provide the same connectivity as the existing network. We would also be creating a new footpath on the west side of the railway, to reduce the need for users to walk adjacent to the A1184. The existing footpaths to the west of the railway would be extinguished. The extinguishments are shown with a blue dotted line on the Design Freeze Plan.
- 52.4 Users travelling in an easterly direction who previously crossed the railway at Patterns (footpath 22) would need to head north on the new footpath until they reach the new east-west link. They would then turn right and head east through the underbridge and then head north, until they reached the existing footpath north of H06 Gilston and wider PROW, or south until they reached the remaining section of footpath 22. From this point they would resume their normal journey.

- 52.5 Users travelling in an easterly direction that previously used Gilston (footpath 7) would head south along Thorley Road, until they reached the new east west link. They would then turn left on to the link and head east and under the railway. Once under the railway they would head north on the new footpath until it reaches the original footpath 7.
- 52.6 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point, and alteration of way markers, as required.
- 52.7 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal.

53 H09 Fowlers

- 53.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 53.2 Fowlers is a private vehicular level crossing, that provides access to a parcel of land to the east of the railway, and the west of the River Stort.
- 53.3 The proposal is to change the access to the parcel of land, and make use of an underbridge to the south of the level crossing. There will be a more severe height restriction than currently exists at the level crossing; however it was considered that the machinery that is required on the land to the east (specifically, for grass cutting) would be able to safely use the underpass.
- 53.4 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point.
- 53.5 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal. There has been an objection from affected landowners (Obj/162) raising concerns that the proposed redirection of traffic to the underpass is not a suitable alternative for vehicle traffic as the underpass has restricted headroom. We are of the view that grass cutting equipment can be taken under the underbridge without issue. The landowners also expressed a concern about the maintenance of the

existing footbridge due to higher footfall. If the new PROW is, as proposed, routed over the bridge, Network Rail is required by the provisions in the Order to maintain the bridge for the first 12 months of the PROW coming into public use, after which it will be for the highway authority to maintain to carry the public footpath over the ditch. An assessment of the footbridge at detailed design stage will be conducted and may require remedial works to bring the bridge in line with local authority standard.

54 H08 Johnstons

- 54.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 54.2 Johnsons level crossing closed 4 years ago following the construction of an accessible footbridge.
- 54.3 The proposal is to formally dedicate the footpath over the bridge.
- 54.4 There are no temporary road or street closures associated with this proposal. There are no physical works to be undertaken at site.
- 54.5 We understand that the highway authority, Hertfordshire County Council, does not object to this proposal.

55 HA01 Butts Lane

- 55.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 55.2 Butts Lane footpath level crossing provides broadly a north south link for the residents of Maybush Road / Burnway and the immediate area. Residents from further afield have other routes to cross the railway.
- 55.3 The proposal is to close Butts Lane level crossing and divert users to other means of crossing the railway in close proximity, namely a green bridge that exists to the east of the current level crossing. This green bridge an old road bridge that is now converted into a wide pedestrian way with deep grass verges and a tarmacked surfaced path running through the middle. The bridge has street lighting.
- 55.4 Users heading in a northerly direction from Burnway would need to head in a south easterly direction along Burnway until they reached the green bridge, at this point they

would turn left and head north over the bridge. Once over the bridge and on Woodhall Crescent they would turn left and head northwest to Beverley Gardens. As the road curves to the east, there is a cut through to the west through to Maybush Road, which users could take, and then continue as they do today.

- 55.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point.
- 55.6 We understand that the highway authority, the London Borough of Havering does not object to this proposal.

56 HA02 Woodhall Crescent

- 56.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26.
- 56.2 Woodhall Crescent footpath level crossing provides a broadly north south link for the residents of Woodhall Crescent / Maywin Drive and the immediate area. Residents from further afield have other routes to cross the railway.
- 56.3 Our proposal is to close Woodhall Crescent level crossing, and utilise the existing road / pavement network to cross the railway via an existing separate footbridge adjacent to Wingletye Lane road bridge.
- 56.4 Users travelling in a south easterly direction towards the current crossing would remain on Woodhall Crescent until they reached Wingletye Lane, at this point they would turn right and travel southwest over the footbridge and either continue travelling in a south-westerly direction or turn right onto Maywin Drive, to where the footpath over the crossing currently joins it.
- 56.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point.
- 56.6 The proposal has not changed from that originally identified by Network Rail, and appraised by Motts, in 2015.

