

Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Response to Network Rail's Proposed Suffolk Level Crossing Reduction Order	
Report No:	COU/SE/17/010	
Report to and date:	Council	13 June 2017
Portfolio holder:	Alaric Pugh Portfolio Holder for Planning and Growth Tel: 07930 460899 Email: alaric.pugh@stedsbc.gov.uk	
Lead officer:	Peter White Principal Planning Officer – Major Projects Tel: 01284 757357 Email: peter.white@westsuffolk.gov.uk	
Purpose of report:	<p>The purpose of this report is to recommend to full Council that objection is formally lodged towards Network Rail's proposed Order under the Transport and Works Act 1992 which seeks to close an at grade pedestrian crossing and reopen an underpass approximately 400 metres to the west at Cattishall.</p> <p>The Department for Transport consulted on the closure of an at grade pedestrian crossing at Cattishall (immediately north of the former Flying Fortress Public House at Moreton Hall). The pedestrian crossing goes over the Ipswich to Peterborough train line linking the Parishes of Great Barton and Rushbrooke with Rougham, and Bury St Edmunds.</p> <p>A letter was sent to the Department for Transport on 4 May 2017 from Councillor Pugh as Portfolio Holder for Planning and Growth setting out that the Council objected and the reasons for the objection. The Department for Transport sent Councillor Pugh a letter dated the 4 May 2017 asking if the letter of objection had been ratified by the Council.</p> <p>This report seeks that ratification.</p>	

Recommendation:	It is <u>RECOMMENDED</u> that the Council ratifies the letter of objection previously sent to the Department for Transport dated 4 May 2017, as contained in Appendix B to Report No: COU/SE/17/010 and therefore making a valid objection to Network Rail's proposed Transport and Works Act 1992 (Suffolk Level Crossing Reduction) Order.		
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>		
Consultation:	<ul style="list-style-type: none"> • See body of report below 		
Alternative option(s):	<ul style="list-style-type: none"> • See body of report below 		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any staffing implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any ICT implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any legal and/or policy implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> • As required by the Transport and Works Act (TWA) 1992, a statutory notice setting out the Borough Council's intended objection to the proposed closure of the pedestrian rail crossing at Cattishall was published in the press on 26 May 2017. • Ratification of objection sought by full Council to accord with TWA (Applications and Objections Procedure) (England and Wales) Procedure Rules, as set out in Appendix C
Are there any equality implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Risk/opportunity assessment: <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Not applicable		Not applicable	
Ward(s) affected:		Great Barton, Moreton Hall and Rougham	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	

Documents attached:

Appendix A – Original Consultation document by Network Rail

Appendix B – Letter sent from Cllr Pugh (Portfolio Holder for Planning and Growth) to the Department for Transport

Appendix C - Letter sent from the Department for Transport to Cllr Pugh

1. Key issues and reasons for recommendations

- 1.1 Following consultation by Network Rail it was agreed to consult with Members in the wards affected by the proposed closure of the Cattishall at grade pedestrian crossing, with the final formal Council response being submitted by the Portfolio Holder for Planning and Growth. That consultation was sent out on 31 March 2017 which sought a response by 17 April 2017. Within this email a link to the Network Rail consultation was attached and the two page consultation document is attached now at Appendix A. An additional email was sent on 4 April 2017 to the same Members outlining some of the concerns and setting out the wider background, ongoing dialogue and reasons why it was considered that the Council should object to the proposal. It should be noted that Councillor Broughton was not contacted as Councillor Mildmay-White deputises for Councillor Broughton on matters which affect the strategic housing allocation at Bury St Edmunds NE.
- 1.2 None of the Members who were consulted on 31 March and 4 April contacted officers concerning this matter and so it was considered that the issues raised by officers sufficiently covered the necessary matters and to object to the Department for Transport.
- 1.3 As such, a letter was sent from the Portfolio Holder for Planning and Growth on 4 May 2017 to the Department for Transport and that letter is attached at Appendix B.
- 1.4 An immediate response from the Department for Transport was sent to Councillor Pugh (see Appendix C) asking for the decision to object to the proposal be ratified by full Council if that had not already occurred. This paper now seeks that ratification. The issues and reasons for the objection are fully set out in the original letter from Councillor Pugh in Appendix B.