

**TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURES)
RULES 2004**

**NETWORK RAIL (STALYBRIDGE TO DIGGLE
(SADDLEWORTH) ENHANCEMENTS) ORDER**

**REBUTTAL PROOF
RELATING TO PROOF OF EVIDENCE OF KEVIN LAWTON
(OBJ/117) SUBMITTED ON BEHALF OF WEDNESDAY
WALKERS (OLDHAM), PEAK AND NORTHERN
FOOTPATHS SOCIETY AND SADDLEWORTH
PEDESTRIANS**

Prepared by:

*Sean Wotherspoon: Moorgate Halt Level Crossing – Highway
Safety*

Jim Pearson: Environment Management

*Lee Barraclough: Moorgate Halt Level Crossing – Engineering &
Design of the Alternative Route (including consideration of
footbridge)*

Mark Ashton: Need Case & Project Benefits

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Rebuttal Proof to Proof of Evidence of Kevin Lawton (OBJ/117/193/259)
(NR/PoE/REB/OBJ/117)

1. INTRODUCTION

1.1 Introduction

This rebuttal proof is providing Network Rail's responses to the Proof of Evidence submitted by Kevin Lawton on behalf of Wednesday Walkers (Oldham), Peak and Northern Footpaths Society and Saddleworth Pedestrians (OBJ/117) which comprises:

1.1.1

- Proof of Evidence (**PoE-OBJ-117/193/259.1**);
- Appendix to Proof of Evidence (**PoE-OBJ-117/193/259.2**); and
- Summary Proof of Evidence (**PoE-OBJ-117/193/259.3**).

The rebuttal is limited to points which it will assist to address in writing. The fact that any point is not responded to does not mean it is accepted.

1.1.2

2. NETWORK RAIL'S REBUTTAL EVIDENCE

2.1 Rebuttal Evidence of Sean Wotherspoon: Moorgate Halt Level Crossing – Highway Safety

Introduction and Scope

2.1.1

I have reviewed the Proof of Evidence, Summary Proof of Evidence and Appendix submitted by Mr Kevin Lawton on behalf of Wednesday Walkers (Oldham), Peak and Northern Footpaths Society and Saddleworth Pedestrians. Mr Lawton confirms that he is not acting as an expert witness, but his evidence raises matters relevant to my highway safety evidence, particularly the proposed use of FP244 SADD as the alternative route to FP209 SADD and the interface between FP244 SADD and Oldham Road (A670).

2.1.2

My response is limited to highway safety matters. I do not address the wider case for a footbridge, cost estimates, funding, consultation adequacy, heritage, planning balance or land acquisition, except where those matters overlap with the safety and operation of the proposed alternative route.

2.1.3

Paragraph 2.1: Vulnerable Users and the "Able-bodied" Wording

2.1.4

Mr Lawton relies on the Road Safety Audit wording that refers to "only able-bodied pedestrians" being able to use FP244 SADD. He says this is documentary evidence that FP244 SADD is not a suitable replacement for the users of FP209 SADD, which he says includes vulnerable users.

It is important to define what is meant by "vulnerable users" in this context. The term can include children, older people, people with physical or cognitive

impairments, people with visual impairment, dog walkers, distracted users and people who may require additional time or care when negotiating a route. Those categories are not all the same, and they do not all give rise to the same highway safety issue at the A670 interface.

2.1.5 My evidence does not assume that all existing users of FP209 SADD will have the same ability, walking speed or confidence. It recognises that both the existing and proposed routes are rural public rights of way and are not fully accessible routes. Both routes include gradients, informal surfaces and physical constraints. My Proof of Evidence states that both the existing and proposed routes are unsuitable for mobility-impaired users and are primarily suited to able-bodied users undertaking recreational walking activity.

2.1.6 In that context, the “able-bodied” wording does not mean that vulnerable users have been ignored. It reflects the character of the route being assessed. The highway safety issue is whether the proposed route can operate safely for the users reasonably expected to use a rural footpath route of this type, subject to the identified mitigation. My view remains that it can.

