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THE WIVENHOE SOCIETY

4th July 2017

To: The Secretary of State for Transport, Transport and Works Act Orders Unit,
Department for Transport, Zone 1/14, Great Minster House, 33 Horseferry Road.
London SW1P 4DR

Copy to: Network Rail, c/o Winckworth Sherwood LLP, Minerva House, 5 Montague Close,
London SE1 9BB

From: Peter Hill, Committee Member of The Wivenhoe Society, C/o 16 Colchester Road,
Wivenhoe, Essex CO7 9 EU

Re: **Inquiry into the Proposed Network Rail (Essex and Others Level Crossing
Reduction) Order**

**The Wivenhoe Society's Statement of Case concerning the Paget Road railway
crossing [E41] and Sandpit crossing [E42]**

1. My name is Peter Hill. I have been a member of The Wivenhoe Society for a considerable number of years. I have also been a member of its Executive Committee for several years.
2. It was agreed at a recent meeting of the Executive Committee that I should offer to appear at the Public Inquiry to represent the interests of our 400 members and Wivenhoe in general.
3. I served as a Councillor on Wivenhoe Town Council for 25 years (1983 – 2008) and was elected to be Town Mayor on three separate occasions.
4. The Wivenhoe Society is Wivenhoe's civic society. It is a non – political organisation founded in 1966. The Society was formed to foster pride in the town of Wivenhoe and its surroundings and to:
 - safeguard all that is best in the amenities, appearance and character of the local area, and to
 - encourage appropriate development which is in keeping with the area, and to
 - encourage the improvement of civic amenities with the purpose of making Wivenhoe a pleasant and well planned place in which to live, work and visit, and to
 - promote or assist in promoting activities of a charitable and social nature, for the benefit of the town and surrounding area.

The Wivenhoe Society has about 400 members.

5. In July 2016, in consequence of Network Rail's then consultation into their proposals to close three level crossings in the Wivenhoe area, I prepared a report on behalf of The Wivenhoe Society which is appended to this Statement of Case. This document

outlined our objections to Network Rail's proposals and suggestions how these crossings could be improved for public benefit.

6. Nothing we have seen since from Network Rail has caused us to change our view that the closure of these two crossings is not warranted on public safety grounds or for operational benefit. **We therefore object to the proposed closure of these two crossings – E41 and E42.**
7. We noted that Network Rail's aims in wanting to close these crossings are to:
 - Improve the safety of level crossing users
 - Deliver a more efficient and reliable railway, which is vital in supporting the regional and UK economy
 - Reduce the ongoing operating and maintenance cost of the railway
 - Reduce delays to trains, pedestrians and other highway users
 - Improve journey time reliability for all railway, highway and other rights of way users
8. We recognise the value of these objectives to rail passengers, to Network Rail and to the train operating companies in general but we do not see any operational benefits from closing these two crossings; the public are already well aware of the dangers and trains will not run any faster. We also believe these objectives should be balanced with the desires of Wivenhoe residents to go about their daily lives in the way they have been doing for a very long time and that the closure of the Paget Road crossing in particular will have a detrimental impact on the lives of many people.
9. We have noted that Network Rail have withdrawn their plans for the closure of the level crossing at the University and instead have installed special facilities to allow people with bicycles to cross the track much more easily. We applaud this action to continue to allow people and people with bicycles to continue to cross the track unhindered and with much less effort than was previously the case. This action is in line with the recommendation we had made in 2016 (See Wivenhoe Society report para 11.4 (2)).
10. We also note that Network Rail do not require trains to give any audible warning to people when approaching this particular crossing at the University although we believe this crossing point is well-used by students and employees of the University travelling to the campus each day. We can only presume this is because there are good sight lines in either direction.

