

082/60

Transport & Works Act Orders Unit  
General Counsel's Office  
Department for Transport  
Zone 1/18  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

By email only, to [transportandworksact@dft.gsi.gov.uk](mailto:transportandworksact@dft.gsi.gov.uk)

Dr Chris Gibson

Wivenhoe

2 May 2017

Dear Sir

#### ESSEX LEVEL CROSSINGS ORDER

As a resident of Wivenhoe, who regularly uses the Paget Road crossing as the direct route from my home to our only supermarket, the Co-op, and other services, I wish to OBJECT to the proposals to close the Paget Road pedestrian level crossing. My objections relate to the fact that it is UNNECESSARY, in relation to the stated reasoning from Network Rail; that it is UNACCEPTABLE, in respect of the impact it will have upon users, and disproportionately so upon less-able users; and that Network Rail has acted UNREASONABLY in deploying intimidation tactics in pursuit of its objectives.

Further detail is given below about these issues. Given the widely-held concerns in Wivenhoe about this proposed closure, in support of my objection I wish to request that the matter be subject to a formal Public Inquiry.

#### 1. UNNECESSARY

Given that the stated justification for the closure is pedestrian safety, the fact that there has never been an accident or incident involving pedestrians using that crossing over the past 150 years since the railway was constructed provides no evidence at all in support of the proposed closure.

If Network Rail were to argue that train speeds have increased, or are likely to increase, thus posing a greater risk to pedestrians, it should be noted that the proximity of

Wivenhoe Station, at which all services stop, precludes a significant increase in train speed at this location.

## 2. UNACCEPTABLE

Closure of the Paget road crossing would necessitate a substantial foot diversion to cross by either the Anglesey Road or High Street bridges. Quite apart from the regular nuisance factor experienced by all users, the uphill route to either of these crossings (Paget Road being at the bottom of a valley) will prove particularly difficult to pedestrians with limited mobility.

Furthermore, the two alternative crossings both have their own inherent difficulties and risks. Anglesey Road is unmetalled, rutted, and with patches of loose gravel upon which anyone could have an accident, but again perhaps especially those of limited mobility. I understand that the residents of Anglesey Road have always resisted the road being adopted and improved by the Highways Authority, so that even if Network Rail proposed improving the surface there is no guarantee that this could be delivered.

Similarly, the High Street bridge is risky. The eastern footway, which those diverted from Paget Road would have to use to avoid having to cross the busy carriageway twice, is exceptionally narrow; even at present buses turning in or out of Station Road must use the whole of the carriageway (occasionally even mounting the pavement), so widening of the eastern footway would not be practicable.

Given the Network Rail focus on pedestrian safety (see point 1), have they factored into their decision the likelihood that pedestrian safety will be compromised in using either of the two bridge crossings? Will Network Rail assume responsibility and legal culpability for any such accidents on the alternative crossings? In my view, they should be held responsible and accountable for both their actions and the consequences of their actions.

## 3. UNREASONABLE

We have lived in Wivenhoe for some six years. Over that time, but particularly since the closure plans were made public, the frequency, volume and period of the day when trains sound their horn on approach to the crossing has increased markedly. It is difficult to avoid the conclusion that this is a cynical, deliberate, intimidation tactic on the part of Network Rail to 'persuade' the people of Wivenhoe to accept the closure.

In 2016, a 'horn sounding unit' was installed by the crossing. This seemed to be an admirable solution, alerting those in close proximity to the impending arrival of a train, without having to sound a horn several hundred metres down the track, the consequences of which were to alert most of the residents of Wivenhoe, practically all of whom did not need to be alerted. Unfortunately (and again it is difficult not to assume deliberately) the trains have continued to sound their horns, in addition to the sounder unit operation.

As a public authority, such intimidation tactics by Network Rail should not be considered acceptable, and on this point alone I believe this closure should not be permitted.

In summary, I OBJECT to the closure of the Paget Road, Wivenhoe crossing and REQUEST that the matter be considered at PUBLIC INQUIRY.

Thank you for considering my response.

**DR CHRIS GIBSON**



Dr Chris Gibson

Wivenhoe

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

4 September 2017

**Ref: Obj/60/ES/R001**

Dear Dr Gibson

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing - E41 Paget**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 2 May 2017, which has been allocated the reference OBJ/60.

We note your concerns and, in the following paragraphs, we respond to each point you raise.

We set out below the current and proposed status of the level crossing referred to in your objection.

<b>Level Crossing</b>	<b>Current Status</b>	<b>Proposed Status</b>
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

As you are now aware a public inquiry will be held starting on 18<sup>th</sup> October 2017 at Chelmsford City Council Chamber, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE.

We set out below the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its license and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list. Responding to your letter:

#### **Point 1: Closing of Paget Road Crossing is unnecessary**

We note that Paget Road has been in existence since the railway was built and that you and many others use Paget Road crossing regularly. The crossing may appear safe but it is within our top 50 high risk level crossing on the route. Hence, Network Rail has proposed the closure of Paget Road crossing.

The latest All Level Crossing Risk Model (ALCRM) system risk assessment of the level crossing already gives Paget Road a rating of C4. This counts as a high risk level crossing. The risk category has not improved despite the installation of the Covtec CCTV equipment. It ranks 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354).

In addition to the danger inherent wherever pedestrians cross the railway on the level (irrespective of whether a fatality has in fact occurred at any particular site), and the running costs of level crossings, Paget level crossing is of special concern to Network Rail because of its heavy usage and the poor sighting of approaching trains, and hence the need for line speeds in the Clacton direction to be limited. Whilst all passenger services call at Wivenhoe station, the restriction to speeds causes delays to services, which could otherwise accelerate away from Wivenhoe station faster

Running more trains across the level crossing would have to be modelled in Network

Rail's ALCRM system and would be likely to see the risk score increase. The ORR does not generally accept increasing risk at level crossings when more trains are set to run. There is a small increase in Sunday services for the line proposed for the May 2020 timetable change, but a future franchisee may wish to run additional services which Network Rail is obliged to consider. Colchester is a fast-growing town and this could drive development along the Clacton and Walton lines. Closure of footpath crossings is one of many factors that must be addressed with any significant service level change.

Whilst all trains currently call at Wivenhoe, this will not necessarily always be the case if additional services are introduced. A feasibility study into line speed increases has not been undertaken on this line, but this level crossing is not compliant even for the designated line speed of 50mph, and is dependent on a TSR to maintain sighting.

## **Point 2: Closure of Paget Road Crossing is unacceptable**

Network Rail's proposal diverts pedestrians to existing road bridges to cross the railway at Anglesea Road bridge or the High Street bridge.

The diversionary route using Anglesea Road bridge via Queen's Road to the north of the crossing is steep, and whilst we are providing some modifications (handrail and a rest area), there are also alternative flatter routes that can be used.

Pedestrians on the north of the crossing can use the new footpath link we are proposing from the north end of Paget Road to Phillip Road. For pedestrians travelling from the south of the railway, there is an existing alternative route via Brook Street, Hamilton Road, and Alma Street that can be used to access High Street, the station and local shops.

The improvements we are proposing to footway provision on High Street bridge will improve this route for all users. Further details on our proposals are included in our statement of case (Appendix NR26).

As you mention it was not possible to widen the east side footway continuously on the High Street bridge as this would entail substantial modification of the bridge parapet to provide additional space for turning buses. These modifications could impact on the bridge structure itself causing substandard alignment of the parapet and safety concerns.

Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts with the detail to be agreed at a later stage with Essex County Council. It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians with no impact on bridge safety.