Paragraph 2.3: Length and Walking Time of the Diversion

2.1.7 Mr Lawton raises concerns about differing references to the additional length and walking time of the diversion. He refers to figures of 440 metres, 300 metres, 200 metres, 6 minutes, 3.5 minutes and his own view that the route

2.1.8 could take up to 10 minutes uphill.

2.1.9 I accept that walking time will vary between users. It will depend on a person’s age, fitness, walking speed, weather conditions, whether they are walking uphill or downhill, whether they are walking a dog, whether they pause, and their confidence on gradients and steps.

2.1.10 In highway safety terms, the precise walking time is not the determining issue. The relevant question for my evidence is whether the additional length and changed route introduce an unacceptable highway safety risk. My Proof of Evidence acknowledges that the proposed route is longer and less direct, but concludes that the additional distance does not give rise to a material reduction in convenience for the type of recreational use being considered.

I therefore do not rely on a single walking time applying to all users. I recognise that journey time will vary. However, that does not change my highway safety conclusion.

Paragraph 2.5: Road Safety Audit, Signage and Alleged Transfer of Risk

Mr Lawton says that the Road Safety Audit's recommendation for additional signage demonstrates that the earlier Safety Risk Assessment was inadequate. He also says that the proposal transfers a rail safety issue to the Highway Authority, which he considers unacceptable.

- 2.1.11 I do not agree. The fact that a Road Safety Audit identifies a potential safety issue and recommends mitigation does not demonstrate that the previous assessment was inadequate. It demonstrates that the audit process is operating as intended. A Stage 1/2 Road Safety Audit is an independent review intended to identify potential road safety problems and recommend appropriate measures. My Proof of Evidence explains that the audit was undertaken in accordance with GG119 and that the Designer's Response provides a separate explanation of how the audit findings have been addressed.

- 2.1.12
- 2.1.13 The FP244 SADD / A670 interface is also an existing highway situation. FP244 SADD already joins the adopted public highway at Oldham Road. The proposal does not create that physical interface, but It would increase pedestrian use of it. That incremental change has been assessed through the Highways Statement, GG104 Safety Risk Assessment and Road Safety Audit process.

- 2.1.14 If the Highway Authority considered the existing FP244 SADD / A670 interface to be an unacceptable highway safety risk in its current form, it would be reasonable to expect evidence of existing intervention, investigation, restrictions, signing or remedial proposals. I am not aware of such evidence. That does not remove the need to assess the proposed increase in use, but it is important context.

- 2.1.15
- 2.1.16 I also do not agree that the proposal simply transfers risk to the Highway Authority. Closure of the level crossing removes a rail interface risk. The alternative route introduces a different, short highway interaction. The proper highway safety approach is to identify that interaction, assess it and mitigate it. That is what has been done.

2.1. Paragraph 2.7: Description and Comparison of FP209 SADD and FP244 SADD

Mr Lawton says the descriptions of FP209 SADD and FP244 SADD are biased and that FP209 SADD has been described more negatively than FP244 SADD.

My Proof of Evidence provides a clearer and more relevant highway safety comparison of the two routes. It does not seek to describe FP244 SADD as

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equivalent in every respect to FP209 SADD. It expressly recognises that the proposed route is longer, less direct, more varied in character, and introduces a short section of public highway interaction. It also recognises that improvements to FP244 SADD are necessary and integral to route suitability.

My conclusion is therefore a qualified one. The proposed diversion is not identical to FP209 SADD, but it is capable of providing a broadly comparable alternative in functional and user terms, subject to delivery of the identified mitigation.

2.1.18

I therefore consider that my Proof of Evidence addresses the route comparison in a more balanced and relevant way for highway safety purposes than the general criticism that the descriptions are biased.

