

Application for the Proposed Network Rail (Essex and Others Level Crossing Reduction) Order

your ref:TWA/17/APP/05/OBJ/86

Statement of Case. Dr S Thompson

Included Documents:

Appendix 1: Summary of Level Crossing Risk Assessments on Sudbury Branch (1 page)

Appendix 2: Alternative Road Crossing Pedestrian Risk Assessment (3 pages)

Appendix 3: Cycling and Walking Investment Strategy, Department of Transport. (Only title page included, full report available from the Department for Transport)

Network Rail are proposing closure of 3 out of the 19 level crossings on the Sudbury branch line. The 3 proposed closures are the at the 3 crossings with lowest current risk to users and passengers (Appendix 1). In two cases the diversions that Network Rail have proposed will put existing crossing users at significantly higher risk due to conflict with vehicular traffic on public highways (Appendix 2). Network Rail have been made aware of safety concerns through 2 rounds of public consultation but have not properly addressed these concerns. Network Rail have also failed to justify these crossings in the context of their 5 stated aims for crossing closure. I am further concerned by Network Rail's apparent preference for closure of pedestrian level crossings. This preference appears to be due to an aim to close as many level crossings as cheaply as possible, without regard for the actual risks involved or the benefits of well connected pedestrian networks. The destruction of existing pedestrian transport infrastructure runs counter to the Department of Transport's recently published aim to improve active travel infrastructure (Appendix 3).

I will begin with specific concerns with Network Rail's own crossing risk assessments contained in Appendix 1. The proposed closures cover level crossings with very low individual and collective risks. The only risk driver identified by Network Rail is "Deliberate misuse or user error". I have concerns over the validity of this risk driver, as of the 11 pedestrian crossings on the Sudbury branch line where this risk is identified there have been no recorded misuse incidents. At the 8 vehicular crossings, where there have been 5 recorded incidents of misuse, "Deliberate misuse or user error" is not identified as a risk driver. I call on Network Rail to provide an explanation to this hearing, with evidence, as to why they regard misuse as a risk driver at pedestrian but not vehicular crossings. In the absence of such evidence I call upon Network Rail to revise their level crossing risk assessments the Sudbury Branch line, and to withdraw their current proposals pending resubmission in line with the corrected risk assessments.

Secondly, given that the proposed diversions will run parallel to the railway line, it is unclear how closing the crossings without replacing the existing fencing would actually reduce the risk of misuse. In its current state it is easy to cross the Sudbury branch line almost anywhere along its length, as there is minimal fencing. If Network Rail intend to replace the current fencing with trespass proof fencing, they need to detail that in their application, along with details of how they will manage damage to wildlife habitat and rural aesthetics.

Next I refer the hearing to appendix 2, where I detail my own risk assessment of the two public highway crossings Network Rail have proposed as alternatives to existing level crossings at Thornfield Wood (e51) and Golden Square (e52). As a regular user of these level crossings and the public highways in the area, I can give first hand experience of the comparative risk. I feel at risk

crossing the narrow, humped road crossings on foot or cycle, especially with young children, as there is limited visibility, and nowhere for pedestrians to retreat to should a vehicle be unable to stop in time. Visibility at both crossings is around 25 metres, on narrow roads with a 60 mph speed limit and traffic including private vehicles, farm machinery, and heavy goods vehicles. In contrast, the existing rail level crossings have excellent visibility and slower, more predictable traffic. Thus far in the consultations Network Rail have failed to provide any risk assessment comparing the risks to pedestrians at the existing level crossings and their proposed alternatives. I call upon Network Rail to provide evidence to this hearing that their proposed crossings will enhance pedestrian safety. In the absence of this evidence I call upon Network Rail to withdraw their proposals.

Based on the evidence presented so far I am of the opinion that Network Rail's primary aim in submitting this and similar TWAOs is to close as many level crossings as cheaply as possible without proper regard for public safety or the benefits of existing pedestrian infrastructure. Network Rail's website mentions only the number of level crossings they have closed. I could find no mention of the comparative risks of the crossings they have closed. Based on the evidence of this TWAO, I can only conclude that the closures will have been ineffective in targeting dangerous crossings. If Network Rail wish to persist with calling for these closures I call upon Network Rail to provide detailed explanations of how specific closures will meet the 5 aims outlined in their own statement of aims. In the absence of such evidence I call upon the Secretary of State to reject this TWAO and treat each level crossing on a case by case basis.