These outline proposals have been developed to also incorporate bus turning manoeuvres from Station Road.

Please be assured that we are in consultation with Essex County Council and Colchester Borough Council and works will be completed to the reasonable satisfaction of the highway authority before the crossing is able to be closed.

### **Point 3: Sounding of train horns**

Paget level crossing is a passive footpath level crossing which means that users have to stop, look and listen; beware of trains and must make their own decision whether it is safe to cross. Due to the poor sighting of trains at this crossing for users, whistle boards are installed. Trains can only sound their horns between 0600 and 2359 and so the Covtec whistle board repeater system, you mention, provides protection during the quiet night-time period. For safety reasons, whistle boards are still required. It is Greater Anglia's instruction to drivers that the train horn must be sounded for 3 seconds whilst passing a whistle board.

We hope that our response has provided sufficient clarity on the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. List of locations for TWAO documents

Transport & Works Act Orders Unit  
General Counsel's Office  
Department for Transport  
Zone 1/18  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

By email only, to  
[transportandworksact@dft.gsi.gov.uk](mailto:transportandworksact@dft.gsi.gov.uk)

Mrs Angela Foster  
TWA Case Officer, Transport and Works Act Orders Unit  
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33 Horseferry Road, London, SW1P 4DR  
Angela Foster [Angela.Foster@dft.gsi.gov.uk](mailto:Angela.Foster@dft.gsi.gov.uk)

Cc Bridgit Choo-Bennett  
Network Rail [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk)

Dr Chris Gibson

Wivenhoe

15 September 2017

Dear Sir

#### ESSEX LEVEL CROSSINGS ORDER

On 2 May I submitted an Objection to you in respect of the above Order. On 4 September I received a response from Network Rail. Both those documents are enclosed with this email for avoidance of doubt.

In their response to me, Network Rail seek my confirmation that they have addressed my concerns, and ask that I withdraw my objection. **This I am certainly in no position to do.** Network Rail has not adequately addressed any of my concerns, and **my objection must stand**, if anything even more strongly than before. In fact the only positive thing I can say about their response is that it is

(marginally) different to the one provided to my wife, another objector, and that they have at least gone through the motions of tailoring responses individually.

Below I shall address each of the point made by Network which purport to explain their position, and address my concerns. For ease of reference these are presented sequentially, which inevitably means a degree of repetition. Sorry.

*'Network Rail is thus obliged to protect the public from the dangers of the railway so far as is reasonably practicable'* Yes, I accept this. But to do this apparently without heed to the knock-on dangers from road traffic (see my later comments) is short-sighted, a clear mismatch between the objectives of different quasi-public authorities.

*'The risk category [of Paget Road Crossing] has not improved despite the installation of the Covtec CCTV equipment'*. I find this wholly unevidenced statement unacceptable. Network Rail should at least provide evidence for this bald assertion. And if it is true, questions must be asked in respect of the spending of quasi-public money in the installation of these devices, which no doubt was considerable, and adds further to the noise pollution experienced by at least very local residents, all to no effect? I find this very hard to believe.

*'Whilst all passenger services call at Wivenhoe station, the restriction to speeds causes delays to services, which could otherwise accelerate away from Wivenhoe station faster'* Again, a bald statement without evidence as to the magnitude of the delay this causes, to passengers travelling between Wivenhoe and Walton, Clacton and intermediate stations only. How does the presumably few seconds 'delay' for that limited number of passengers stack up against the more substantial 'delay' experienced by those who would otherwise be using the crossing. To take the proposed diversion would mean an additional ten minutes or so walking even for fit pedestrians, on every journey between lower and upper Wivenhoe. Network Rail must present the 'cost-benefit' analysis. So far as I am aware, nowhere in civil or common law does it state that the rights of pedestrians to an undiverted shorter journey are secondary to those of rail passengers' rights to a marginally faster rail journey.

*'...a future franchisee may wish to run additional services which National Rail is obliged to consider.'* Is that really the case? That Network Rail has to consider the unknown plans of an unknown franchisee at this stage. This sounds very like pre-hoc rationalisation, Network Rail seeking unfettered powers 'just in case', irrespective of the impacts upon the current, here and now, residents of Wivenhoe.

*'Colchester is a fast-growing town and this could drive development along the Clacton and Walton lines'* Accepted, but while this may drive demand for more rail services, it may also drive demand for more pedestrian use of the existing right of way, given that Wivenhoe will be one of those growth areas, with people seeking to make use of 'both halves' of the town and their respective services, amenities etc.

*'Whilst all trains currently call at Wivenhoe, this will not necessarily always be the case if additional services are introduced. A feasibility study into line speed increases*

*has not been undertaken on this line, but this level crossing is not compliant even for the designated line speed of 50mph, and is dependent on a TSR to maintain sighting'* Where to begin? The crossing is 'not compliant', but there has never been an incident on this crossing in 150 years? Discuss. And what is a TSR? – trying to blind the common man like me with jargon. And crucially, a feasibility study has not been undertaken. Why not? Surely this study would consider a whole lot of factors other than Paget Road crossing, which may rule out line speed increases anyway. The people of Wivenhoe should not be inconvenienced on the basis of something which may not be possible anyway.

*'The diversionary route using Anglesea Road bridge via Queen's Road to the north of the crossing is steep, and while we are providing some modifications (handrail and a rest area), there are alternative flatter routes that can be used'* Yes, heading via Anglesea Road is steep, and probably impossible for those of limited mobility. Furthermore, Network Rail does not even mention that Anglesea Road is unmade, stony, rutted and in itself presents a considerable risk to the pedestrian, especially on the very narrow bridge itself, which is regularly used by vehicular traffic, including large works vehicles.

*'Pedestrians on the north of the crossing can use the new footpath link we are proposing from the north end of Paget Road to Phillip Road'* This strikes me as particularly unhelpful, given that Queens Road runs parallel to this proposed path, and has a footpath. Phillip Road is narrow, and while currently little used, will become more heavily used when the Doctor's surgery is relocated there. To bring more pedestrians along that route strikes me as sheer folly, but it would seem that 'knock-on risks' to pedestrians here as elsewhere have not been factored into Network Rail's thinking.

*'For pedestrians travelling from the south of the railway, there is an existing alternative route via Brook Street, Hamilton Road and Alma Street that can be used to access High Street, the station and local shops'.* Accepted, but those roads are narrow, with sharp, dangerous turns, and at least in part without a designated footway. And Hamilton Road is, like Anglesea Road, unmade, rutted and stony. I simply cannot accept that the risks to pedestrians using this diversion is any less than using the existing level crossing. Furthermore, this diversion in itself incurs an additional ten minutes or so walking for those heading to for example the Coop.

*'As you mention it was not possible to widen the east side footway continuously on the High Street bridge as this would entail substantial modification of the bridge parapet to provide additional space for turning buses....Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts... It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians...'* Clearly the eastern footway at the south side of the bridge cannot be widened, otherwise buses turning out of Station Road would not be able to get round. Even now it is very tight, and buses regularly extend over the footway at this location. The inevitable consequence is that in order to go north over the High Street bridge from the eastern side, it will be necessary to cross to a widened western footway, and

then to continue to the numerous services on the eastern side of High Street (Post Office, Dentist, Pub, Coop, Doctors after relocation) will then require a second crossing of the High Street. That street is heavily used by vehicular traffic, often travelling too fast; even if traffic calming measures are introduced, I simply cannot accept that 'double crossing' the High Street will be safer than using the level crossing. In my view it is essential that the Inspector makes a site visit to this location at a time when pedestrians, cars, trades vehicles and buses are using it to see for himself the evident dangers.