2.1.19

Paragraph 2.11: Embedded Mitigation

Mr Lawton suggests that the use of the term “mitigation” implies that inherent problems with FP244 SADD have not been resolved.

2.1.20

I do not agree with that interpretation. In highway and transport assessment, mitigation is a normal and appropriate term. It does not mean that a proposal is unacceptable. It means that identified constraints or risks require measures to reduce them to an acceptable level.

2.1.21

2.1.22

My Proof of Evidence is clear that the proposed route must be considered with the identified mitigation in place. It identifies essential measures, including replacement or reconstruction of steps and resurfacing or improvement of FP244 SADD, together with secondary measures including the extension of the 20mph speed limit and potential footway widening subject to constraints.

2.1.23

I do not suggest that FP244 SADD in its current condition is suitable without improvement. My conclusion is dependent on the delivery of the essential mitigation measures. That is an appropriate and transparent highway safety position.

2.1.24

Paragraph 2.12: Use of FP209 SADD During Works and Walking Time Comparison

2.1.25

Mr Lawton refers to material suggesting that FP209 SADD may be used as an alternative route during works to Wickens Bridge or FP244 SADD, and questions whether that means there are no safety issues with the level crossing. He also refers to suggested walking time comparisons.

In my view, this point is not determinative of the permanent highway safety assessment. Temporary construction-stage arrangements are not the same

as the permanent public rights of way solution. Temporary use, if proposed, would be subject to separate controls, risk assessment and management arrangements appropriate to construction staging.

The suggestion that temporary use of an existing route means that no safety issue exists at the level crossing does not follow. A temporary managed arrangement is materially different from an unrestricted permanent level crossing arrangement. In any event, FP209 SADD is not available as an alternative due to its closure under a TTRO.

2.1.26

The walking time point is also inherently variable and user-specific. It is not possible to assign a single walking time that will apply to all users in both directions. For my highway safety evidence, the important issue is whether the proposed permanent route can operate safely and reasonably conveniently, subject to mitigation.

2.1.27

Paragraph 2.8 and Paragraph 6.1: Private Garden, Driveway and Reported Incidents

Mr Lawton raises the private garden and shared driveway at Oldham Road, refers to a reported near miss, and refers to a vehicle collision with the garden wall on 04/03/2026. In his conclusion he says the route cannot be made safe and passes through a private garden and shared driveway.

2.1.28

The private garden and driveway issue already exists because FP244 SADD already follows that alignment and already connects to Oldham Road. The proposed diversion would increase the use of that existing route, but it would not create the route through the garden / driveway environment.

2.1.29

2.1.30

Matters relating to residential amenity, private land, curtilage and landowner impact are outside the scope of my highway safety evidence. They are matters for Network Rail's wider land, rights of way and planning evidence.

2.1.31

In highway safety terms, the relevant issue is the transition between FP244 SADD, the private access environment and the adopted highway at Oldham Road (A670). That interface has been identified and assessed. The reported near miss and wall strike are qualitative observations which should inform detailed design and route management, but they are not, on their own, evidence of a recorded pattern of personal injury collisions attributable to the proposed diversion.

2.1.32

The appropriate response is to manage the interface through clear route definition, visibility, signing, measures to discourage inappropriate cycle use and appropriate design of the FP244 SADD approach. In my opinion, those matters are capable of being addressed through detailed design and do not demonstrate that the route is inherently unsafe.

