

APPENDIX A TO PROOF OF EVIDENCE
MOORGATE FOOTBRIDGE CAMPAIGN GROUP

Objection 65

NETWORK RAIL STALYBRIDGE TO DIGGLE
TRANSPORT WORKS ACT ORDER

APPENDIX A TO THE PROOF OF EVIDENCE

RESPONSE TO NETWORK RAIL'S STATEMENT OF CASE NR30

FROM MOORGATE FOOTBRIDGE CAMPAIGN GROUP, OBJECTION 65

(A DOCUMENT PREVIOUSLY SUBMITTED BY MFCG ON 24TH APRIL 2026)

1 INTRODUCTION

- 1.1 The Moorgate Footbridge Campaign Group submitted an objection to
- the proposals for Moorgate level crossing; and
 - the Consultation Report NR 7 which formed part of the Application
- 1.2 Network Rail's Statement of Case has amended the proposals for Moorgate and for some other proposals which are relevant to Moorgate (e.g. Compounds and Access)
- 1.3 On 18th March 2026 the Group was able, for the first time, to see copies of objections and representations relating to Moorgate and to the general topic of Consultation. Network Rail had, of course, had sight of those submissions before it prepared its Statement of Case. For that reason the manner in which Network Rail responded to those objections in its Statement of Case is included in this response.

2 MOORGATE LEVEL CROSSING

- 2.1 Mr Lawton is submitting a response on behalf of the Wednesday Walkers, the Peak and Northern Footpath Society and Saddleworth Pedestrians. To avoid duplication, the Group wishes to add its voice to that response. The matters below are additional to and complementary to Mr Lawton's submission.

2.2 Cyclists

- 2.2.1 Network Rail has previously referred to the significant use of Footpath 209 by cyclists. This was revealed by its own surveys carried out in March / April 2022 and November / December 2024. It is probable that numbers of cyclists would be higher in the Summer months and will rise in the future as active travel becomes more popular for reasons of health and carbon dioxide reduction.
- 2.2.2 The Design and Access Statement attached to the planning application for a footbridge in 2022 says (page 6) that the footbridge will "provide a safe route for pedestrians and cyclists". This is one way in which the proposed footbridge development is shown to be in conformity with the National Planning Policy Framework (NPPF). "Chapter 9" of NPPF is referenced
- 2.2.3 On 11th February 2026 the resident at 6 Oldham Road contacted the Campaign

Group to report that Footpath 244 was (since the Temporary Closure of Footpath 209) being used by cyclists, both children and adults. She reported an incident where an adult cyclist had nearly collided with her car whilst she was manoeuvring it. We believe she also made a report to Network Rail at that time.

- 2.2.4 There is clearly a desire amongst cyclists to travel down this hillside.
- 2.2.5 If Footpath 244 is promoted as the alternative and its entrance from Ladcastle Road is more visually prominent than it has been for many decades, then it is certain that cyclists, both children with parents and adult off road cyclists will use it – regardless of whether they are legally entitled to do so.
- 2.2.6 The dangers to these cyclists, to walkers who they pass, and to drivers on Oldham Road should be obvious to project planners. The dangers will be at all points on the path and particularly where it enters a private garden and parking area and then meets Oldham Road.
- 2.2.7 We are surprised that this issue is not recognised in Network Rail's Statement of Case, particularly if the incident at 6 Oldham Road was reported to it before the Statement of Case was issued.

2.3 Heritage

- 2.3.1 The importance of Dark Lane (Footpath 209) as part of our heritage was raised by objectors during the consultation in November 2024. The Saddleworth Historical Society and the Campaign Group provided detailed information during the formal Objection Period.
- 2.3.2 An analysis of objections relating to the Moorgate Level Crossing reveals that the impact on our heritage is a matter of concern for large numbers of objectors. We did not have access to this information until 18th March 2026, but Network Rail presumably read those responses before issuing its Statement of Case. Instead of evidencing that it had given proper consideration to a loss of heritage, it gave a misleading impression by greatly understating the weight of public concern. (This point is explained at 3.8.2 to 3.8.5 below).
- 2.3.3 We cannot find a proper account of the historic significance of Dark Lane in Network Rail's Statement of Case. In particular we cannot find a statement of its role as part of a long distance interregional mode of communication. It was an ancient transpennine route, probably one used for a wide range of purposes. It is surprising that an Applicant, promoting an upgrade of a modern equivalent, would not want to draw attention to this historic forerunner. We believe that Network Rail's Statement should more accurately describe the information which it now has. Please point us to the relevant paragraph(s) of NR30 if we have missed this.
- 2.3.4 Having acknowledged the significance and longevity of the route we would also suggest that the Statement should note that the section of Dark Lane east of the

railway not only lies in the Uppermill Conservation Area but the lane is almost certain to be by far the oldest man-made element in the whole Conservation Area.