*'Paget level crossing is a passive footpath level crossing which means that users have to stop, look and listen; beware of trains and must make their own decision whether it is safe to cross'* Precisely! Pedestrians have been doing just that, safely, for 150 years. We can still do that, and in my view the Covtec system is all that is needed, rather than a train whistle which makes itself heard across the lower part of the village and beyond, alerting people to an oncoming train who could never even get to the crossing by the time it arrived even if they wanted to. If Network Rail were to add anything by way of safety, a simple warning light system linked to the Covtec would be the obvious solution.

*'Trains can only sound their horns between 0600 and 2359 and so the Covtec whistle board repeater system, you mention, provides protection during the quiet night time period'* If Network Rail's claim that the Covtec system has not improved the risk category, perhaps herein lies the answer as to why it was installed: to provide safety outside of the whistle hours. That is for maybe 3 trains per day. But if it is safe to rely on Covtec at these times, why not at others? I am afraid that my previous conclusion stands (to which I respectfully refer you): Network Rail is acting as a corporate bully, sounding the horn longer than in the past, for a longer period of the day than in the past, disturbing thousands of people when all that is really needed is the relatively quiet Covtec. Relatively quiet, but loud enough to alert anyone within the risk zone of the crossing.

In summary, Network Rail's response to me does not serve to allay any of my objections to the proposed closure of the Paget Road Crossing. As you will see from rebuttals, I do not believe that any evidence is provided which justifies the need to close the crossing, certainly not to the extent that it overrides the inconvenience and disruption to residents of Wivenhoe. Network Rail's arguments are poorly evidenced, and rely on what they seem to claim are statements of fact. To make such a change which would affect the Wivenhoe community can and must not be allowed to rely on unevidenced claims, crystal ball gazing, and dogma. As an 'arm's length public body' it is Network Rail's duty to provide evidence for any proposed actions and to ensure the effective and proper use of public funds. This it has singularly failed to do.

In particular with reference to the proposed diversion routes, it seems clear to me that Network Rail's laudable focus on safety completely ignores the fact that the safety of pedestrians will be compromised by their proposed solutions. I can only hope that the Inspector will not adopt such a blinkered, dogmatic position: the knock-on safety risks to pedestrians cannot simply be ignored.

If the Inspector is minded to allow the closure order, and the Secretary of State is minded to grant it, it must be conditional upon Network Rail accepting full legal liability for any accident or incident which subsequently occurs on either road bridge crossing or on the access routes between Paget Road and those crossings.

Please ensure that my further submission is received and read by the Inspector appointed to run the Inquiry.

**DR CHRIS GIBSON**

**My original objection:**

Transport & Works Act Orders Unit  
General Counsel's Office  
Department for Transport  
Zone 1/18  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

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Dr Chris Gibson

Wivenhoe

2 May 2017

Dear Sir

**ESSEX LEVEL CROSSINGS ORDER**

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Further detail is given below about these issues. Given the widely-held concerns in Wivenhoe about this proposed closure, in support of my objection **I wish to request that the matter be subject to a formal Public Inquiry.**

**1. UNNECESSARY**

Given that the stated justification for the closure is pedestrian safety, the fact that there has never been an accident or incident involving pedestrians using that crossing over the past 150 years since the railway was constructed provides no evidence at all in support of the proposed closure.

If Network Rail were to argue that train speeds have increased, or are likely to increase, thus posing a greater risk to pedestrians, it should be noted that the

proximity of Wivenhoe Station, at which all services stop, precludes a significant increase in train speed at this location.

## 2. UNACCEPTABLE

Closure of the Paget road crossing would necessitate a substantial foot diversion to cross by either the Anglesey Road or High Street bridges. Quite apart from the regular nuisance factor experienced by all users, the uphill route to either of these crossings (Paget Road being at the bottom of a valley) will prove particularly difficult to pedestrians with limited mobility.

Furthermore, the two alternative crossings both have their own inherent difficulties and risks. Anglesey Road is unmetalled, rutted, and with patches of loose gravel upon which anyone could have an accident, but again perhaps especially those of limited mobility. I understand that the residents of Anglesey Road have always resisted the road being adopted and improved by the Highways Authority, so that even if Network Rail proposed improving the surface there is no guarantee that this could be delivered.

Similarly, the High Street bridge is risky. The eastern footway, which those diverted from Paget Road would have to use to avoid having to cross the busy carriageway twice, is exceptionally narrow; even at present buses turning in or out of Station Road must use the whole of the carriageway (occasionally even mounting the pavement), so widening of the eastern footway would not be practicable.

Given the Network Rail focus on pedestrian safety (see point 1), have they factored into their decision the likelihood that pedestrian safety will be compromised in using either of the two bridge crossings? Will Network Rail assume responsibility and legal culpability for any such accidents on the alternative crossings? In my view, they should be held responsible and accountable for both their actions and the consequences of their actions.

## 3. UNREASONABLE

We have lived in Wivenhoe for some six years. Over that time, but particularly since the closure plans were made public, the frequency, volume and period of the day when trains sound their horn on approach to the crossing has increased markedly. It is difficult to avoid the conclusion that this is a cynical, deliberate, intimidation tactic on the part of Network Rail to 'persuade' the people of Wivenhoe to accept the closure.

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As a public authority, such intimidation tactics by Network Rail should not be considered acceptable, and on this point alone I believe this closure should not be permitted.

In summary, I OBJECT to the closure of the Paget Road, Wivenhoe crossing and REQUEST that the matter be considered at PUBLIC INQUIRY.

Thank you for considering my response.

**DR CHRIS GIBSON**

**Scan of Network Rail's response to me:**



Dr Chris Gibson

Wivenhoe

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

4 September 2017

Ref: Obj/60/ES/R001

Dear Dr Gibson

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Level crossing - E41 Paget**

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We note your concerns and, in the following paragraphs, we respond to each point you raise.

We set out below the current and proposed status of the level crossing referred to in your objection.

Level Crossing	Current Status	Proposed Status
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

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ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

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For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list. Responding to your letter:

**Point 1: Closing of Paget Road Crossing is unnecessary**

We note that Paget Road has been in existence since the railway was built and that you and many others use Paget Road crossing regularly. The crossing may appear safe but it is within our top 50 high risk level crossing on the route. Hence, Network Rail has proposed the closure of Paget Road crossing.

The latest All Level Crossing Risk Model (ALCRM) system risk assessment of the level crossing already gives Paget Road a rating of C4. This counts as a high risk level crossing. The risk category has not improved despite the installation of the Covtec CCTV equipment. It ranks 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354).

In addition to the danger inherent wherever pedestrians cross the railway on the level (irrespective of whether a fatality has in fact occurred at any particular site), and the running costs of level crossings, Paget level crossing is of special concern to Network Rail because of its heavy usage and the poor sighting of approaching trains, and hence the need for line speeds in the Clacton direction to be limited. Whilst all passenger services call at Wivenhoe station, the restriction to speeds causes delays to services, which could otherwise accelerate away from Wivenhoe station faster

Running more trains across the level crossing would have to be modelled in Network

Rail's ALCRM system and would be likely to see the risk score increase. The ORR does not generally accept increasing risk at level crossings when more trains are set to run. There is a small increase in Sunday services for the line proposed for the May 2020 timetable change, but a future franchisee may wish to run additional services which Network Rail is obliged to consider. Colchester is a fast-growing town and this could drive development along the Clacton and Walton lines. Closure of footpath crossings is one of many factors that must be addressed with any significant service level change.