Paragraph 3.3: Comparison with a Footbridge and Existing Route

- 2.1.33 Mr Lawton accepts that a footbridge would introduce steps onto FP209 SADD but argues that it would be safer and more convenient than the steep flights of steps and unprotected steps proposed for FP244 SADD. He also says that the safety issues with FP244 SADD and the impact on adjacent private property cannot be solved.
- 2.1.34 This is largely a preference for a different solution. I understand that position, but it is not the question addressed by my highway safety evidence. My role is not to determine whether a footbridge would be preferable, but whether the proposed FP244 SADD diversion can operate acceptably in highway safety terms.
- 2.1.35 It is also relevant that the existing FP209 SADD route is not without safety risk. The existing route uses a level crossing, and the closure of that crossing is being promoted because of rail safety considerations. The fact that some objectors consider FP209 SADD convenient does not remove the risk associated with the level crossing.
- 2.1.36 Both existing and proposed routes require users to be mobile and capable of using a rural footpath environment. My Proof of Evidence recognises that both routes are unsuitable for mobility-impaired users and are primarily suited to able-bodied recreational walkers.
- 2.1.37 I therefore do not accept that the existing route should be treated as risk-free, or that the proposed route should be rejected simply because it introduces a different set of constraints. The correct approach is to compare the routes and assess whether the proposed route can achieve an acceptable level of safety, subject to mitigation.
- 2.1.38

Overall Response to Mr Lawton's Conclusions

- 2.1.39 Mr Lawton concludes that FP244 SADD is not suitable, safe or convenient and that the Mayer Brown reports prove that the Oldham Road exit is unsafe. I do not agree.
- My Proof of Evidence does not claim that the proposed route is identical to FP209 SADD or free from constraint. It recognises the constraints clearly. The A670 section is the only part of the diversion route where pedestrians are adjacent to vehicular traffic, and it has been subject to detailed assessment through the GG104 Safety Risk Assessment and independent review through the Stage 1/2 Road Safety Audit. The constrained footway is an existing feature of the highway and is not reasonably practicable to widen due to physical and land ownership constraints.

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The identified mitigation, comprising route improvements, speed management, warning signage, clear wayfinding and detailed design of the FP244 SADD / A670 interface, is proportionate to the level of risk. My Proof of Evidence concludes that the residual risk is acceptable in the context of a rural highway environment with low pedestrian flows.

2.1.40

I therefore do not consider that Mr Lawton's Proof of Evidence changes my highway safety conclusion. The proposed diversion route is not equivalent in all respects to FP209 SADD, but it is capable of operating acceptably in highway safety terms, subject to the identified mitigation being secured and implemented.

2.1.41

2.2 Rebuttal Evidence of Jim Pearson: Environment Management

Introduction

This section is providing Network Rail's responses to the following matters raised in Proof of Evidence (PoE-OBJ-117/193/259.1).

2.2.1

Mr Lawton in their section 2.12 notes the Environment Report (**NR14**) in Volume 3 Appendix 10A states that Moorgate Halt level crossing will remain in operation and be used as a diversion whilst Wickens Bridge is unavailable during its construction, and questions whether there is a safety issue or not. ("**Matter 1**");

2.2.2

2.2.3 Response to Matter 1

Mr Lawton correctly points to an inaccurate statement in the ER in section 2.12 of their proof of evidence. Whilst Wickens Bridge access on "FP244 SADD" is temporarily stopped up, it will not be possible to divert over the Moorgate Halt level crossing that remains closed for safety reasons.

2.2.4

This aspect of the work at Wickens Bridge had assumed Moorgate Halt level crossing would remain open when it was assessed and the error had not been picked up in Appendix 10A after Moorgate Halt was then closed for safety reasons.

2.2.5

Whilst the footpath (FP244 SADD) through Wickens Bridge (MVL3/29) is temporarily closed during works to strengthen the overbridge, the diversion will continue past the access to FP209 SADD on Den Lane to the footpath at MVL3/30 on Den Lane and then back to FP 244 SADD. It is anticipated that the temporary closure of FP244 SADD for construction works at Wickens Bridge would last for a period of approximately 12 weeks.

2.3 Rebuttal Evidence of Lee Barraclough: Moorgate Halt Level Crossing – Engineering & Design of the Alternative Route (including consideration of footbridge)

Introduction

This section is providing Network Rail's responses to the following matters raised in Proof of Evidence (PoE-OBJ-117/193/259.1).

