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Dear Natasha,

Thank you for your letter of 6 October regarding our proposals to close or divert level crossings in the East of England. I have been asked to respond as the Managing Director responsible for the Anglia Route and the delivery of this project.

Level crossings do put pedestrians directly in the path of approaching trains so they are inherently dangerous places; supported by our Rail Regulator, the Office of Rail and Road (ORR) it is therefore Network Rail's objective to mitigate risk at level crossings. The East Anglia scheme represents a turning point in our approach to closing level crossings, where closure is the correct way forward for mitigating this risk. Our scheme represents a phased strategic approach to closure; however, closure does not necessarily mean we are seeking to remove a right of way from the footpath network.

The initial tranche of 133 crossings across 7 local authorities has identified mainly smaller public footpath crossings where there is an existing piece of infrastructure nearby. We are not intending to build any additional infrastructure for these crossings. We will, where necessary, add mitigation measures to make proposed diversionary routes safer and more accessible for all.

Although the public consultation began in June we have been consulting with local authorities and statutory bodies since 2015. The initial list of crossings was devised through such meetings. Our work with the rights of way team in each local authority has been extensive. We have also briefed local access forums ahead of the public consultation, which had representation from the Ramblers. With regard to landowner visits, this work has been carried out by our land agents who again, were speaking to land owners ahead of public consultation where appropriate.

As you are aware we have carried out two rounds of informal consultation in June and during September/October. The events were publicised well in advance, with flyers posted at all the level crossings, local residential properties and local newspapers. Information was released on the day of the consultation in line with standard practice. This allowed for a robust consultation period within a set window. Quantitative data was taken from responses to the process through questionnaires that were also available online. I appreciate that for your members who undoubtedly come into contact with a number of crossing in any given area, responding to each one is a burden. However, I must stress that 21 days is an accepted amount of time for informal consultation and allows for building a robust evidence base.

It has been through the initial consultation that we have refined our plans. In many cases the diversions which we had suggested in the initial round have now changed as a direct result of that consultation. As we look to submit the orders we will strive to keep the public and our stakeholders updated on which individual crossing proposals which we intend to proceed with. Also, where we have made significant changes to the routes proposed in the second round of consultation, we will be informing stakeholders of those changes.

We understand that crossings provide key connectivity for communities and for the countryside beyond. We understand the need to maintain connectivity for users of the Public Rights of Way network and that is why our proposals show diversionary routes that link into and utilise nearby alternative paths, and, in some cases we are planning to create new public paths. At each crossing we have carefully considered the impact of our proposals in terms of safety, accessibility and amenity. Where we are providing new routes we will identify new opportunities to create new, or upgraded pathways, and will, if necessary enhance safety at the point at which pedestrians may come into contact with vehicles. We will not progress with proposals to close a crossing without providing a suitable and safe alternative point at which to cross the railway. We are trying to take users away from level crossings, which in fact are less accessible for some users.

There are currently 773 level crossings on Anglia route. As Network Rail has a duty under the Government's "Managing Public Money" initiative, we think it makes sense where we are seeking the closure of level crossings to maximise the use of existing infrastructure. The opportunity for diversion to other infrastructure, or extinguishment where a path is no longer required, fulfils the requirement for efficiency rather than provision of unnecessary bridges, which can then be utilised at other sites at a later date where bridging is the only viable option. In approaching level crossings of this nature first, we can listen to feedback and, if it is accepted that our current proposal is not feasible, the proposal can be withdrawn.

Network Rail accepts that it is not feasible to close all level crossings at this time. Technological solutions can reduce the risk at level crossings, and we have a rolling programme of risk assessment and mitigation works to make those crossings that we cannot close as safe as reasonably practical. Nevertheless, people crossing in front of trains will always be at risk; especially where users have an impairment or vulnerability, or may be distracted by wearing clothing to obscure vision or hearing

(such as hoodies) or where they may be wearing earphones or looking at mobile phones. Walkers in groups, with children or walking dogs also increase the level of risk. Each of these risks has, at certain locations, unfortunately been the cause of a fatality at a level crossing. Even with ongoing risk assessments, maintenance, and improvements to education and level crossing equipment, it is inevitable that incidents will continue to occur so long as level crossings remain open.

We have chosen to apply for county-wide Orders under the Transport and Works Act 1992, for these level crossing closure proposals for the following reasons:

1. A large volume of level crossing closure proposals can be assessed systematically, allowing a more holistic approach to rights of way in an area. Consultation events and local public inquiries (if held) can cover more than one crossing, leading to efficiencies.
2. The workload on highway authorities is reduced. Network Rail prepares all the paperwork and runs the consultation events.
3. Rail Crossing Diversion or Extinguishment Orders may only be used in the interest of public safety. A Transport and Works Act Order allows wider benefits to railway operations to be taken into account, such as improved efficiency, network reliability, and potential for capacity or linespeed enhancements.
4. A Transport and Work Order guarantees that the process will be progressed, unlike with an Order under s118A or 119A of the Highways Act 1980, a Highway Authority may decline to promote an order,
5. Transport and Works Act Orders can grant Network Rail powers to create diversionary rights of way on private land, or compulsorily acquire private land to enable closure of private level crossings. Compensation is payable on the same basis as under the Highways Act or the compensation code, rather than at commercial rates. They can also allow Network Rail to make alterations to highways on diversionary routes, such as the installation of traffic calming measures or segregated footways.
6. There is no restriction on the status of level crossing which may be altered. Rail Crossing Diversion and Extinguishment Orders cannot be used on Cycleways, Byways open to all traffic or public carriageways.
7. Unlike orders promoted under the Highways Act, which have one round of formal public consultation, the public consultation process for Transport and Works Orders is robust and iterative, allowing proposals to evolve to take account of comments that are received. After 2 rounds of public consultation, there is a further 42 days for the statutory objections period once the Order is made.

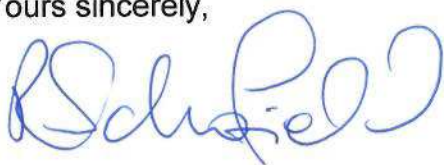
This is the first time Network Rail has applied this strategic approach to closing level crossings. In further funding periods we will be seeking funding to tackle those crossings which will require an infrastructure solution (e.g. a bridge) in order to divert. We will, of course, be learning lessons and we have tried to reflect this in each subsequent round of consultation. If successful, this approach may be rolled

out across the network; nevertheless, we do recognise that it is vital to have dialogue with you and your members so that we understand the specific local concerns.

Please do not hesitate to contact me if you have any further questions. I, along with my colleague, Mark Brunnen, Head of Level Crossings, will be happy to meet with you to discuss your concerns further, with regard to this project and our approach to level crossings at a national level.

Please contact Laurie Southwell on laurie.southwell@networkrail.co.uk if you would like to arrange a meeting.

Yours sincerely,



Richard Schofield
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Network Rail