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The diversionary route using Anglesea Road bridge via Queen's Road to the north of the crossing is steep, and whilst we are providing some modifications (handrail and a rest area), there are also alternative flatter routes that can be used.

Pedestrians on the north of the crossing can use the new footpath link we are proposing from the north end of Paget Road to Phillip Road. For pedestrians travelling from the south of the railway, there is an existing alternative route via Brook Street, Hamilton Road, and Alma Street that can be used to access High Street, the station and local shops.

The improvements we are proposing to footway provision on High Street bridge will improve this route for all users. Further details on our proposals are included in our statement of case (Appendix NR26).

As you mention it was not possible to widen the east side footway continuously on the High Street bridge as this would entail substantial modification of the bridge parapet to provide additional space for turning buses. These modifications could impact on the bridge structure itself causing substandard alignment of the parapet and safety concerns.

Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts with the detail to be agreed at a later stage with Essex County Council. It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians with no impact on bridge safety.

These outline proposals have been developed to also incorporate bus turning manoeuvres from Station Road.

Please be assured that we are in consultation with Essex County Council and Colchester Borough Council and works will be completed to the reasonable satisfaction of the highway authority before the crossing is able to be closed.

### **Point 3: Sounding of train horns**

Paget level crossing is a passive footpath level crossing which means that users have to stop, look and listen; beware of trains and must make their own decision whether it is safe to cross. Due to the poor sighting of trains at this crossing for users, whistle boards are installed. Trains can only sound their horns between 0600 and 2359 and so the Covtec whistle board repeater system, you mention, provides protection during the quiet night-time period. For safety reasons, whistle boards are still required. It is Greater Anglia's instruction to drivers that the train horn must be sounded for 3 seconds whilst passing a whistle board.

We hope that our response has provided sufficient clarity on the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

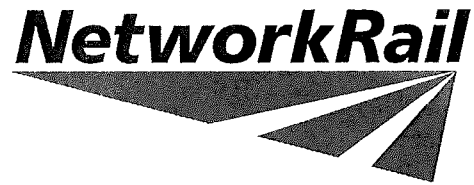
Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. List of locations for TWAO documents



Dr Chris Gibson

Wivenhoe

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

17 October 2017

**Ref: Obj/60/ES/R002**

Dear Dr Gibson,

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing E41 Paget Road**

We have received your letter dated 15 September 2017 in response to Network Rail's letter responding to your objection to the Order dated 4 September 2017.

As you may be aware, the public inquiry into the Order commences on 18 October. Network Rail has now submitted its proofs of evidence, which can be found on the Inquiry website <http://essex-level-crossings.persona-pi.com/network-rail-proofs> and in the deposit locations (see attached list). We would particularly draw your attention to the proof of Daniel Fisk ref NR31-1 para 38.6 to 38.15.

In response to your further points, we would comment:

1. Diverting the public from dangers of the railway to risks from road traffic. Diversion routes run in-field wherever possible, but it has been necessary to provide some on-road walking.
2. The installation of Covtec does reduce risk but not significantly enough for it to change the ranking of this crossing in the ALCRM risk model. However, as Covtec is a 24-hour system it provides full cover whilst trains can only whistle 0600-2359 hrs.
3. Concerns over noise pollution. Closure of the crossing would remove the need for trains to sound horns.
4. If an MSL system were installed it would still have an audible warning, which is necessary to reinforce the red light and provide warning for those with poor vision.

We hope that the proofs of evidence submitted by Network Rail provide further clarity for you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridgit Choo-Bennett', with a stylized, flowing script.

Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. Essex Deposit Locations

**Angela Foster**

0B2/61

**From:** Greg Smith < >  
**Sent:** 02 May 2017 22:40  
**To:** TRANSPORTANDWORKSACT  
**Subject:** ESSEX LEVEL CROSSINGS ORDER

I wish to object to this order and the proposed closure of crossings in Essex. I am a regular walker in the Essex countryside and I frequently use crossings on public rights of way to enable me to enjoy the countryside without using main roads.

Of the two crossings near where I presently live and which I regularly use (E41 Paget Rd and E42 Sand Pit), the alternative routes being proposed deny access to public rights of way (effectively closing them) and put pedestrians onto unsuitable, dangerous, narrow and/or busy roads.

I also object to the outrageous abuse of process represented by the changes to level crossing klaxon/warning horns which Network Rail and Abellio Great Anglia have implemented in order to bully local residents into accepting these changes.

These rights of way provide critical rights for local residents and these rights should not be sacrificed in the narrow commercial interests of private rail companies who could easily continue to maintain these crossings with a small investment of time and effort.

Thank you

Richard Smith

Wivenhoe  
Colchester

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Mr Richard Smith

viverruoe  
Colchester

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

4 September 2017

**Ref: Obj/61/ES/R001**

Dear Mr Smith

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing – E41 Paget & E42 Sand Pit**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 2 May 2017, which has been allocated the reference OBJ/61.

We note your concerns and, in the following paragraphs, we respond to each point you raise.

In response to your objection to the closure of level crossing E42 Sandpit, Network Rail has decided to withdraw this crossing and related works from the Order.

We set out below the current and proposed status of the remaining level crossing referred to in your objection.

Level Crossing	Current Status	Proposed Status
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

We set out below the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its license and the strategic aims and policies of the

ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list.

### **Point 1: Safety of Paget Road Crossing**

We note that Paget Road has been in existence since the railway was built and that you and many others use Paget Road crossing regularly. The crossing may appear safe but it is within our top 50 high risk level crossing on the route. Hence, Network Rail has proposed the closure of Paget Road crossing.

The latest All Level Crossing Risk Model (ALCRM) system risk assessment of the level crossing already gives Paget Road a rating of C4. This counts as a high risk level crossing. The risk category has not improved despite the installation of the Covtec CCTV equipment. It ranks 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354). The risk factors are cited as frequent trains, large number of users, sun glare, and low sighting time.

Trains services shall increase and possibly faster speed, and with that the ALCRM modelling would likely see the risk score increase. The Office of Rail and Road (ORR) does not generally accept increasing risk at level crossings when more trains are set to run. Especially when there is a small increase in Sunday services for the line proposed for the May 2020 timetable change.

Network Rail understands that through ALCRM and the consultation process, many

people need to get to and from lower Wivenhoe regularly.

Hence, two alternatives have been proposed to substitute the loss of Paget Road.

**a) Anglesea Road bridge**

At the first consultation, we noted public concerns with regards to the gradient of Queen's Road and the unmade Anglesea Road which makes it quite a challenge especially for walkers with limited ability.

**b) High Street**

It is, therefore, envisaged that High Street is most suitable alternative for all in general. As a result, we envisage that there will be higher footfall at High Street.

Consideration was given as to whether the east side footway could be widened continuously on the High Street bridge. However, it would entail substantial modification of the bridge parapet to provide additional space for turning buses. These modifications could impact on the bridge structure itself causing substandard alignment of the parapet and safety concerns.

Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts with the detail to be agreed at a later stage with Essex County Council. It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians with no impact on bridge safety.

These outline proposals have been developed to also incorporate bus turning manoeuvres from Station Road.

Please be assured that we are in consultation with Essex County Council and Colchester Borough Council and any implementations of works will be completed to the reasonable satisfaction of the highway authority.

**Point 2: Sand Pit Crossing**

In response to your objection to the closure of level crossing E42 Sand Pit, Network Rail has decided to withdraw this crossing and related works from the Order.

