

In the matter of the proposed Network Rail (Essex and Other Level Crossing Reduction)
Order
And in the matter of the Transport and Works Act 1992

In the District of Uttlesford, Parish of Newport, proposals to close the level crossings
described as:
E09 – Elephant
and
E10 – Dixies

OBJECTION

Introduction

1. Network Rail seeks power to close, amongst others, two footpath crossings of the railway in the parish of Newport, Essex, that are of very long standing. The crossings are uncontrolled and require users to exercise caution when using them in much the same way as caution is required when crossing a road. Network Rail undertook two rounds of public consultation. The results are described in Network Rail's supporting documents. These documents show that the majority of respondents did not agree with the proposed closure of the crossings. Moreover, most respondents thought that the routes that Network Rail suggested as alternatives were neither safe nor convenient and that they exposed users to greater risk than is presently the case when using the foot crossings. Consultees suggested infrastructure changes that would provide solutions but Network Rail states "The main remit of this project is closure of level crossings with diversions where acceptable diversion routes can be provided."
2. In the case of the crossing known as Elephant consultees responses calling attention to safety concerns arising from the need to use a narrow road bridge in order to cross the railway are responded to by Network Rail in these terms "The final scheme includes a signalisation of the Debden Road bridge and provision of pedestrian facilities." The suggestion that either the road bridge should be widened or a separate pedestrian bridge provided is answered by Network Rail: "Consideration of a proposed bridge or underpass across the railway is not part of the current Phase of works and would fall into a later NR funding period if deemed appropriate."
3. In the case of the crossing known as Dixies consultees responses calling attention to the issue of the safety of alternative routes as compared with the safety of the rail crossing are answered by Network Rail saying "Network Rail have prepared a needs case for the closure of the level crossings. Safety criteria, while important, is only one of the Promoters objectives and there are other benefits the Promoter seeks to achieve with the level crossing reduction strategy." Respondents also suggested that housing development nearby provided

the opportunity for a grade separated crossing of the railway. Network Rail's response to this is that their proposals do not preclude the provision of such a new crossing at some time in the future but "Consideration of a proposed bridge or underpass across the railway is not part of the current Phase of works and would fall into a later NR funding period if deemed appropriate." In the case of the crossing known as Dixies the proposed alternative route for users is over a kilometer longer than the existing route. Network Rail state that "it was not possible to identify a shorter route without providing a solution which would be outside the scope of NR's current phase of works."

Objections

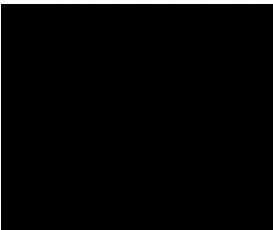
4. The proposals will permanently alter the footpath network for users. In order to continue to access the countryside they will be faced with undesirable additional road walking along roads that make no provision for the separation of pedestrians from vehicles.
5. In the case of the crossing known as Elephant, using the Debden Road bridge is not a safe option. It currently presents a hazard to all road users because it is too narrow. Moreover, the road is designated as the route for heavy goods vehicles to use to Saffron Walden if they are too high to pass under the railway bridge in Newport. Merely providing some sort of traffic control will not safeguard pedestrians using the length of Debden Road from where the new route joins the road to the bridge, even if the bridge traffic control system provides a phase during which only pedestrians may use the bridge. If pedestrians are required to continue to cross the bridge when traffic is flowing (even in the same direction as they are walking) they will be exposed to greater hazard (particularly from heavy lorries) than they experience crossing the railway.
6. In the case of the closure of Dixies, the suggested alternative route avoids Bury Water Lane but, given that Bury Water Lane will provide the shortest access to the area users have been diverted from, it is inconceivable that it will not be used. Moreover, the suggested diversion will not appear as such on maps used by walkers and, even if it were to be signed on the ground initially, there is no guarantee that the signage would remain in place or that people would take any notice of it.
7. Users of the footpath network are faced with two barriers in the vicinity of Newport, the railway and the M11 motorway. Both constrain the choices available. Reducing the ability to cross the railway will further reduce the connectivity of the footpath network and consequently people's access to the countryside. Walkers have already been inconvenienced by temporary closures of these crossings (including closures without legal sanction). Permanent closure without suitable alternative routes is simply unacceptable.
8. Given the development taking place in Newport the users of the footpath network are likely

to increase so that more people will be exposed to the risk from road traffic that is likely to increase as a result of the development.

Compatibility with Network Rail's aims

9. It is clear from its responses that, notwithstanding the lip service paid to the matter, Network Rail has no respect for the integrity of the footpath network and its convenience to users. This is also illustrated by its having closed crossings without legal sanction and only subsequently seeking temporary closure orders from Essex County Council. In the case of the crossing known as Dixies a notice was served on Essex County Council under section 130 of the Highways Act 1980 requiring the Council to take action over the closure. Where respondents suggest that continuing to cross the railway presents a lesser hazard than road traffic on the alternative route Network Rail falls back on the argument that "other benefits" are sought from closure. Where respondents suggest that new infrastructure should be provided Network Rail states such works are "not part of the current Phase". It is submitted that neither of these arguments should be permitted to "trump" the safety of pedestrians and the connectivity of the footpath network.
10. If the closure of the crossings known as Dixies and Elephant were removed from the scope of the present proposed Order and included in a later Phase of Network Rail's programme then the requirements of both users and Network Rail could all be accommodated by new infrastructure. For the benefit of all users it is clear that the Debden Road bridge needs to be rebuilt. If this were to be done and a pavement provided for the entire length of Debden Road to the point where the proposed diverted footpath reaches the road this would provide a solution compatible with Network Rail's aims and of benefit to all the community.
11. The proposal for the crossing known as Dixies is to simply extinguish the right of way. It would be difficult to provide a grade separated crossing at the present location but one could be provided further north near the new development currently being undertaken by Hastoe Housing. This would provide a satisfactory solution for everyone.

Robert Bartlett O.B.E.



17 April 2017

Angela Foster

OBJ/14

From: Robert Bartlett [REDACTED]
Sent: 17 April 2017 11:19
To: TRANSPORTANDWORKSACT
Subject: Network Rail Essex and Others Level Crossing Reduction Order
Attachments: Level Crossing Proposals - T&WA objection.pdf

Please find attached my objection to the proposed Network Rail (Essex and Other Level Crossing Reduction) Order.

Robert Bartlett O.B.E.
[REDACTED]

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