2.4 Vulnerabilities and protected characteristics amongst the footpath users.

- 2.4.1 This is, of course, a crucial issue to be considered during the assessment of the proposals. The specific point we wish to raise here is about the suitability of a footbridge, in the light of submissions made by objectors.
- 2.4.2 Many objectors have pointed to their vulnerabilities, their disabilities and to personal characteristics which should be regarded as “protected”. They referred to both their own circumstances and those of their walking companions and people for whom they have care responsibilities. Some of this information is obscured by redaction. As a community group we know many of these people and understand their circumstances. We understand that Network Rail received the objections in an unredacted state and therefore has the full information which objectors wished to place on the record.
- 2.4.3 A ramped footbridge was considered as an option before the planning application was submitted but it was decided that Network Rail’s proposal of a stepped bridge was a reasonable compromise even though it would not be usable by people who can only move in a wheelchair. Network Rail’s proposal was supported by a Diversity Impact Assessment.
- 2.4.4 The objection process has provided the most informative means of testing the appropriateness of this compromise, and making a comparison between a stepped footbridge and Footpath 244, from the perspective of users.
- 2.4.5 Most objectors said that they were regular and long term users of Footpath 209. No objector said that a stepped footbridge would impede their own movements up or down Footpath 209. No objector said that it would impede a walking companion or someone in their care. No objector said that they thought an improved Footpath 244 would be an acceptable alternative. Most were strongly of the opinion that it would not. We have recorded the numbers of views expressed within the objections.
- 2.4.6 These opinions are very understandable. A stepped railway bridge has steps which are wide and comply with safety standards. The steps are consistent in their dimensions, regular and predictable. They are designed so that one or two people can assist a person who has difficulties. They provide space for people to pass, to overtake and to pause for rest. It is not surprising that people with physical, visual or spatial awareness problems (for example), but who are not wheelchair users, feel able to use a footbridge. They have experienced footbridges in other locations.
- 2.4.7 We have seen nothing to demonstrate that an improved Footpath 244 can provide for safe and convenient movement for this type of user. Given the topography of Wickens Clough, which Footpath 244 descends, it seems extremely unlikely that this can be achieved.

- 2.4.8 We do not believe that any learning by Network Rail, about this most crucial issue, and which should have resulted from an analysis of objections, is evident in the Statement of Case. Please point us to the relevant paragraph(s) if we have missed this.

3 CONSULTATION

- 3.1 The Campaign Group has objected to the Consultation Report NR7.
- 3.2 In our objection we referred to a consultation process that Network Rail carried out in November 2024 which avoided mention of an important option for the Moorgate level crossing, namely a footbridge, despite this having previously been Network Rail's preference, and it being a solution which the public had been led to believe would be implemented.
- 3.3 We also referred to Network Rail's persistent refusal to let us see copies of the public's responses to that consultation. We sought this information so that we could fully understand the opinions expressed by members of our community. We also wanted to assess whether Network Rail had represented them accurately and fairly in its overview of the responses which it provided to us. We were surprised that the opposition to Network Rail's proposals was not even stronger than the almost 75% disagreement that it acknowledged. We suspected the responses had been affected by Network Rail not advising them about the footbridge option.
- 3.4 It was on 18th March 2026 that we were first able to see all the submissions about the Moorgate level crossing made during the formal Objection Period. Examining the actual objections has confirmed our previous concerns about the way in which the November 2024 consultation process was handled. We can see that we were absolutely right to ask for copies of the public's responses after the November 2024 consultation event.
- 3.5 In Network Rail's Statement of Case the formal objections made by 19th December 2025 have not been accurately summarised. The responses to them by Network Rail are very inadequate. We detail the errors in section 3.8 below.
- 3.6 Based on the evidence below we now think it even more likely that the responses to the 2024 consultation were not revealed to us because they were even more negative towards Network Rail's proposals than it was prepared to acknowledge. Our efforts to support our community in its opposition to Network Rail's proposals were very likely hampered by Network Rail's refusal to share the November 2024 information with us.
- 3.7 As a community group we have analysed every submission made about Moorgate during the Objection Period, as revealed online on 18th March. We have also analysed all Statements of Case which are relevant. We are therefore aware that there are a number of errors and omissions in Section 14 of NR30; Tables 14-1 and

