

STATEMENT OF CASE

MOORGATE FOOTBRIDGE CAMPAIGN GROUP

Part 1

INTRODUCTION

- 1 This document is the Moorgate Footbridge Campaign Group's Statement of Case in respect of its objections to Network Rail's proposals in respect of the Moorgate Level Crossing in Uppermill. The role and composition of the Group are explained in Section 8 below.
- 2 As part of the Transpennine Route Upgrade (TRU) programme, Network Rail proposes to permanently close Footpath 209 where it crosses the rail line at the former Moorgate Halt in Uppermill. This length of the footpath is known as Dark Lane.

The purpose of the Campaign is to ensure that Dark Lane remains open to pedestrians where it carries Footpath 209 across the railway. The most effective way of safely maintaining the route in perpetuity would be the construction of a footbridge, as was previously proposed by Network Rail. The issue of public safety is a critical part of the Campaign's case. Only by keeping Footpath 209 open with a footbridge can a safe and satisfactory solution be achieved.

We are strongly in favour of the Transpennine Route Upgrade, but believe that Network Rail's redesign of this particular proposal is very badly misjudged.

- 3 The reasons why the footpath must remain open are :-
 - To avoid the very real danger of pedestrian fatalities or life changing injuries on the replacement route proposed by Network Rail, particularly the serious risk to children and vulnerable adults where this path meets Oldham Road.
 - To avoid significant inconvenience and disruption for local residents.
 - To avoid disrupting the network of footpaths which is a great asset for the local community, for recreational visitors and local businesses. Uppermill is a vibrant local centre and a thriving and growing visitor destination.
 - To avoid the loss of a very important heritage asset.

In making our submission we have had due regard to the needs of people who are

vulnerable. We believe this issue should be a matter of great concern in this instance. We have put the Public Sector Equality Duty at the heart of our thinking.

WHY THE CAMPAIGN BECAME NECESSARY

4 Until recently it appeared that Network Rail would provide a footbridge at Dark Lane. However, Network Rail changed its stance without proper consultation with the community, and without sufficient knowledge or thought. The basic facts are:-

- Planning permission for a footbridge was sought by Network Rail on 10th June 2022 and approved by Oldham Council on 5th August 2022. As a part of its application Network Rail made a well argued case, explaining why a footbridge was necessary. (Planning application FUL/349203/22 submitted to Oldham Council. See letter from Network Rail dated 1st June 2022 which accompanied this application.)
- Network Rail then changed its position and submitted an application to close Footpath 209 under Highways Act powers without any alternative route. This was refused by the Highway Regulation Committee of Oldham Council on 18th July 2024.
- In November 2024 a “consultation” event was held by Network Rail at which it set out its intention to close Footpath 209, with the suggestion that walkers should use Footpath 244 instead. There was no exploration with local people of the pros and cons of these new proposals when compared to a footbridge. The purpose of the event was clearly to “sell” Network Rail’s new stance. Despite this, there was a very clear response from a large number of people. Of 113 responses expressing an opinion for or against Network Rail’s proposals, 29 were in favour and 84 were against. By far the largest type of response was “strong disagreement” with the proposals (62 responses).
- We believe that the result would have been even clearer if Network Rail had been open and honest in describing the options. Staff from Network Rail presented the choice as being between keeping the level crossing open or walkers being diverted onto Footpath 244. Emphasis was placed upon “near misses” at the level crossing. A footbridge was not mentioned as an option. Some Network Rail staff seemed unaware that a footbridge had previously been proposed by Network Rail and approved by Oldham Council. The same staff did not know that Oldham Council had recently refused permission for the footpath over the level crossing to be closed because Network Rail had withdrawn the footbridge proposal and was no longer offering an acceptable alternative.
- We requested copies of the consultation responses from Network Rail in September 2025. We were happy for Network Rail to redact any personal details. We wanted to have the best possible understanding of the views submitted by members of our community. It was important to us that we considered them carefully as we assembled the Campaign’s case. We also wished to assess whether those who had been judged by Network Rail to be in favour of Network Rail’s proposals had been led to a misunderstanding of

the options. We believed that people did not understand that the true choice was between a diversion onto Footpath 244 and a footbridge replacement for the level crossing. Network Rail refused our request.

