

LEICESTERSHIRE LOCAL ACCESS FORUM – 2 OCTOBER 2008

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

**UPDATE ON TEMPORARY CLOSURE OF PUBLIC BRIDLEWAY I20 - RAILWAY
CROSSING AT BARROW UPON SOAR**

Purpose of Report

1. To update members on the temporary closure of Public Bridleway I20 Railway Crossing, at Barrow upon Soar.

Background Information

2. Public Bridleway I20 crosses the four track Midland Mainline and two adjacent sidings at Barrow upon Soar by means of a level crossing. This section of the Mainline currently has passenger trains running in excess of 100mph.
3. Bridleway I20 Railway Crossing was temporarily closed under a 21 day emergency closure in July 2008. It was subsequently closed under the provisions of Section 14(1) of the Road Traffic Regulation Act 1984, on the 5th September 2008. The Order will be operative for a period of 6 months.

Reasons for the Closure

4. The closures were initiated by the Highways Transportation & Waste Management Department and the Orders made by the Chief Executive's Department, in response to a request from Network Rail. This request was in turn a response to a critical report from Her Majesty's Rail Inspectorate.
5. On 21st June 2008 a train driver reported to the Inspectorate an incident of a very close miss involving an elderly member of the public walking across the railway on Bridleway I20.
6. An Inspector was appointed to investigate the incident and he carried out an inspection of the crossing on 25th July 2008. The Inspector published his report on the same day. In his report the Inspector stated that "*the level crossing is totally unfit for use and that public safety is seriously compromised*". He went on to state that "*the level crossing is unsafe. In my opinion it is probably the worst crossing I have ever seen*". A copy of the Inspector's detailed report is attached.

Resolving the Safety Issues

7. The emergency closure was made because it was incumbent on the authority to take immediate action in response to the strongly expressed concerns of HM Rail Inspectorate.
8. The further closure for 6 months was made on the understanding that Network Rail is taking action to either make the crossing safe or provide reasonable alternative means of negotiating the railway line.

9. The Rail Inspector has chaired two meetings so far with representatives of Network Rail, user groups and the County Council, to discuss options to make the crossing safe. The options so far discussed include:-
- a) Provide a bridleway bridge over the railway.
 - b) Provide a footbridge over the railway and divert horse riders to an underpass several hundred metres to the south east.
 - c) To modify the existing level crossing with the addition of signal lights for pedestrians and horse riders together with improved communications from Leicester Signal Box.
 - d) To carry out the above improvements and impose a reduced speed limit on the Mainline.
10. None of the above options will be easy to achieve. In this case any bridge would require planning permission. If there are objections this could lead to a Public Inquiry.
11. Any diversion of bridleway rights would need to offer a reasonable alternative route for horse riders and cyclists. If objections are received this could also lead to a Public Inquiry. Any Public Inquiry would cause considerable delays in resolving the safety issues.
12. It is the Rail Inspector's view that modifications to the crossing alone would not sufficiently improve safety and the imposition of speed limits on the Mainline would probably be required. Any new speed limits would require timetables to be re-organised and would increase journey times to St. Pancras International, London. There might also be serious implications for any future national and regional plans for the upgrading of high speed passenger services to London.

Current Progress

13. At the last meeting held by the Rail Inspector Network Rail presented several options for footbridges or bridleway bridges. Designs have been drawn up for the different options and have been costed. However, Network Rail reported that all the options posed problems relating to the effect the bridges would have on various residents and their properties and consequently on gaining planning permission.
14. Network Rail have been busy negotiating with local landowners to try and identify a possible alternative route for bridleway users but have so far been unable to gain any agreement with them.

Further Temporary Closures.

15. The current closure ends in February 2009. It is unlikely that the safety issues will have been resolved by then. Network Rail has indicated that they would be requesting a further temporary closure to give them time to implement their proposals.
16. A further 6 month closure can be made on application to the Secretary of State. However the County Council will need to be satisfied that there are plans in progress. If nothing is actually being done to achieve this then it is open to the authority to decline to extend the closure and to seek the re-opening of the bridleway.

17. Officers from Highways Transportation & Waste Management, the Chief Executive's Department and the Countryside Service are working closely to ensure that matters are progressed as speedily as possible and that the bridleway is closed for no longer than is absolutely necessary.
18. If, at some stage, the authority decides not to continue with the temporary closure, Network Rail will have to be given sufficient warning of this intent, so that they can make modifications to the crossing before it re-opens. The Rail Inspector would also need to be given sufficient warning to allow him time to impose any necessary speed restriction on the line.

Future Developments

19. A further meeting is programmed for mid November at which time it is hoped that Network Rail will be in a position to present some firmer proposals.

Recommendation

That the Forum notes the report.

Officer to Contact

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Background Papers

Office of Rail Regulation Inspection Report, Reference R1/1/2/0821,
Mountsorrel Public Bridleway Level Crossing, Near barrow upon Soar,
Leicestershire.

Appendices

Appendix - Office of Rail Regulation – Inspector's report