14-3, where they relate to Moorgate. If we had relied on Network Rail's information in Tables 14-1 and 14-3 we would have been badly misinformed.

We have very recently been advised that the list of submissions presented on 18th March was not a complete record of the objections that were made.

3.8 **Table 14-1 First line.** We have been provided with copies of 127 objections to the proposals for Moorgate and the FP244 alternative route.

3.8.1 **The figure of 113 which is given needs to be amended by replacement with the correct figure.**

3.8.2 **Table 14-3 The references to Moorgate level crossing**

3.8.3 Three objectors are reported as objecting because of their concern about heritage conservation at Moorgate.

3.8.4 The three who are identified as being concerned about heritage conservation in fact also had other grounds of objection to the Moorgate proposals. Two of them submitted comprehensive objections based on several other grounds. These submissions are, quite rightly, included in the next section of the table.

3.8.5 The way this information has been presented by Network Rail is extremely misleading. It creates a very strong impression that only three people were objecting to the Moorgate proposals on the grounds of the loss of a heritage asset. Our analysis revealed that, in truth, 58 of the objectors to the Moorgate proposals mentioned this issue in some way.

3.8.6 The section of Table 14-3 which follows includes, one would think, all other grounds of objection raised by all other objectors. In fact Network Rail's text does not mention some of the most fundamental reasons for objection raised by objectors and thus avoids the need to respond to those reasons for objection.

3.8.7 Those other reasons for objection include :-

1. The dangers where FP 244 meets Oldham Road (92)
2. Inconvenience for local residents (73)
3. The interests of users with vulnerabilities and protected characteristics (48)
4. The impact on links to the wider footpath network and key attractions for local residents and visitors (41)
5. The impact on the visitor economy (47)

The numbers in brackets are the total number of objectors who raised this issue, based on our interpretation of the redacted versions of their submissions. The numbers include one statutory body's representation (Saddleworth Parish Council).

3.8.8 The number we have placed against reason 3 above is almost certainly an

understatement because our analysis was constrained by the redaction of information about age and disabilities. We understand the need for redaction. However, from our close connections with the community we know that it is likely that significantly more objectors raised this ground for objection by pointing to their own protected characteristics. If Network Rail has had the unredacted versions of all objections since early January it has had a good opportunity to consider the importance of this issue for objectors and statutory bodies. And yet it has not mentioned this issue in Table 14.3 where it refers to the content of Moorgate objections

- 3.9 **Table 14-3 should be amended. Otherwise it gives a very misleading impression to the Inquiry about the nature and weight of objections and the adequacy of Network Rail's responses.**

Please direct us to the relevant pages if we have missed pertinent information in NR30.

- 3.10 Network Rail took a similar approach when sending responses to individual objectors in the weeks following the Objection Period. It ignored much of the content of objections when making its responses.
- 3.11 In the case of the Campaign Group, Network Rail responded to points that the Group had not raised, and made no response to ones it had. We now know that other objectors were treated in the same manner. In January 2026 we were contacted by members of the community who had been confused by Network Rail's responses to them. At the time we could only advise them that they were receiving a "blanket" reply.
- 3.12 Now, having studied all the objections, we can see that Network Rail was consistently suggesting that the issue of safety on the level crossing was a matter of contention, and making this a focus of its responses. As far as we can see only one objector was adamant that the level crossing danger was exaggerated and that it should remain open. That person had advised us that he would not be supporting the Footbridge Campaign for this reason. We are not aware of any other objector who takes that position.
- 3.13 Network Rail's misrepresentation of people's reasons for objection is an obstacle to finding common ground and to constructive dialogue.

4 CONCLUSION

- 4.1 We ask that Network Rail gives careful consideration to the points we have raised. Our purpose is to ensure that the Inquiry is provided with accurate information presented in an open and fair manner.