

Council



Forest Heath
District Council

Title of Report:	Response to Network Rail's Proposed Suffolk Level Crossing Reduction Order	
Report No:	COU/FH/17/015	
Report to and date/s:	Council	14 June 2017
Portfolio holder:	Councillor Lance Stanbury Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forest-heath.gov.uk	
Lead officer:	Sara Noonan Principal Growth Officer Tel: 01284 757 358 Email: sara.noonan@westsuffolk.gov.uk	
Purpose of report:	<p>The purpose of this report is to recommend to Full Council that an objection is formally lodged towards Network Rail's Suffolk Level Crossing Reduction Order (Transport and Works Order Act 1992, Transport and Works [Applications and Objections Procedure] [England and Wales] Rules 2006), which seeks to close the stop, look and listen at grade pedestrian crossing at Weatherby, Newmarket. Network Rail proposes that users would need to cross the railway by using the railway underpass at The Avenue/New Cheveley Road to the west. This means walking along the existing footways along The Avenue, New Cheveley Road, Green Road and Granary Road.</p> <p>The Department of Transport consulted on the closure of this at grade pedestrian crossing at Weatherby, which is a permissive footpath – i.e. no definitive public rights of way exist at this location. The pedestrian crossing goes over the Ipswich to Cambridge train line linking the All Saints ward and the Parish of Cheveley with the wards of Severals and St Mary's.</p>	

	<p>A letter was sent to the Department of Transport on 4 May 2017 from Cllr Stanbury as Portfolio Holder for Planning and Growth setting out that the council objected and the reasons for the objection. The Department of Transport sent Cllr Stanbury a letter dated 4 May 2017 asking if the letter of objection had been ratified by the Council.</p> <p>This report seeks that ratification.</p>
<p>Recommendation:</p>	<p>It is recommended 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/FH/17/015 and therefore making a valid objection to Network Rail's proposed Transport and Works Act 1992 (Suffolk Level Crossing Reduction) Order.</p>
<p>Key Decision:</p>	<p><i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p>Consultation:</p>	<ul style="list-style-type: none"> • See body of report below
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • See body of report below
<p>Implications:</p>	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <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
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

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:		All Saints, Severals and St Mary's	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>			
Documents attached:		Appendix A – Original Consultation document by Network Rail Appendix B – Letter sent from Cllr Stanbury to the Department of Transport Appendix C – Letter sent from the Department of Transport to Cllr Stanbury	

1. Key issues and reasons for recommendation(s)

- 1.1 Following consultation by Network Rail it was agreed to consult with Members in the Wards (All Saints, Severals and St Mary's) affected with the final formal Council response coming from the Cabinet Member for Planning and Growth. That consultation was sent out on 31 March 2017 and 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.
 - 1.1.1 Councillor Robin Millar's (Ward Member for All Saints) response to the consultation on 31 March 2017 was incorporated into the response to the Department of Transport and with no other comments received by Officers concerning this matter it was considered that the issues raised by Officers sufficiently covered the necessary matters, and to object to the Department of Transport.
 - 1.1.2 As such a letter was sent from the Cabinet Member for Planning and Growth (Councillor Lance Stanbury) on 4 May 2017 to the Department of Transport and that letter is attached at Appendix B.
 - 1.1.3 An immediate response from the Department of Transport was sent to Councillor Stanbury (see Appendix C) asking for the decision to object to the proposal to 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 Stanbury in Appendix B.