- 2.3.1
- **Matter 1 - The viability of proposed upgrade to FP244.** Paragraph 2.2 of PoE-OBJ-117/193/259.1 states: *'Revised proposals are included for the works to 244 which are illustrated using CGI. No detail drawings are included, and I received confirmation from NR on 16 March 2026 that there aren't any details and that: 'The planning drawings may be subject to amendment as the design progresses'. There is therefore no guarantee that the illustrated improvements can actually be achieved. The CGI appears to show the risers and tread depths the same so the steps would not comply with any relevant standard. These proposals do not satisfy the criterion of the alternative route being 'suitable and convenient'. The proposed improvements are only between the bridge and Ladcastle Road and given the topography of the path and the location of the proposed compound area, I cannot see how it will be physically possible to access the valley site with equipment to carry out the work, and there is no indication how surface water run-off will be dealt with at Wickens Bridge'*
 - **Matter 2 – Construction Programme for 2022 Footbridge.** Paragraph 2.15 of PoE-OBJ-117/193/259.1 states *'NR's SOC now includes in Appendix 4, a third attempt to justify the £4.5 m cost of a footbridge. All remarkably coming to £4.5m! This is somewhat unbelievable given the change from working out-of-hours over a period of 8 months to carrying out the work from road/rail vehicles during line closures, which from the following email from Penny Carter could be up to 20 weeks. This would be sufficient time to construct a footbridge at Moorgate.'*
 - **Matter 3 – Basis of cost estimate.** Paragraph 2.18 of PoE-OBJ-117/193/259.1 states *'I accept there are some difficulties in constructing a footbridge at Moorgate, but it is clearly possible to install one and we have repeatedly tried to work with NR to find a cost-effective solution. The SoC section 8.2.2.33 confirms that a bespoke solution had been prepared by NR. We need to see a true costing for this. The decision to abandon the footbridge should not just be based on 'value for money' as a footbridge should be seen as an essential part of the works. In this regard, I referred in my SoC to the huge bridleway footbridge built at Barrowby Lane where the ground*

conditions were much worse than at Moorgate, and I note that in this TWAO there is the completely new footbridge at Greenfield Station and 3 footbridges in Tameside to be rebuilt, including two with difficult ground conditions. Then there are 4 to be rebuilt in the recently advertised Marsden to Huddersfield section. Why not at Moorgate

- **Matter 4 – Cost estimate values. Paragraph 2.19 of PoE-OBJ-117/193/259.1 states** *‘I am not clear what the expenditure of £584,000 (Dec ’25) and £296,600 (Feb ’26) for removing the level crossing in the footbridge costs relates to as there is no similar cost for doing that work in the path 244 costs – but there should be. This means that taking the February 2026 figures, the basic cost of a footbridge would be £2,797,100, less £176,000 for works to 244 not required and £296,600 which should have been included in the costings for 244 – a nett figure of £2,324,500 which is almost half the £4.5m quoted.’*
- **Matter 5 – Stockport Level crossing estimate. Paragraph 2.20 of PoE-OBJ-117/193/259.1 states** *‘Section 8.3 of NR’s SoC refers to options considered for the replacement of the Stockport Road level crossing in Mossley. The option of a footbridge, which has piled foundations and difficult access, is stated to be £1.2 million. This cost does not include an element for risk and again illustrates how exorbitant the costs quoted for Moorgate are.’*

Response to Matter 1

2.3.2

In response to matter 1 details of the proposed upgrade to FP244 are shown on the following drawings: -