Regarding the Paget Road crossing [E41]

11. This is one of just 5 points at which people can cross the railway line in the Wivenhoe settlement area. These crossing points are:
 - Anglesea Road which is an unmade and stony private road which bridges the railway line. It is one of only two ways that cars can cross the railway line. Because of the nature of this road and because access to it from either direction is not convenient, it is not well-used.
 - The bridge in the High Street which is only wide enough to allow two cars to pass each other but not a car and a commercial vehicle. It has a narrow footway on just the west side of it and no footway on the other side. This is the side closest to the Paget Road crossing. This bridge is well-used by cars and by buses and delivery vehicles. Buses have to turn immediately right into it to go to the railway station. On their return, up Station Road, they have an awkward turn into the High Street which necessitates using the whole road up to the wall of the bridge on the west side.

- The other two crossing points are the footbridge over railway line by the rail station, and a very little-used dark tunnel under the track further to the west close by the marshes.
12. According to Network Rail's own figures, this crossing is well-used with 53 people on average using it daily during the 11 day period they conducted covert surveillance.
 13. Whilst a few of these people may be dog-walkers and others out for a walk to get the quayside perhaps, we believe that there are many people who use this crossing for other purposes as to get to places on foot from that part of Wivenhoe below the railway line such as the Co-op Supermarket which is the only supermarket in lower Wivenhoe.
 14. Bearing mind that the Paget Road crossing is at the bottom of quite a steep valley, the alternatives of walking along and over the un-made Anglesea Road with its loose gravel surface, or negotiating the narrow streets to go over the bridge in the High Street are unappealing. These alternative routes will prove particularly difficult to pedestrians with limited mobility.
 15. We wonder if officials from Network Rail or their consultants have actually tried using these alternative means of getting from one side of Wivenhoe to the other. Closing the Paget Road crossing will severely inconvenience a proportion of these 53 people who appear to use it every day. This we suggest will be a significant number of people.
 16. What is the risk to all these people from using these alternative routes which have been put forward by Network Rail? These alternatives of using the un-made Anglesea Road including the steep Queens Road, and the narrow bridge in the High Street. Both routes offer totally inadequate means of walking safely.
 - On Anglesea Road, it is unmade and stony for its several hundred metre length;
 - Queens Road is very steep in either direction from Paget Road which is at the bottom of the valley;
 - In the High Street, whilst there are footpaths on either side of the bridge, neither can be considered adequate in width, with the one on the eastern side being the narrowest. Given the narrow nature of this footpath on the east side of the railway bridge will mean many people having to cross the road, and back again, to cross over the railway line at this point.

We strongly suggest that closing Paget Road crossing will put these 53 people on average who use the crossing each day at greater risk of injury than using this rail crossing.

17. In its 150 year history of use as a crossing point, there have been no recorded accidents. Neither has there been any evidence of children playing on the track.
18. Clearly, the improvements which Network Rail have made to this crossing are both welcomed and make it much safer for the public. The dangers of crossing the railway line have been made more obvious, although given the railway line's safety record of no accidents at this point over the entire history of the rail companies which have operated on this line also suggests that the general public are familiar with the dangers of crossing railway lines.
19. A speed restriction operates on this stretch of track which is presently 20mph but used to be 35mph. We cannot see that trains need to go very fast at this point as they are either slowing down to enter Wivenhoe station which is a short distance of some 250 yards only from the crossing point, or accelerating out of the station in the direction of Clacton. We could understand that a level crossing could cause trains to slow down but not at this point for the reasons given in this paragraph and in the following paragraph.
20. We were told at a public consultation event by an official from Network Rail that they wanted to run faster trains on this line. It seemed to us that the 'wiggle' in the track close

to this crossing would naturally prevent trains going faster in any case, but then we are no experts in determining how fast a train can safely negotiate a chicane in a track.