- 56.7 We understand that the highway authority, the London Borough of Havering does not object to this proposal.

57 HA3 Manor Farm

- 57.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 57.2 Manor Farm level crossing has not existed on the ground since the M25 was built in the early 1980s. Link paths were provided on the east side of the M25 but not on the west side.
- 57.3 Our proposal is to create a new field edge footpath to enable users to access the link paths on the east side of the M25. These field edge paths will follow the diversionary route used today by users who are unable to cross the M25 by any other means than the road over bridge.
- 57.4 Users travelling in a easterly direction from Manor Farm would, on reaching Pea Lane, cross into the field and travel north to Ockendon Road and then travel east within the field until they reach the end of the agricultural field. At this point they would need to walk along the road until they reach footpath 231 where they can travel south to reach the footpaths to the east of M25.
- 57.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point.
- 57.6 We understand that the highway authority, the London Borough of Havering does not object to this proposal.

58 HA4 Eves

- 58.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26

- 58.2 Eves footpath level crossing has been affected by the M25 construction and looks to have been diverted to the south as a result of the M25, at the same time as the realignment of Dennis Road. The footpath forms path of a north south route that starts in the south by Baldwins Farm and finishes at Hall Farm in the north.
- 58.3 Our proposal is to create a north south link on the west side of the M25 / railway so that an over bridge to the north can be utilised to cross the railway. The new link would consist of unsurfaced field edge footpaths.
- 58.4 Users travelling in a northerly direction would use the new field edge footpath to travel west until they get to Pea Lane, at which point they would head north along the new field edge path. They would cross Pea Lane at a set of field entrance gates and then continue north on a field edge path / farm track until they reach footpath 251. From this point users would follow the diversionary route used for HA3 Manor Farm detailed in section 57 above.
- 58.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point.
- 58.6 We understand that the highway authority, the London Borough of Havering does not object to this proposal.

59 T01 No.131

- 59.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 59.2 No.131 is a footpath level crossing that links Aveley to the north with Purfleet to the south.
- 59.3 Our proposal is to divert users to an overbridge to the north of the existing level crossing by means of the existing road network. We are also looking to relocate the footpath on top of a flood bund to mitigate difficulties which might arise in using the footpath in the event of flooding.
- 59.4 Users heading south from Aveley would follow footpath 145 and then the realignment onto the flood bund. From here users would follow the flood bund around to the A1306. At this point they would use the existing pavement provisions on the east side of

the road and head northwest until they reached a signalised crossing point of the A1306. Crossing the A1306 users would then head slightly north and then turn onto New Tank Hill Road and head south until they reached their original route and destination.

- 59.5 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point.
- 59.6 This proposal has changed through the development of the project with input from consultation helping to shape the solution. During consultation we were made aware that the land the footpath currently utilises is subject to flooding and by moving the footpath onto the flood bund it would improve the times of the year the footpath was available for use. Network Rail incorporated this suggestion into the proposals.
- 59.7 We understand that the highway authority, Thurrock Unitary Authority does not object to this proposal. The affected landowners have confirmed that they accept the principle of the diversion of the footpath on their land. They have suggested an amendment to the proposed diversionary route to extend from the end of the bund to the A1306, specifically to remove the proposed footpath from plot 21 (sheet 52 of the Order plans). Network Rail discussed these proposals with the landowners and Thurrock Unitary Authority, both of which support the proposed amendment. Network Rail has responded to the landowners by letter dated 6 September 2017 and stated that if the proposed change is wholly within the landowners' interests and adopted highway, it should be possible to make a slight adjustment to the Order plans, so the new footpath extends from the bund to the A1306. Initial analysis indicates that there is sufficient space to accommodate a steel double field gate, along with a pedestrian footpath and gate to the side, without any works being required on the culvert. If this is the case, Network Rail would be willing to amend the Order plan to reflect the landowners' proposal and submit a revised plan to the forthcoming inquiry.