**Point 3: Train Horns**

You would be pleased to know that once these crossings are removed, there will be a reduced requirement for the use of train horns.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridgit Choo-Bennett', with a stylized, cursive script.

Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. List of locations for TWAO documents

**Angela Foster**

OBJ 62

**From:** richard polom < >  
**Sent:** 03 May 2017 09:06  
**To:** TRANSPORTANDWORKSACT  
**Subject:** ESSEX LEVEL CROSSINGS ORDER: OBJECTIONS

Concerning Paget Road, Wivenhoe E41

I wish to object very strongly to the proposed closure of this crossing, which provides a significant day to day practical facility for people in Wivenhoe. This crossing is not dangerous, has been used safely for many years and is an example of an important feature of local life, too many of which are being lost for arbitrary reasons. A public enquiry should be held to give full consideration to views of residents.

Concerning Sand Pit, Alresford Rd E42

I wish to object very strongly to the proposed closure of this crossing, which provides a significant amenity to local people. It forms part of an outstanding leisure walk from Wivenhoe or Alresford along the river and up through Cockaynes Wood. Since the wood and former sandpits are now fully established as a leisure facility, it is extremely perverse to take away this access. This is a safe crossing, well known by local people who use it. I do however support the proposed speed limit and traffic calming along Alresford Road, which should be done regardless of the crossing proposal.

Regards

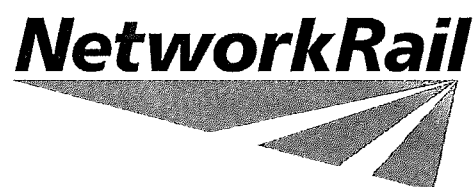
Richard Polom

Wivenhoe  
Colchester

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Mr Richard Polom

Colchester

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

4 September 2017

**Ref: Obj/62/ES/R001**

Dear Mr Polom

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing – E41 Paget & E42 Sand Pit**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 3 May 2017, which has been allocated the reference OBJ/62.

We note your concerns and, in the following paragraphs, we respond to each point you raise.

In response to your objection to the closure of level crossing E42 Sandpit, Network Rail has decided to withdraw this crossing and related works from the Order.

We set out below the current and proposed status of the remaining level crossing referred to in your objection.

<b>Level Crossing</b>	<b>Current Status</b>	<b>Proposed Status</b>
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

We set out below the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its license and the strategic aims and policies of the

ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list. Responding to the points in your letter:

### **Point 1: E41 Paget Road Crossing not dangerous**

We note that Paget Road has been in existence since the railway was built and that you and many others use Paget Road crossing regularly. The crossing may appear safe but it is within our top 50 high risk level crossing on the route. Hence, Network Rail has proposed the closure of Paget Road crossing.

The latest All Level Crossing Risk Model (ALCRM) system risk assessment of the level crossing already gives Paget Road a rating of C4. This counts as a high risk level crossing. The risk category has not improved despite the installation of the Covtec CCTV equipment. It ranks 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354). The risk factors are cited as frequent trains, large number of users, sun glare, and low sighting time.

Trains services shall increase and possibly faster speed, and with that the ALCRM modelling would likely see the risk score increase. The Office of Rail and Road (ORR) does not generally accept increasing risk at level crossings when more trains are set to run. Especially when there is a small increase in Sunday services for the line proposed for the May 2020 timetable change.

Network Rail understands that through ALCRM and the consultation process, many people need to get to and from lower Wivenhoe regularly. Hence, two alternatives have been proposed to substitute the loss of Paget Road.

**a) Anglesea Road bridge**

At the first consultation, we noted public concerns with regards to the gradient of Queen's Road and the rocky Anglesea Road which makes it quite a challenge especially for walkers with limited ability.

**b) High Street**

It is, therefore, envisaged that High Street is most suitable alternative for all in general. As a result, we envisage that there will be higher footfall at High Street.

Consideration was given as to whether the east side footway could be widened continuously on the High Street bridge. However, it would entail substantial modification of the bridge parapet to provide additional space for turning buses. These modifications could impact on the bridge structure itself causing substandard alignment of the parapet and safety concerns.

Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts with the detail to be agreed at a later stage with Essex County Council. It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians with no impact on bridge safety.

These outline proposals have been developed to also incorporate bus turning manoeuvres from Station Road.

Please be assured that we are in consultation with Essex County Council and Colchester Borough Council and any implementations of works will be completed to the reasonable satisfaction of the highway authority.

**Point 2: E42 Sand Pit Crossing**

In response to your objection to the closure of level crossing E42 Sand Pit, Network Rail has decided to withdraw this crossing and related works from the Order.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. List of locations for TWAO documents

Angela Foster

085/63

**From:** Helen Polom <  
**Sent:** 03 May 2017 09:38  
**To:** TRANSPORTANDWORKSACT  
**Subject:** Re Wivenhoe Paget Rd E41, Sand Pit E42 and Wivenhoe Park E57

**Planned closures and diversions for Wivenhoe area footpath crossings: Paget Rd E41, Sand Pit E42 and Wivenhoe Park E57**

Helen Polom

Wivenhoe

I would like to raise 3 objections to the planned closures and diversions of the railway crossings listed above.

**I dispute the fact that these closures can be deemed a health and safety risk.** I have walked these routes for the past 30 years and there have been no accidents to my knowledge at these points. The sight lines are very clear at all these points with no bends. Even before the trees were severely coppiced at E57 there was no problem seeing in either direction.

In my opinion there is far less danger for anyone young or old at these crossings than there is trying to cross a road. I would also put forward that compared to a road in a town such as Wivenhoe or a city, that statistically pedestrians would be more likely to be injured or killed crossing the road. In my experience it is more dangerous for me to walk along the Wivenhoe to Alresford road where there is no footpath to reach crossing E42 due to speeding road traffic than it is to use the crossing where an occasional train passes.

**I cannot see how compliance with our two disability discrimination laws, the Disability Discrimination Act 1995 (DDA) and the Special Educational Needs and Disability (NI) Order 2005 could be a valid argument in favour of it** either, given that for all points people with most disabilities would be prevented from reaching these points by obstacles not on land owned by yourselves.

At each point my 30 years' experience informs me that the proposed diversions themselves are unsuitable.

**I am also objecting because the planned closures at these 3 points with long diversions breaches my right of access on these long standing footpaths.** The Wivenhoe History Group has evidence of these footpaths being used long before the railways arrived in this area in 1863. These footpaths and crossings are used daily by people.

I am requesting that a public enquiry is held so that that these proposed closures can be independently assessed.

I look forward to your response.

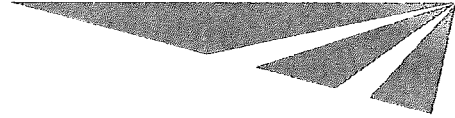
Helen Polom

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# Network Rail



Ms Helen Polom

Colchester

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

4 September 2017

**Ref: Obj/63/ES/R001**

Dear Ms Polom

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing – E41 Paget & E42 Sand Pit**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 3 May 2017, which has been allocated the reference OBJ/63.

We note your concerns and, in the following paragraphs, we respond to each point you raise. First, we set out the current and proposed status of the level crossing referred to in your objection and briefly explain Network Rail's proposals.

In response to your objection to the closure of level crossing E42 Sandpit, Network Rail has decided to withdraw this crossing and related works from the Order.

Level Crossing	Current Status	Proposed Status
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

We set out below the strategic context and background against which the Order is brought forward.

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In accordance with the terms of its licence and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient

management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list.