21. In addition to slowing trains down at this point, drivers are also required to sound their horn for three seconds. The sound of this horn can be heard by everyone in lower Wivenhoe, and when the wind is blowing from the south, residents in other parts of Wivenhoe hear it too. We do not understand the necessity of warning so many people of an approaching train.
22. Many people believe that the reason why the train horn of late seems much louder, and sounded for longer, is a deliberate ploy on the part of Network Rail to encourage people to be in favour of removal of the crossing. Naturally when this point was put to Network Rail it was denied.
23. We believe it should be possible in this modern age of technology to come up with an alternative to a train horn to advise people of an approaching train. Indeed we notice that Network Rail has been able to install such a device at both the crossing by Lower Lodge Farm crossing point (between the University and Wivenhoe station) as well as Paget Road which provides an audible sound when a train approaches. This is loud enough to be heard by anyone in the vicinity of the crossing but not so anti-social that it can be heard by all the residents in Wivenhoe, including many in Rowhedge across the river as is the case of the train horn. We do not understand why the train horn is necessary. We feel this is overkill and gives rise to the sort of thinking expressed in para 22.
24. We appreciate the need for railway safety and suggest the horn should be kept for when the train driver sees people on the track.
25. Alternatively, the train horn should be modified so as to give a level of noise sufficient to give adequate warning to people on the track instead of disturbing the whole of the town with its sound.
26. We feel that as well as an audible noise, there should be a means of alerting those with hearing problems with a flashing light tied into the same circuitry which drives the trackside noise device. When we put forward this idea at a consultation event, we were told to do this would cost about £1million. This seems to us as ridiculous and suggests that the company are determined to close this crossing whatever the public view is or need for this crossing point is.
27. That a state-owned body should operate in this manner is regrettable. We could understand and appreciate Network Rail's view point if there was a history of accidents, or near misses, but their actions appear to us as one of a body wanting to remove all risk to the railway company regardless of whether they are in effect increasing the risk of injury to people by forcing them to use alternative means. We appreciate that the company has been proposing to improve these alternative routes by such means as handrails up Queens Road or a track from Paget Road (north side) to Phillip Road where a new surgery will be in operation in October this year. Phillip Road is also a road without a footway and therefore putting people at risk. We feel these proposals have been put forward without real thought and adequate knowledge of the local area, particularly taking into account the steep nature of the valley in which this crossing sits that is perhaps not obvious to someone sitting in an office desk looking at a map.

Regarding Sand Pit Crossing [E42]

28. The Sand Pit crossing is used by a lot of walkers from Wivenhoe and if it is closed these people will be forced to take a detour via the railway bridge which has no proper footway across it, other than a white line on the tarmac to delineate a footway. We believe this diversion puts people in more danger than crossing the railway line.

29. This road is fairly busy already and used by cars, vans and buses. The only speed limit is that applicable to a country road i.e. 60mph. There is a good view for drivers approaching the bridge from the Wivenhoe side, but not for those coming from Alresford.
30. The volume of vehicles using this road will steadily increase in consequence of more house building in Alresford in particular. Given the narrow nature of this bridge, anyone on it at the same time a car is driving through it, will feel very concerned. If two vehicles were to use it at the same time, the consequences could be tragic.
31. We are not aware of any fatalities or history of accidents occurring at this crossing point in its 150 year history. This may be because of the small number of people who make use of it. These people would be walkers. It may also be because there are very good sight lines in either direction.
32. We are concerned about pedestrians being diverted onto a busy and fast road and narrow rail bridge with no safe footways where the risk of accident appears to be moved from the railway to the highway network. This cannot be right and we therefore also oppose the closure of this level crossing.

Conclusion

33. In conclusion, we do not agree with Network Rail's case with closing either the Paget Road crossing [E41] or Sandpit Crossing [E42]. We believe that the alternative arrangements for crossing the railway track being proposed by Network Rail will cause considerable inconvenience to people who, historically for 150 years, and presently have been using these essential crossing points safely. Furthermore, we believe that these alternative routes being promoted will put people in increased danger of injury or worse than crossing the railway line. We recognise and applaud Network Rail's efforts to improve these crossing points, as well as at the University one and at Lower Lodge crossing. We feel that Network Rail could further improve the warnings to people of an approaching train by a visible flashing sign at these crossings rather than rely mainly on an audible warning made by the train that can be heard by people up to a mile away from the railway track. We feel that this train hooter should only be used when the driver of a train sees people on or close by the track.

Peter Hill

Committee Member, The Wivenhoe Society

Attachment: The report of The Wivenhoe Society dated 23rd July 2016



Report by WivSoc re level crossings 2016 .pdf