

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

THE NETWORK RAIL (TACKLEY LEVEL CROSSING) ORDER

**SUMMARY PROOF OF EVIDENCE OF ANNA HOLBROOK of NETWORK RAIL
NEED, OVERVIEW AND SCHEME DEVELOPMENT**

Date: 21 MAY 2024

1 Introduction

- 1.1 I, Anna Holbrook, am Industry Programme director, Greater Oxford Area and Senior Sponsor at Network Rail Infrastructure Limited (**NR**). I have been a Senior Sponsor within NR for 6 years

2 Nature of the Applicant

- 2.1 NR owns and operates the rail infrastructure of Great Britain (**Network**). Its purpose is to deliver a safe, reliable and efficient railway for Great Britain. NR is primarily responsible for the maintenance, repair and renewal of track, stations, signalling and electrical control equipment.

3 Secretary of State's Statement of Matters

- 3.1 Although I deal with all matters raised in the Statement of Matters so far as applicable to my remit, I focus in particular on items 1, 3, 4b, 5 (withdrawal) and 6.

4 The Scheme

- 4.1 There is an imperative need to regularise the closure of the Tackley Level Crossing. If the Level Crossing is to be closed, then:

- (a) an alternative public right of way must be provided; and
- (b) the Footbridge (with lifts) is needed to ensure the on-going functionality of Tackley station.

- 4.2 Collectively these aspects determine the Scheme.

5 The Need for the Scheme

- 5.1 There is a compelling case for the Scheme across a number of grounds:

- (a) Safety - as set out by Ian Aston [**NR-W7-1**] the safety risk at the Level Crossing is unacceptably high. The Level Crossing is in the top 10% for risk of the 545 level crossings on the Western Route.
- (b) Closure will deliver cost efficiencies.
- (c) Closure will provide operational resilience for the railway and associated benefits (including accessibility improvements) to station users, pedestrians, cyclists and equestrians.
- (d) The closure also forms an initial, enabling stage to unlock greater capacity on the Oxford corridor, in addition to allowing for increased linespeed through the station for non-stopping trains.

6 Policy

- 6.1 In addition to local policy considerations set out in the Proof of Lisa Bullock [**NR-W4-1**], the Scheme aligns with the policies of NR and the ORR on level crossings, particularly level crossing safety as set out by Jerry Greenwood [**NR-W8-1**].
- 6.2 Further, the Scheme accords with a number of policies in the National Networks National Policy Statement (NPS) [**APP31**] which is a relevant and material consideration for the decision on the

proposed Order - in particular policies on a safe and reliable railway network, network improvement, freight capacity and equalities.

7 Development of the Scheme

7.1 The development of this Scheme has been multi-faceted. We considered options:

- (a) to make Tackley Level Crossing safe. For the reasons Mr Aston sets out [NR-W7-1], options to retain, but make safer, the Level Crossing were not suitable to deliver the necessary safety improvement;
- (b) that would allow the Existing Bridleway to remain in place, or substantially in place, but be routed over (by way of bridge) or under (by way of subway) the railway - developed consideration of subway and bridge options showed that they were not viable in terms of cost and engineering (see Mr Willson's Proof [NR-W5-1]); and
- (c) for a replacement route for the bridleway - following local engagement, we are proposing a route that has the least impact on the surrounding land, benefits from permitted development rights and is a suitable, accessible and convenient alternative.

7.2 Over the course of our engagement and consultation exercises, (see the Consultation Report [APP05] and Proof of Mr Audley [NR-W2-1]), other routes for the replacement bridleway have been suggested to us. We have considered them from the point of viability, cost, suitability for all users and suitability for equestrians (see [NR-W5-1] and [NR-W6-1] and below).

8 Consultation

8.1 This consultation undertaken by NR is detailed in the Consultation Report [APP05].

8.2 We consulted and engaged in a complete manner, the detail of which is set out in the Consultation Report [APP05]. Contrary to some objections, we did engage and consult: on the alternative bridleway routes; with Oxfordshire County Council as highway authority; and with the British Horse Society as representative of the riding community. We have kept the community up to date and engaged with our plans as they have evolved away from earlier proposals, such as the subway – see James Audley's Proof [NR-W2-1].