Lastly, I call on the Secretary of State for Transport to consider this TWAO with reference to the their own stated aim of improving cycling and walking infrastructure (Cycling and Walking Investment Strategy 21<sup>st</sup> April 2017). Thus far Network Rail have demonstrated an inability to properly consider overall risk and weigh it against the benefits to the public of existing active travel infrastructure. I call upon the Secretary of State to provide answers to the following two questions:

- Referring to your recently published (21<sup>st</sup> April 2017) Cycling and Walking Investment Strategy, can you please explain how allowing the widespread preferential closure of pedestrian rail crossings would be compatible with your stated aim to "... make cycling and walking the natural choices for shorter journeys, or as part of a longer journey."?
- Given Network Rail's demonstrated failure to properly consider risk to pedestrians and the benefits of existing active travel infrastructure as part of this TWAO and other applications, can you provide an assurance that all proposed closures will be properly assessed by an independent and competent body?

I thank you sincerely for the opportunity to present these objections to this TWAO, and wish the Secretary of State for Transport and Network Rail every success in improving transport infrastructure for all modes of transport.

Yours sincerely,

Dr Stephen Thompson

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Appendix 1: Summary of Level Crossing Risk Assessments on Sudbury Branch. Page 1 of 1 04/07/2017.

For the benefit of this hearing I have taken the time to list the 19 current level crossings on the Sudbury branch line and summarise their risk and status as reported by Network Rail, see Table 1. The key points are:

1. The proposed closures are the three least dangerous level crossings on the branch line.
2. The only risk factor at the level crossings proposed for closure is listed as deliberate misuse or user error.
3. Deliberate misuse is listed as a risk factor all 11 pedestrian level crossings, and is the only risk factor at 6 of the pedestrian level crossings.
4. There are no reported incidents of any kind (including misuse) at the pedestrian level crossings on the Sudbury branch line.
5. Deliberate misuse is not listed as a risk factor at any of the vehicular level crossings.
6. There have been 5 reported incidents of misuse at vehicular level crossings on this line.

Name	Type	Misuse Incidents	Near Misses	Indiv. Risk	Collect. Risk	Risks	In TWAO
Ladysbridge	Public footpath	Nil	Nil	C	3	Large number of users Sun glare Deliberate Misuse or User Error	No
Cornard	Public Road	Nil	Nil	D	3	Poor Visibility Crossing Approach Frequent Trains Sun glare	No
Church House Farm	Private Road	1	Nil	C	4	Low sighting time Large number of users	No
Sewerage Works Lane	Private Road	2	1	C	4	Low Sighting time Large number of users	No
Shalfords	Private road	1	Nil	C	4	Low sighting time Large number of users Sun glare	No
Hicks	Private foot path	Nil	Nil	D	4	Large number of users Deliberate Misuse or User Error	No
Marks Tey Station	Private foot path	Nil	Nil	D	4	Near Station Infrequent trains, Large number of users Deliberate Misuse or User Error	No
Mount Bures	Public Road	1	Nil	E	4	Poor Visibility Crossing Approach Frequent Trains	No
Church House Farm	Public Footpath	Nil	Nil	D	5	Deliberate Misuse or User Error	No
Lamarsh School Lane	Private Road	Nil	Nil	C	6	Low sighting time	No
Lamarsh Kings Farm	Public Footpath	Nil	Nil	D	6	Deliberate Misuse or User Error	No
Shalfords FPS	Public footpath	Nil	Nil	D	6	Sun glare, Deliberate Misuse or User Error	No
Casefields	Private road	Nil	Nil	C	7	Low sighting time	No
Josselyns	Public footpath	Nil	Nil	D	7	Sun Glare Deliberate Misuse or User Error	No
Shalford Meadow	Public footpath	Nil	Nil	D	7	Deliberate Misuse or User Error	No
Ladysbridge	Private Road	Nil	Nil	C	8	Low sighting time	No
Bures	Public footpath	Nil	Nil	D	8	Deliberate Misuse or User Error	Yes
Golden Square	Public footpath	Nil	Nil	D	10	Deliberate Misuse or User Error	Yes
Thornfield Wood	Public Footpath	Nil	Nil	D	11	Deliberate Misuse or User Error	Yes

Table 1: List of the 19 level crossings on Sudbury Branch Line as of 27/06/2017, information taken from Network Rail's online crossing information site <http://archive.nr.co.uk/transparency/level-crossings/>