- In any case, Network Rail ignored the result of the consultation. It did not make a public report on the outcome of the consultation, and provided no evidence of having learnt anything from the information which it should have gleaned from the responses. A letter to the Saddleworth Parish Council dated 19th May 2025 from Network Rail's Communications Manager (TRU) merely said... *"there are differing opinions within the community about the future of the Moorgate level crossing"*.
- There have been attempts by Oldham Council; Saddleworth Parish Council; local walking groups and local residents to persuade Network Rail, through constructive dialogue, to change its position. These efforts have had no effect.

- 5 Network Rail has, in documents such as "Our Guiding Compass", made broad commitments to following good sustainable development practice during the TRU programme. These cover matters such as "safer communities, working with communities, minimising disruption, improving the economy, being a catalyst for regeneration, enhancing and protecting community spaces and places along the route, respecting heritage assets, and investing in wellbeing.....and community spaces to leave a net positive impact on society." The proposals for Moorgate do not accord with these commitments and examples will be evidenced in this statement.
- 6 There is a very marked disparity between the proposal for Moorgate and the treatment of at least two other footpath crossings in the adjoining borough of Tameside at the time the line was electrified, and then later subsumed into TRU. These are paths with much lower usage, but footbridges have been constructed. The arguments for these footbridges may have been good, but they are certainly much less compelling than those at Moorgate. The usage of the Moorgate crossing is about nine times more intense than at those footbridges.
- 7 In Uppermill there appears to be a persistent and counter-productive failure by Network Rail to work with a local community, or even to try to understand the particular local circumstances.
- 8 In the face of Network Rail's behaviour, four local walking groups (Peak and Northern Footpath Society, Oldham Ramblers' Association, Wednesday Walkers (Oldham)) and Saddleworth Pedestrians) joined with local residents, local councillors serving on Oldham Council, and the Saddleworth Parish Council to coordinate the process of trying to persuade Network Rail to change course. Saddleworth Parish Council resolved to be a part of the Campaign. The Moorgate Footbridge Campaign Group has coordinated the Campaign, but has been assisted by many other supporters. In addition to preparing its own objection, the role of the Campaign has been to provide the community with the fullest possible

information so that they are able to make representations at this stage. The Campaign has gained momentum as more and more people and organisations became aware of Network Rail's stance.

THE FOUNDATIONS OF THE CAMPAIGN'S CASE

SAFETY

- 9** The Campaign believes that the issue of safety is absolutely critical.
- 10** Network Rail is suggesting that Footpath 244 be used as a replacement for Footpath 209. We believe that this is a reckless proposition. We do not believe that Network Rail has had due regard to its Public Sector Equality Duty in making this proposal. The reasons why we believe this are explained below.

Some contextual information is significant. To properly understand the dangers involved in Network Rail's proposals a good understanding of Uppermill is needed.

Who Uses Footpath 209?

- 11** Network Rail has acknowledged that Footpath 209 is "a popular route for recreational purposes" (*Network Rail's Covering letter / Design and Access Statement dated 1st June 2022 related to the planning application for a footbridge*) and that "This crossing receives a very high volume of usage. The most recent 9 day census recorded 434 movements over the crossing in 11 days, and a high proportion of vulnerable users" (*Network Rail; Request for a Rail Crossing Extinguishment Order; 4th August 2023*).
- 12** These statements are true, but represent only a partial understanding of the situation. It is also important to understand the purpose of walkers' trips and the characteristics of the individuals. The route is very well used by local people for recreational and functional purposes. However, it also used by people from much further afield. Uppermill is a burgeoning tourism and leisure destination. Large numbers of day and longer stay visitors come to the village and the surrounding areas. There is a growing amount of overnight accommodation. Quite tellingly, one of the many attractive places to stay is within a few metres of Dark Lane.
- 13** Many of these visitors don't know the area. They come from far afield, attracted by online information and articles in media outlets with a regional or national coverage. Short circular walks leading from the centre of the village are one of Uppermill's great attractions. Network Rail has noted the intensity of the usage of the Moorgate Crossing but seems unaware that many of the people who are increasingly likely to use it, as the area continues to rise in popularity, will not be experienced walkers. They may well be family groups - grandparents, parents and young children, taking a stroll, on unfamiliar paths.