9 The New Bridleway

9.1 The New Bridleway will be suitable and convenient for all users of the crossing, which include dog walkers, pedestrians, runners, cyclists and equestrians:

- (a) it directly replicates the journey previously made by users of the Level Crossing from Tackey village to the east of the railway line;
- (b) it is of an equivalent distance:
 - (i) The Existing Bridleway between points A1 and A2 of the Land and Rights of Way Plan [APP7] measures approximately 900m; and
 - (ii) The equivalent total distance of the New Bridleway plus the existing restricted byway up to get to point A2 is approximately 1.3km; and
- (c) the provisions of the proposed Order require that the highways authority be reasonably satisfied with the New Bridleway will ensure that it is suitable (including meeting current applicable standards).

9.2 The New Bridleway is far safer and more convenient than the Level Crossing. There will be no need to use a phone, negotiate double gates or have a worry about approaching trains. Equestrians and cyclists will not need to dismount.

9.3 Charlie Lane [NR-W6-1] sets out the suitability of the New Bridleway for equestrian users.

10 Permissive footpath over the footbridge

10.1 The Footbridge is to re-provide functionality at the station. It is not being provided as an alternative to the public right of way over the level crossing.

10.2 A number of objectors have complained that the access over the Footbridge will only be on a permissive basis. The grant of a permanent right of way over the new Footbridge at Tackley station would interfere with the operational requirements of the railway and station, contrary to our statutory duties. In the future the Footbridge may need to be adjusted or relocated, temporary closures may be required for safety reasons to allow for maintenance, we may need to prevent access at times where it is clear that persons may endanger themselves or the railway. It might be necessary to prevent access to allow for the installation and use of ticket barriers or other revenue protection arrangements, where solutions to locate the barriers in ways that retain free access to the Footbridge are not viable.

10.3 Withdrawal of the permission would not affect the ability to make journeys from Tackley village eastwards towards Pigeon's Lock and to Kirtlington as this would be possible along the New Bridleway. Further the Existing Bridleway would remain available for amenity use, as a cul-de-sac.

11 Costs and funding

11.1 As stated in the Funding Statement [APP04], the funding of £361,575 for the implementation of the Order has been approved from the £1.951m Western Route Risk Reductions Fund. The figure of £361,575 includes the costs of acquiring land which is, or may be, blighted land within the meaning of section 149 of the Town and Country Planning Act 1990.

11.2 Total funding for the whole Scheme is included in the Western Route Risk Reduction Fund in the Control Period 7 (CP7 - 2024- 2029) business plan. The Anticipated Final Cost for the project is £8.834m.

12 Powers to Compulsorily Purchase and Use Land

12.1 I consider that we meet the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the Department of Levelling Up Housing and Communities Guidance on the "Compulsory purchase process and the Crichel Down Rules" and set out the reasons in my Proof.

13 Conclusion

13.1 The Scheme is necessary and urgent for the safe, efficient and economic operation of the rail network in this location and to allow for capacity improvements. Alternatives to the closure of the Level Crossing are not suitable. The Footbridge and New Bridleway are necessary components. The Footbridge can provide permissive access but cannot become a new public right of way.

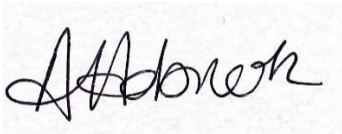
- 13.2 The New Bridleway diversion is a suitable and convenient alternative route providing accessibility for all users. Impacts on local landowners have been minimised and in the round the Scheme improves accessibility.
- 13.3 The powers we seek are necessary and proportionate in and we have fulfilled all procedural requirements, including as to consultation.

Witness Declaration

I have declared as follows:

- i. This Summary Proof includes all facts which I regard as being relevant to the opinions that I have expressed in my full Proof of Evidence and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- ii. I believe the facts that I have stated in this Summary Proof are true and that the opinions expressed are correct.
- iii. I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.

Signed:

A handwritten signature in black ink, appearing to read 'A Holbrook', is written over a light grey rectangular background.

Dated: 21 May 2024

Anna Holbrook
Senior Sponsor