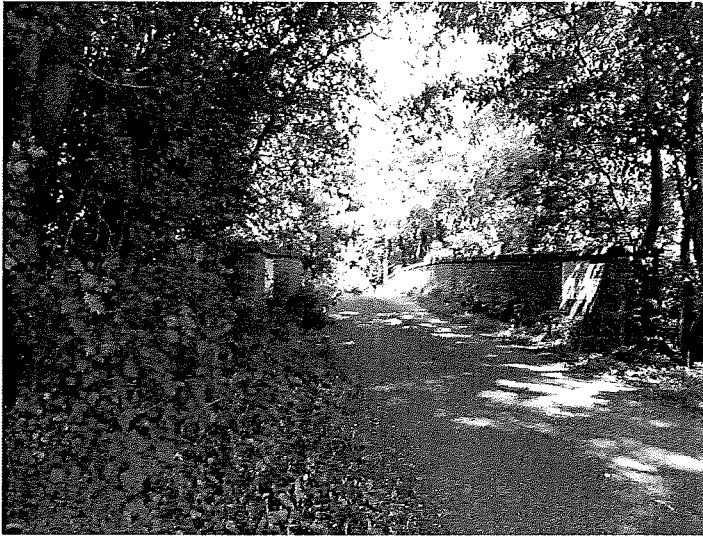
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Appendix 2: Alternative Road Crossing Pedestrian Risk Assessment

Network Rail have proposed closure of existing public rights of way at Thornfield Wood (e51) and Golden Square (e52). Existing and future users of these crossing would be diverted onto existing road crossings on Janke's Green Road (51°56'08.4"N 0°45'48.0"E) and at Roberts Hill (51°56'52.3"N 0°46'23.2"E). Despite requests during the two consultations, Network Rail are yet to make public their pedestrian risk assessments for these alternative crossings. Therefore, for the benefit of this hearing I have performed my own risk assessment at the two proposed alternative crossings. These are included on page 2 and 3.

## Alternative Crossing 1: Janke's Green Road (51°56'08.4"N 0°45'48.0"E)



This crossing is located on a rural lane running between Jupe's hill and Janke's Green. The lane is used by private vehicles, farm machinery, and heavy goods vehicles. The national speed limit applies. As can be seen from the above photograph, the crossing has a significant hump to clear the railway line running below. The lane is narrow, and there is no refuge area for pedestrians, either on the bridge nor on the approaches.

Visibility for approaching vehicles and pedestrians is limited by the hump, and by the surrounding vegetation, which obviously varies seasonally. There is no lighting. As I frequently walk with children, I performed a measurement of the visibility of a 1.05 metre tall object (height based on a 4 year old child) over the humped bridge in clear sunny conditions. Visibility was approximately 25 metres. The stopping distance for an average family car travelling at 60 mph is 73 metres<sup>1</sup> in dry conditions. Whilst no responsible motorist would approach this crossing at 60 mph it does occasionally happen. A more common speed would be 40 mph from which the stopping distance would be 36 metres. This exceeds the visibility limit in ideal conditions, and there is no pedestrian refuge.

Whilst I am not aware of any injuries at this crossing, I am aware of at least one near miss involving farm machinery and a pedestrian at this crossing in the last 3 months. Closure of the existing railway level crossings would probably lead to an increase in pedestrian and motor traffic over this crossing, increasing the current risk.

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1 <http://www.brake.org.uk/facts-resources/15-facts/1255-speed>

## Alternative Crossing 2: Roberts Hill (51°56'52.3"N 0°46'23.2"E)



This crossing is located near the intersection of Fordham Road and Dowling Road at Robert's Hill. The lane is used by private vehicles, farm machinery, and heavy goods vehicles. The national speed limit applies. As can be seen from the above photograph, the crossing has a significant hump to clear the railway line running below. The crossing is adjacent to a road intersection on the east side and a private driveway and public footpath on the west side. The roads are narrow, and there is no refuge area for pedestrians, either on the bridge nor on the approaches.

Visibility for approaching vehicles and pedestrians is limited by the hump, and by the surrounding vegetation, which obviously varies seasonally. Visibility is also reduced by the tight curves leading into the crossing at both sides. There is no lighting. As I frequently walk with children, I performed a measurement of the visibility of a 1.05 metre tall object (height based on a 4 year old child) over the humped bridge in clear sunny conditions. Visibility was approximately 25 metres. The stopping distance for an average family car travelling at 60 mph is 73 metres<sup>2</sup> in dry conditions. Whilst no responsible motorist would approach this crossing at 60 mph it does occasionally happen. A more common speed would be 40 mph from which the stopping distance would be 36 metres. This exceeds the visibility limit in ideal conditions, and there is no pedestrian refuge.

I am not aware of any injuries at this crossing. Two vehicles passed by at a distance of around 1 metre and a speed of around 40 mph in the 5 minutes I took to perform this risk assessment. Closure of the existing railway level crossings would probably lead to an increase in pedestrian and motor traffic over this crossing, increasing the current risk.

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2 <http://www.brake.org.uk/facts-resources/15-facts/1255-speed>



Department  
for Transport

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# Cycling and Walking Investment Strategy

We want to make cycling and walking the natural choices for shorter journeys, or as part of a longer journey