With both local and visitor users in mind, regard should be had to the needs of

vulnerable people. As referenced above, information compiled by Network Rail revealed that

"The crossing receives a very high volume of usage. The most recent 9 day census recorded 434 movements over the crossing in 11 days, and a high proportion of the use was by vulnerable users."

Network Rail's census also recorded that 82 people with a dog on a lead had used the level crossing.

- 14** It is against this background that the suitability of Footpath 244 as a replacement route must be judged. Footpath 244 came into existence as a route by which quarry workers reached Wickens Quarry (later renamed Moorgate Quarry). This was before the railway was built, and long before there was any motorised traffic on Oldham Road. There has been almost no use made of this route for many decades, until some walkers tested it, following Network Rail's proposal.

Is Footpath 244 "suitable and convenient" for these users?

- 15** Footpath 244 suffers from a number of hazards. At the top the steps down from Ladcastle Road are very steep, uneven and slippery. Much of the path is rough, with loose rocks. These two issues make it difficult for all types of walker, but especially those who are disabled or infirm. Walking with a dog on a lead would be particularly hazardous.

However, it is at the foot of Footpath 244 where it meets Oldham Road that there is the most serious danger. Oldham Road is one of the most highly trafficked roads in the area. The path leads users onto the road carriageway at a place where there is no pavement, very limited visibility of oncoming traffic and no pedestrian barrier. It is a vehicular access to a private house, so the erection of a safety barrier is not feasible. Walkers are invisible to approaching drivers. For young children, whether they are getting ahead of adults in their group, or they are unaccompanied, the danger of death or a life changing injury is very real. Vulnerable adults would be equally at risk. People with impaired sight or hearing, or those with limited spatial perception, would be in particular danger where Footpath 244 meets Oldham Road. The "blindness" and suddenness of the exit creates a particular risk to dogs on leads and their owners. The outcomes of all these scenarios are extremely unpleasant to contemplate.

These dangers should be very obvious to any project planner. Network Rail has repeatedly been warned of this risk.

Can Footpath 244 be made "suitable and convenient" for these users?

- 16** When Network Rail originally proposed this route as an alternative route it said it would *"improve the existing public footpath 244 (SADD) as an alternative"* and *"The route is passable, but we will introduce enhanced underfoot conditions and replace the current life expired steps with compatible steps and hand rails, to improve quality and safety"*. There was no mention of the danger to life where Footpath

244 meets Oldham Road. There was no mention of the footpath needing to be suitable for use by the type of walkers who had been recorded as using Footpath 209. Given the absolutely critical safety implications, the Campaign, over many months, sought details of Network Rail's proposals for Footpath 244. It wished to assess them, and ask the public for views upon them. No information was provided by Network Rail until the TWAO application was submitted.

There had been no pre-application public consultation on the details of this most fundamental aspect of the Moorgate Level Crossing proposal.

- 17** In its application Network Rail presented its detailed proposals for improvements to Footpath 244 for the first time. Despite the time pressure, we assessed these thoroughly, and we have borne in mind the type of walkers who would be diverted onto the path. We have taken the very elderly age profile of the local community into account too. We have brought Network Rail's proposals to improve the path to the public's attention. The Public Sector Equality Duty has informed our thinking.
- 18** A Safety Risk Assessment (SRA) of the alternative route via Footpath 244 appeared to be an essential part of Network Rail's case, but this was not included in the application. We requested a copy, and one was then provided to us. We have analysed it carefully with the help, amongst others, of experienced Highways officers who have worked in the Oldham area for many years. We have also been assisted by a local doctor, who has long served with the Oldham Mountain Rescue Team, and has decades of experience of dealing with accidents in mountain and urban environments.