- 696780-WCL-1700-MOG-DRFG-ECV-780105 Moorgate Footpath Upgrade – Proposed Site Plan Sheet 1 of 3
- 696780-WCL-1700-MOG-DRFG-ECV-780106 Moorgate Footpath Upgrade – Proposed Site Plan Sheet 2 of 3
- 696780-WCL-1700-MOG-DRFG-ECV-780107 Moorgate Footpath Upgrade – Proposed Site Plan Sheet 3 of 3
- 696780-WCL-1700-MOG-DRFG-ECV-780108 Moorgate Footpath Upgrade – Proposed Longitudinal Section Sheet 1 of 3
- 696780-WCL-1700-MOG-DRFG-ECV-780109 Moorgate Footpath Upgrade – Proposed Longitudinal Section Sheet 2 of 3
- 696780-WCL-1700-MOG-DRFG-ECV-780110 Moorgate Footpath Upgrade – Proposed Longitudinal Section Sheet 3 of 3

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- 696780-WCL-1700-MOG-DRFG-ECV-780111 Moorgate Footpath Upgrade – Proposed Cross section & details

These are included in the TWAO NR12 planning drawings.

The plans have been informed by a topographic survey of the route.

2.3.3 The majority of the works involved resurfacing and drainage provision of the existing footpath. This would be carried out by a mini excavator accessing
2.3.4 from Oldham Road or the adjacent field.

2.3.5 The concrete steps would be cast in-situ using permanent formwork installed piecemeal by hand. Concrete would be delivered via Ladcastle Road.

2.3.6 The construction methodologies for the upgrade to FP244 are conventional and would be carried out during daytime working outside of a rail
2.3.7 environment.

2.3.8 Surface run off will be managed using water bars at each intermediate step location in combination with a filter drain which will outfall to the existing gullies. These details are shown on drawing 696780-WCL-1700-MOG-DRFG-ECV-780111.

Response to Matter 2

2.3.9 In response to matter 2 I clarify that the 20-week closure in Penny Carter's email dated 09/09/2025 refers only to the closure of the highway at Oldham Road. Mr Gardner's evidence clarifies that this period is now assessed to be
2.3.10 17 weeks. However, the railway will only be closed for a period of 5 days during the reconstruction of MVL3/28 Oldham Road.

2.3.11 The reconstruction of MVL3/28 is a complex scheme which has been developed to minimise impact to highway users, no works which could have the potential to affect the progress of MVL3/28 would be carried out in parallel. Therefore, there is no link between the construction of MVL3/28 Oldham Road and Moorgate Level Crossing.

The cost estimate in Appendix 4 of Network Rail Statement of Case **[NR30]** assumes a footbridge would be constructed over a 20 week programme which would include 3No. 54 possession followed by a 16-day blockade of the railway. The cost estimate takes into account efficiencies on rail access, with no cost allocated to the use of the 16 days blockage for delivering the works.

Response to Matter 3

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In response to matter 3 I clarify that the footbridge cost estimate presented in Appendix 4 of Network Rails Statement of Case **[NR30]** is for the 2022 Footbridge which are shown on the following drawings: -

- 2.3.12
- Drawing 151667-TSA-26-MVL3-DRG-C-ST-040011 (Proposed General Arrangement for the 2022 Footbridge);
 - Drawing 151667-TSA-26-MVL3-DRG-C-ST-040012 (Proposed General Arrangement for the 2022 Footbridge Sectional Elevations Sheet 1 of 2);
 - Drawing 151667-TSA-26-MVL3-DRG-C-ST-040013 (Proposed General Arrangement for the 2022 Footbridge Sectional Elevations Sheet 2 of 2)

These are included in appendices 6 to 8 of [NR/PoE/LB/11.3].

- 2.3.13 The option selection for Moorgate used cost benefit analysis for level
2.3.14 crossings which is presented in table 8.1 of Network Rail Statement of Case **[NR30]**.

Response to Matter 4

- 2.3.15 In response to matter 4 I clarify that the cost of removing the level crossing is not included in either of the cost estimates presented in Appendix 4 of Network Rail Statement of Case **[NR30]**.

Response to Matter 5

- 2.3.16 In response to matter 5 I highlight that subscript d. of table 8.2 in Network Rail Statement of Case **[NR30]** states 'Cost of the footbridge is based on a generic NR cost for a footbridge. The actual costs are likely to be much higher due to site topographical constraints at this location as described above. Notwithstanding the cost analysis show the footbridge has a lower CBR then the identified option.'