60 T04 Jefferies

- 60.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 60.2 Jefferies footpath level crossing is a footpath that provides access from Stanford-le-Hope to the countryside to the north of the town.
- 60.3 Our proposal is to use a road over bridge to the south of the level crossing to cross the railway. In order to be able to do this we are creating new footpaths between the

overbridge and the existing level crossing. There would be steps created to access the over bridge. We are also creating a new link footpath on the western side of the railway improving links to the countryside.

- 60.4 Users at Jefferies heading north on footpath 32, would need to head south west along existing footpaths following the railway boundary and onto a new footpath (created on Network Rail land) until they reach Manor Way (A1014). At this point users would ascend a flight of steps and then turn right and use the bridge to cross over the railway. Once over the railway users would then descend a set of steps to then follow a new field edge path that then links up to the original footpath 32.
- 60.5 Users from Stanford-le-Hope who were using footpath 36 could also now head north on new link footpath that leads to footpath 32.
- 60.6 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional fencing, required to secure the railway at the (current) level crossing point. There will be some alteration of the acoustic barrier on Manor Way to allow for pedestrian to gain access to the overbridge.
- 60.7 We understand that the highway authority, the Thurrock Unitary Authority object to this proposal. The authority asked that Network Rail should consider a footbridge at the point of the level crossing. The purpose of this project was to identify level crossings that could be closed without provision of new infrastructure across the railway, regardless of the level of usage. An accessible footbridge would, if it could be accommodated on site, be expected to have a price tag of £3–4M as a minimum. A stepped footbridge, could cost in the region of £1M. Network Rail is obliged to have regard to the use of public money in the ongoing costs of managing all level crossings and so, where a suitable alternative exists (in this case a bridge over the railway), Network Rail seeks to divert users to safer crossing points of the railway. That is what is proposed with this crossing.

61 T05 Howells Farm

- 61.1 I discuss what is proposed for this crossing, and how that design has developed, by reference to the Design Freeze Plan for this crossing which can be found at Appendix F of NR26
- 61.2 Howells Farm level crossing provides a link from Fobbing (to the south) and Southend Road (B1420), there are no onward footpaths from Southend Road at this location.

- 61.3 Our proposal is to provide a new link footpath to an over bridge to the south west of the level crossing, such that any user wishing to go to One Tree Hill Country Park has significantly less on road walking. The short section of footpath on the north side of the railway would be extinguished.
- 61.4 There are no temporary road or street closures associated with this proposal. In addition to removal of the level crossing infrastructure, the physical works at the crossing will be limited to the erection of additional of fencing, required to secure the railway at the (current) level crossing point. There will be some alteration of the acoustic barrier on Manor Way to allow for pedestrian to gain access to the overbridge.
- 61.5 This proposal has changed through the development of the project with input from consultation helping to shape the solution.
- 61.6 We understand that the highway authority, the Thurrock Unitary Authority does not object to this proposal. There has been an objection from the landowner affected by the route of the proposed new bridleway (Objection 194), raising concerns as to of potential crop damage, trespass, and vandalism of machinery. Network Rail does not believe that their proposals would increase the likelihood of this behaviour, but will continue to engage with the landowner, particularly during detailed design of the new bridleway, to discuss measure which could be included to address these concerns.

Objections to the Order

- 62 In addition to the objections I have addressed above, and which are addressed in the Proofs of Evidence of the other witnesses appearing on behalf of Network Rail, I confirm that Network Rail has responded, in writing, to all objectors to the Order whose objections had not been withdrawn as at the end of August 2017. I confirm that that correspondence will be provided to the Inspector at the end of Inquiry in the usual way.

Witness declaration

I hereby declare as follows:

- (i) This proof of evidence includes all facts which I regard as being relevant to the opinions that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- (ii) I believe the facts that I have stated in this proof of evidence are true and that the opinions expressed are correct.

- (iii) I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.