***Point 1: E41 Paget Road Crossing not dangerous***

We note that Paget Road has been in existence since the railway was built and that you and many others use Paget Road crossing regularly. The crossing may appear safe but it is within our top 50 high risk level crossing on the route. Hence, Network Rail has proposed the closure of Paget Road crossing.

The latest All Level Crossing Risk Model (ALCRM) system risk assessment of the level crossing already gives Paget Road a rating of C4. This counts as a high risk level crossing. The risk category has not improved despite the installation of the Covtec CCTV equipment. It ranks 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354). The risk factors are cited as frequent trains, large number of users, sun glare, and low sighting time.

Trains services shall increase and possibly faster speed, and with that the ALCRM modelling would likely see the risk score increase. The Office of Rail and Road (ORR) does not generally accept increasing risk at level crossings when more trains are set to run. Especially when there is a small increase in Sunday services for the line proposed for the May 2020 timetable change.

Network Rail understands that through ALCRM and the consultation process, many people need to get to and from lower Wivenhoe regularly. Hence, two alternatives have been proposed to substitute the loss of Paget Road.

**a) Anglesea Road bridge**

At the first consultation, we noted public concerns with regards to the gradient of Queen's Road and the unmade Anglesea Road which may not be ideal for walkers with limited ability.

**b) High Street**

It is, therefore, envisaged that High Street is most suitable alternative for all in general. As a result, we envisage that there will be higher footfall at High Street.

Consideration was given as to whether the east side footway could be widened continuously on the High Street bridge. However, it would entail substantial modification of the bridge parapet to provide additional space for turning buses. These modifications could impact on the bridge structure itself causing substandard alignment of the parapet and safety concerns.

Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts with the detail to be agreed at a later stage with Essex County Council. It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians with no impact on bridge safety.

These outline proposals have been developed to also incorporate bus turning manoeuvres from Station Road.

Please be assured that we are in consultation with Essex County Council and Colchester Borough Council and any implementations of works will be completed to the reasonable satisfaction of the highway authority.

**Point 2: E42 Sand Pit Crossing**

As stated above, in response to your objection to the closure of level crossing E42 Sand Pit, Network Rail has decided to withdraw this crossing and related works from the Order.

**Point 3: Diversity Impact Assessment**

A Diversity Impact Assessment Overview report has been produced for all level crossings within the Order. This recommended that a Diversity Impact Assessment was undertaken for Paget to ensure that Network Rail meets the Public Sector Equality Duty. Improvement of pedestrian facilities on High Street is proposed by way of widening footways, instead of relocating obstacles.

There is no obligation to make public footpaths 'disability-compliant.' However, the public sector equality duty requires Network Rail and the highway authority, to have due regard to the need to reduce discrimination on the basis of the protected characteristics. The replacement of a step-free (albeit uneven, gated, and 'chicaned') route with a stepped footbridge would cause some disabled users difficulties that they do not currently face.

***Point 4: Long detour via alternative routes***

We appreciate that the diversion would cause some change in the route that you usually take.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

**Angela Foster**

DBD/64

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**From:**  
**Sent:** 03 May 2017 09:42  
**To:** TRANSPORTANDWORKSACT  
**Cc:** Abbott James  
**Subject:** PROPOSED NETWORK RAIL (ESSEX AND OTHERS LEVEL CROSSING REDUCTION) ORDER  
**Attachments:** Secretary of State for Transport.doc

Dear Sir/Madam,

Please find a letter from Rivenhall Parish Council to the Secretary of State for Transport relative to the above.

If possible I would appreciate you confirmation of the receipt of this letter together with an assurance that its contents will be fully considered during the consultation process.

Yours truly,

Keith P. Taylor  
Clerk to Rivenhall Parish Council.

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# Rivenhall Parish Council

*SERVING THE COMMUNITY OF RIVENHALL IN THE BRAINTREE DISTRICT IN THE COUNTY OF ESSEX*  
**CLERK TO THE PARISH COUNCIL**

Mr Keith P. Taylor  
23 Mersey Road, WITHAM,  
Essex, CM8 1LL  
Tel: (01376) 516975  
Email: parishclerk@rivenhallparishcouncil.net  
Website: www.rivenhallparishcouncil.net

3 May 2017.

My Ref: F4/R1

Secretary of State for Transport  
Rt. Hon. Chris Grayling M.P.  
Westminster  
SW1A 0AA

Dear Sir,

**Transport and Works Act 1992 - The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006.**  
**The Proposed Network Rail (Essex and Other Level Crossing Reduction) Order.**  
**Potters Level Crossing E19, Rivenhall, Essex.**

Rivenhall Parish Council made an initial response to the original consultation by Network Rail for consideration of the closure of this level crossing which is incorporated within the local footpath network and is regularly used by local residents. Network Rail, however, chose to ignore the recommendation of the council regarding the relocation of the public footpath 43 and chose instead another, longer diversion route, alongside a local minor watercourse which has a tendency to become waterlogged and marshy during any wet period of the year, particularly during the winter months.

Following the notification of Network Rail's submission, detailed above, Rivenhall Parish Council has received many local representations in opposition to the proposal to close Potters Level Crossing. In addition to the information above regarding the propensity for the waterlogging of the new proposed footpath, there does not appear to be any good reason for this closure. The railway track at this crossing point has a good visibility for approximately two miles in both directions and there has, in living memory, been only one incident and that of a premeditated suicide many years ago.

Rivenhall Parish Council respectfully request, therefore, that the Potters Level Crossing not be closed so that the existing footpaths remain unimpeded and do not get rerouted.

Yours truly,

Keith P. Taylor  
Clerk to the Council



Mr K P Taylor  
Clerk to Rivenhall Parish Council  
23 Mersey Road  
Witham  
Essex  
CM8 1LL

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

29<sup>th</sup> August 2017

Ref: Obj/64/ES/R001

Dear Mr Taylor

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing E19 Potters.**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 3<sup>rd</sup> May 2017, which has been allocated the reference OBJ/64.

We note your concerns and, in the following paragraphs, we respond to the points you raise. We set out the current and proposed status of the level crossing referred to in your objection in the table below.

Level Crossing	Current Status	Proposed Status
E19 Potters	Public footpath	Diversion via new and existing footpaths to the underpass to the southwest

We set out the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its licence and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but

members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see Transforming Level Crossings 2015-2040). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>.

At round 1 consultation in June 2016, there was a clear public preference for a route linking to FP 48, close to Hoo Hall, as opposed to one alongside the railway, and it was this option that Network Rail took forward. We consider the amenity value of this route to be higher.

The proposed diversionary route predominately uses existing public footpaths within the area, with the exception of an approximately 300m new section to the north, which will link FP 44 with FP 48. The new footpath has been assessed as suitable and will be completed to the reasonable satisfaction of the highway authority (Essex County Council).

The reasons for the closure of this and other crossings in the Order are stated above.

We hope that our response had provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me on the address above or by email to [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk), quoting the reference number provided.