- 2.3.17 The cost estimate for Moorgate level crossing has been developed in line with the advisory note [NR/PoE/LB/11.3] whereas for Stockport Level crossing a generic value was applied. Therefore, the estimates are not comparable.

2.4 Rebuttal Evidence of Mark Ashton: Moorgate Halt Level Crossing – Needs Case and Benefits.

Response to Matter - paragraph 2.18

- 2.4.1 This note is to be read in conjunction with Section 7 of the Statement of Case (NR30) and Mr Doodson's PoE, in particular, Section 2.4 'Optioneering cost business analysis and gross disproportionality optioneering' and Section 3.7 Moorgate Halt – Optioneering.
- 2.4.2 Where Level Crossing replacement footbridges have been installed at locations on the Transpennine Route Upgrade, for example, Barrowby Lane, that intervention responded to location-specific circumstances including usage levels and operational environment (cyclists/bridleway), that justified a grade-separated solution combined, with a site specific construction methodology, which is not directly comparable to Moorgate Halt.
- 2.4.3 Existing footbridges that span the railway within the projects footprint have been assessed on the basis of; removal, do nothing, modify, or reconstruction to support the schemes needs.
- 2.4.4 Oldham Road footbridge (separate to Greenfield Station footbridge) is to be constructed as a stand-alone structure instead of being integrated into the proposed Oldham Road Overbridge due to existing terrain constraints. Following consultation with Oldham Metropolitan Borough Council this option was supported and provides benefits to the overbridge construction programme and affords improved pedestrian safety.
- 2.4.5 Network Rail has assessed the need for interventions at Moorgate Halt Level Crossing in accordance with its established level crossing risk management processes including cost business analysis and gross disproportionality optioneering, described in Mr Doodson's PoE, which evaluates factors that consider safety, mitigation proportionality (cost verses benefit, ie value for money) and accessibility outcomes to inform a recommended treatment at the level crossing to mitigate crossing user and operational risks.
- 2.4.6 In summary, footbridges have been delivered at certain locations on the Transpennine Route Upgrade where justified by higher risk, usage, or operational complexity. The assessment at Moorgate Halt establishes that such an intervention would not be proportionate or represent value for money. The scheme proposal reflects a risk-based approach that supports directing public funding to locations where it delivers the greatest benefit.

Response to Matter – paragraph 3.2

- 2.4.7 The DIA (now EQIA) referred to in Mr Barraclough's PoE (Appendix 4) was a 'live' document at the time Mr Lawton submitted an FOI in March 2026 to

request a copy of the DIA, noting the DIA had been updated but was still subject to review and sign-off as part of Network Rails DIA assurance process, and therefore could not be released as an uncontrolled document at that time.

Response to Matter - paragraph 5.1

2.4.8 The 'Order Scheme' estimate of costs (NR06) and separate estimate to inform the design and delivery costs for a Moorgate Halt level crossing bridge proposal have been produced in accordance with industry practice. The NR06 cost estimate includes a regularised risk provision within each of the high level Order Scheme elements to produce an 'indicative' estimate for the Order Scheme works.

2.4.9 The Moorgate Halt footbridge estimate has been produced as described in the Advisory Note (Appendix 5 of Mr Barraclough's PoE) which includes a lower and upper risk range that was used to support the cost benefit analysis referred to in Mr Doodson's PoE, in particular, Section 2.4 'Optioneering cost business analysis and gross disproportionality optioneering', and Section 3.7 Moorgate Halt – Optioneering.

2.4.10 The estimating and risk allocation approaches used to develop the NR06 and Footbridge costs are reasonable and proportionate.

3. WITNESS DECLARATION

3.1 Statement of declaration

Each named witness confirms that the declaration on their proof of evidence applies to the relevant parts of this rebuttal.