Yours sincerely



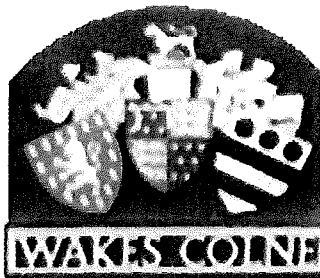
Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

**Enc. List of locations for TWAO documents**



LOCAL COUNCIL  
AWARD SCHEME  
QUALITY



085 / 65  
Parish Clerk: Mrs D. Jacob  
5 Crocklands  
Greenstead Green  
Halstead  
Essex  
CO9 1QY

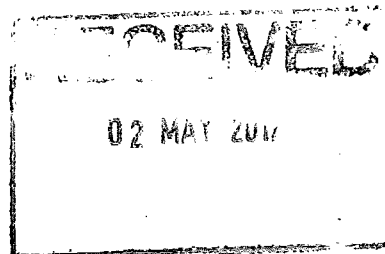
Tel: 07508787869  
parishclerk@wakescolne.org

## Wakes Colne Parish Council

[www.wakescolne.org](http://www.wakescolne.org)

YOUR PARISH COUNCIL WORKING FOR YOUR PARISH

Route Managing Director  
Network Rail  
One Stratford Place  
Mountfitchet Road  
London  
E20 1EJ



6<sup>th</sup> October 2016

Dear Sir

At the Wakes Colne Parish Council meeting of the 6<sup>th</sup> July 2016 the Parish Council discussed the proposed closure of level crossing E51 Thornfield Wood by Network Rail and strongly object to the closure on the following grounds:-

- The connectivity with the countryside for local residents and walkers would be greatly reduced.
- There would be an increased and unacceptable risk for users if the red route was implemented. Network Rail would be expecting users of the existing footpath to exchange a low risk walk over a field and a single track railway line for a walk along a 60mph road which has no footpath, poor visibility in places, particularly the hump back bridge which becomes impassable for pedestrian during heavy rain at the foot of the bridge. The road is heavily used by domestic vehicles, buses, farm and equestrian vehicles as it is a link road between Marks Tey and Sudbury and the access route to the A1124 for travel onto Colchester, Halstead and A120. It is also the access route for Chappel and Wakes Colne Station and onward travel to London, Norwich and the Anglia rail network.
- The proposed blue route up one side of a field/wood, across a road and back down the opposite side of the wood is a pointless diversion which is inconvenient for users of the footpath on the west to east route.
- The branch line is a single track with two trains an hour which we understand do not exceed 50mph. The trains can be clearly heard and visibility is excellent at the well-marked Thornfield Wood level crossing. At this crossing the trains have greatly reduced their speed, in anticipation of arrival/departure from the Chappel and Wakes Colne station which is about 400m from

Thornfield Wood Crossing. Contrary to the letter sent by Network Rail this line is NOT used by goods trains.

➤ The briefing note from Network Rail highlights five benefits from closing the level crossing , one of which is reducing the ongoing operating and maintenance cost of the railway crossing, this however appears to be minimal or no cost, as no operation mechanical or otherwise is required at this crossing. Local residents and users of the footpath would see no benefit to the closure of the level crossing which would be to their detriment and enjoyment of the countryside

Wakes Colne Parish Council support Mount Bures, Bures St Mary and Bures Hamlet Parish Councils in their objections to the proposed closure of the following level crossings :-

- ✓ Golden Square E52
- ✓ Josselyns E53
- ✓ Bures E54
- ✓ Lamarsh Kings Farm E55

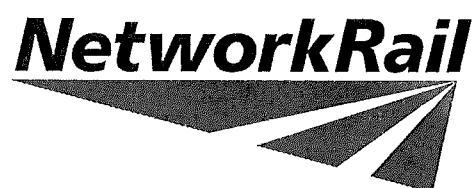
and ask Network Rail to re-consider the proposed closure of these crossings.

Yours faithfully



Parish Clerk  
On behalf of Wakes Colne Parish Council

cc. Secretary of State for Transport c/o Transport and Works Act Orders Unit,  
General Counsel's Office, Department for Transport, Zone 1/18, Great Minster House,  
33 Horseferry Road, London SW1P 4DR ✓



Mrs D Jacob  
Wakes Colne Parish Council  
5 Crocklands  
Greenstead Green  
Halstead  
Essex CO9 1QY

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

29 August 2017

**Ref: Obj/065/ES/R001**

Dear Mrs Jacob,

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossings E51 Thornfield Wood, E52 Golden Square and E54 Bures**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 2 May 2017, which has been allocated the reference OBJ/65.

We note your concerns and, in the following paragraphs, we respond to the points you raise. We set out the current and proposed status of the level crossing referred to in your objection in the table below.

<b>Level Crossing</b>	<b>Current Status</b>	<b>Proposed Status</b>
E51 Thornfield Wood	Footpath crossing	Closure by diversion via new footpath and existing route.
E52 Golden Square	Footpath crossing	Closure by diversion via new and existing footpath
E54 Bures	Footpath crossing	Closure by diversion via existing routes with new footway.

We set out below the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its licence and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list.

We note your general comment concerning connectivity across the countryside and your specific objections to the closure of the E51 Thornfield Wood level crossing.

### **Countryside connectivity**

You say that connectivity with the countryside for local walkers would be greatly reduced. Network Rail's proposal creates a north-south link which complements the predominant east-west orientation of the existing footpaths, providing an alternative to the current on-road walking. This opens up the countryside for those exploring by train and links the east-west footpath network together.

## **E51 Thornfield Wood**

You refer to the red route but this option was removed following the first round of consultation and is no longer proposed.

The blue route referred to in your letter is the route being proposed in the Order. The existing east-west link has limited connectivity. We believe that provision of the blue route would offer benefits to the wider network.

## **Other crossings**

We note that you object to the closure of E53 Josselyns and E55 Lamarsh Farm level crossing. The closure of these crossings have been withdrawn from the Order. We also note that you object to E52 Golden Square and E54 Bures but you do not give any specific reasons for your objection.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about these level crossings. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. List of locations of TWAO documents

OBJ/66 – Audley Estate

E12 Wallaces

E13 Littlebury Gate House

**Appearing at Inquiry**

**Angela Foster**

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OBJ/67

**From:** Jane Hughes  
**Sent:** 03 May 2017 12:48  
**To:** TRANSPORTANDWORKSACT  
**Subject:** Crossings closures

Dear Sir,

RE: E41 Paget Road Wivenhoe and E42 Sand Pit Alresford (Cockaynes Wood) pedestrian crossings.

I wish to register my objection to the proposed closure by Network Rail of the above-named crossings. I and others use these crossings and they should not be closed.

Jane Hughes

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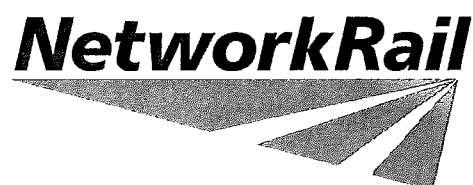
Jane Hughes

Wivenhoe  
Essex

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Ms Jane Hughes

Wivenhoe  
Essex

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

4 September 2017

**Ref: Obj/67/ES/R001**

Dear Ms Hughes

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing E41 Paget Road & E42 Sand Pit**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 3 May 2017, which has been allocated the reference OBJ/67.

In response to your objection to the closure of level crossing E42 Sandpit, Network Rail has decided to withdraw this crossing and related works from the Order.

We set out below the current and proposed status of the remaining level crossing referred to in your objection.

Level Crossing	Current Status	Proposed Status
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

We set out below the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its license and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around

the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list.

## **E41 Paget**

We note that you had not specified the reason for your objection. However, we wish to provide you with some understanding on why Network Rail has proposed for Paget Road to be closed including alternative routes in the following paragraphs below.

Paget Road crossing has been assessed by Network Rail's and ranked the crossing 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354). These risk factors are cited as frequent trains, large number of users, sun glare, and low sighting time.

Colchester is a fast-growing town and this could drive development along the Clacton and Walton lines. As trains services increase and possibly at faster speed, this would likely see the risk score increase.

The Office of Rail and Road (ORR) does not generally accept increasing risk at level crossings when more trains are set to run. Especially when there is a small increase in Sunday services for the May 2020 timetable change.

Network Rail understands through our risk assessments that the people of Wivenhoe use this crossing regularly. This is later affirmed through our consultations with residents.

As many users require access to and from lower Wivenhoe, it was proposed that

pedestrians are redirected to High Street and Anglesea Road Bridge.

The latter option would prove too much of an effort for people of limited ability due to the gradient at Queen's Road and the unmade Anglesea Road.

Therefore, High Street has been identified as most suitable alternative for all due to its leveled footpath link. As a result, Network Rail has proposed to make improvements to the High Street footway to accommodate the safety needs of the majority.

Proposals include footway buildouts at High Street and also bus turning manoeuvres from Station Road for pedestrian safety.

Please be assured that Network Rail has good reason to close Paget Road. We are also in consultation with Essex County Council and Colchester Borough Council on the alternative routes and any implementations and works will be completed to the reasonable satisfaction of the highway authority.

### **E42 Sand Pit**

In response to your objection to the closure of level crossing E42 Sand Pit, Network Rail has decided to withdraw this crossing and related works from the Order.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the address above, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

Enc. List of locations for TWAO documents

OBJ/68

**Angela Foster**

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**From:** Mark Deal < >  
**Sent:** 03 May 2017 12:57  
**To:** TRANSPORTANDWORKSACT  
**Subject:** ESSEX LEVEL CROSSINGS ORDER

To whom it may concern

As a regular, daily user of the Paget Road crossing (E41), I wish to express my objection to the planned closure of a community asset and well-established right of way.

I do not believe that the safety case stacks up, particularly given the arguably greater risks of pedestrians having to travel along the longer road routes (Anglesey Road, High Street), where they will need to mix with traffic.

Many thanks  
Mark Deal

Wivenhoe

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Mr Mark Deal

Wivenhoe

Network Rail  
James Forbes House  
27 Great Suffolk St  
London  
SE1 0NS

30 August 2017

Ref: Obj/68/ES/R001

Dear Mr Deal

**The Network Rail (Essex Level Crossing Reduction) Order  
Level crossing – E41 Paget**

The Department for Transport has passed to us your letter of objection to the proposed Order dated 3 May 2017, which has been allocated the reference OBJ/68.

We note your concerns and, in the following paragraphs, we respond to each point you raise. First, we set out the current and proposed status of the level crossing referred to in your objection and briefly explain Network Rail's proposals.

Level Crossing	Current Status	Proposed Status
E41 Paget	Public footpath (not recorded on Definitive Map)	Closure by diversion of public footpath via new and existing public rights of way, with enhancement to High Street bridge and Queen's Road footway

We set out below the strategic context and background against which the Order is brought forward.

Network Rail is responsible for the management and safe and efficient operation of the railway network. It operates under and is bound by the terms of its licence under the Railways Act 1993. It is regulated by the Office of Rail and Road (ORR).

In accordance with the terms of its licence and the strategic aims and policies of the ORR, Network Rail has a duty to ensure the safety of users of the railway and to promote improvements in railway services by cost effective and efficient management of the network. It is also legally responsible for safety on and around the railway, including at level crossings, not only for those using the railway, but members of the public who may otherwise come into contact with it. Network Rail is thus obliged to protect the public from the dangers of the railway so far as reasonably practical.

As is recognised by the ORR in its Level Crossings Policy, the removal of level crossings is the most effective way to achieve this objective, removing the interface between trains and highway users entirely.

ORR's strategy for health and safety regulation of level crossings makes clear that it will encourage crossing closure, and ensure that all risk assessments consider this first, in line with the principles of prevention.

In accordance with that objective, Network Rail has established a long term strategy of reducing level crossing risk (see *Transforming Level Crossings 2015-2040*). Closure of level crossings is the most effective way of removing the risk from the network. Reducing the number of level crossings will also remove constraints on the railway to enable enhancement of capacity and improvement of line speed (in association with other schemes) and to secure operation and maintenance of the network in a timely, efficient and economical manner in accordance with Network Rail's statutory duties and licence.

For further information about Network Rail's strategic aims please refer to the Statement of Case submitted with the application for the Order. The Statement can be found at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. Alternatively you can inspect a copy at one of the locations in the attached list.

#### **E41 Paget Road Crossing**

We note that Paget Road has been in existence since the railway was built and that you and many others use Paget Road crossing regularly. The crossing may appear safe but it is within our top 50 high risk level crossing on the route. Hence, Network Rail has proposed the closure of Paget Road crossing.

The latest All Level Crossing Risk Model (ALCRM) system risk assessment of the level crossing already gives Paget Road a rating of C4. This counts as a high risk level crossing. The risk category has not improved despite the installation of the Covtec audible warning equipment. It ranks 25<sup>th</sup> riskiest footpath level crossing on Anglia route (out of 354). The risk factors are cited as frequent trains, large number of users, sun glare, and low sighting time.

Trains services shall increase and possibly faster speed, and with that the ALCRM modelling would likely see the risk score increase. The Office of Rail and Road (ORR) does not generally accept increasing risk at level crossings when more trains are set to run. Especially when there is a small increase in Sunday services for the line proposed for the May 2020 timetable change.

Network Rail understands that through ALCRM and the consultation process, many people need to get to and from lower Wivenhoe regularly. Hence, two alternatives have been proposed to substitute the loss of Paget Road.

##### **a) Anglesea Road bridge**

At the first consultation, we noted public concerns with regards to the gradient of Queen's Road and the rocky Anglesea Road which makes it quite a challenge especially for walkers with limited ability. Even though, a stepped footbridge has been proposed, we do appreciate that this is not suitable for all.

**b) High Street**

It is, therefore, envisaged that High Street is most suitable alternative for all in general. As a result, we envisage that there will be higher footfall at High Street.

Consideration was given as to whether the east side footway could be widened continuously on the High Street bridge. However, it would entail substantial modification of the bridge parapet to provide additional space for turning buses. These modifications could impact on the bridge structure itself causing substandard alignment of the parapet and safety concerns.

Having considered and assessed the risks above, it was later proposed to move forward with footway buildouts with the detail to be agreed at a later stage with Essex County Council. It is considered that the wider footway, although not continuous on the east side of the road, would provide a safer walking/waiting area for pedestrians with no impact on bridge safety.

These outline proposals have been developed to also incorporate bus turning manoeuvres from Station Road.

Please be assured that we are in consultation with Essex County Council and Colchester Borough Council and any implementations of works will be completed to the reasonable satisfaction of the highway authority.

Anglesea Road Bridge may not be a favourable route in general but it gives you an option, if you are able, to use both proposed routes.

We hope that our response has provided sufficient clarity on each of the points made in your objection, and has addressed your concerns about this level crossing. If so, we would be grateful if you would kindly let the Department for Transport know by withdrawing your objection. We look forward to learning your position.

Meanwhile, if you require further information please do not hesitate to contact me by email on [ALCross@networkrail.co.uk](mailto:ALCross@networkrail.co.uk) or on the above address, quoting the reference number provided.

Yours sincerely



Bridgit Choo-Bennett

Anglia Level Crossing Reduction Team  
Network Rail

**Enc. List of locations for TWAO documents**

OBJ/69 – Chris Camp

E02 Camps

**Appearing at Inquiry**

OBJ/70 – Great Bentley Parish Council

E45 Great Bentley Station

E46 Lords No 1

**Appearing at Inquiry**