As far as we are aware, Network Rail has not carried out a Diversity Impact Assessment of its proposals for Moorgate since a permanent or, indeed, a lengthy temporary diversion of walkers onto Footpath 244 was proposed.

- 19** On the upper part of the path, near Ladcastle Road, it is now proposed that 63 new steps would be constructed in the narrow steep gully. A single length of handrail would be provided on one side of the shortest length of steps. A bound gravel surface is proposed on some parts of the very rough path. On other lengths it is proposed that vegetation be cut back, although this is obviously a very temporary solution.
- 20** Single file walking will be necessary along some of its lengths. It will be very difficult for two people to pass each other in these places. Indeed every part of the path will remain much narrower than Footpath 209 which passes over the level crossing. Footpath 244 should, like Footpath 209, be suitable for use by a high volume of walkers, of which a high proportion are vulnerable (possibly needing to walk alongside carers). This is the usage that Network Rail itself has recorded on the level crossing.
- 21** Maintenance of the work will be problematic. The path is surrounded by trees in a Tree Preservation Order which will lead to heavy leaf fall within the enclosed valley.

The steps will become leaf covered and slippery.

Flash flooding of the valley has occurred in the past. Efforts have been made to reduce this problem and further work is proposed by Network Rail. However, the shape of the slopes in this area means that this natural valley is likely to flood again, washing material onto Oldham Road and into the Canal. It is very likely that Network Rail's proposed works will at some time be severely damaged and require renewal at a cost to Oldham Council.

- 22** There are still clear risks of injury on the upper parts of the path. It is an obvious concern that an injured lone walker could be unable to escape from the valley. The path is largely out of sight from either Ladcastle Road or Oldham Road. An injured person may not be spotted quickly by passing walkers because the reality is that Footpath 244 will be much less popular than Footpath 209 has been.

- 23** At the bottom of Footpath 244 there is an even greater danger. At the point where the path meets the A670, Oldham Road, there would still, under Network Rail's "enhancements", be no highway pavement, no safety barrier, and very little visibility of the road from the path, or the path from the road. Walking north east from the exit would be dangerous, because the pavement is very narrow. Turning to the south west, towards the Oldham, Ashton and Manchester bound bus stop, and Greenfield Station, would be dangerous – there is no pavement and the busy road is dangerous to cross.

There would remain a very obvious risk, particularly for children and vulnerable adults. This risk has repeatedly been drawn to Network Rail's attention. The contrast between meeting the A670 at this location, and the junction of Moorgate with High Street, is enormous.

- 24** The application suggests that the current 20mph speed restriction might be extended a few metres southwards, just across the frontage of 6 Oldham Road. No other safety measures are put forward in the application. A Safety Risk Assessment (SRA) submitted by Network Rail provides some further information. It makes no mention of the risk that people will step out into the traffic on Oldham Road, with fatal results. It focuses only on the accompanying problem of the narrow footpath to the north east. The possibility that walkers may attempt to proceed in other directions upon meeting the road is ignored. We believe that the SRA is flawed in several ways. We are preparing a detailed analysis of the SRA with the support of experienced highways officers.
- 25** It is our opinion that the exit of Footpath 244 onto the A670, Oldham Road is dangerous for walkers on this footpath. We believe the danger will be greatly increased if, as Network Rail intends, a very large number of walkers are diverted onto a route which has previously been largely unused.

Users with "protected characteristics" - Equalities, Act 2010.

- 26** Children and many vulnerable adults would be put in danger. They might be

warned not to use Footpath 244. They might be advised that this path is too difficult for them to use. The result would be that they would be disadvantaged. They would be unable to move safely or conveniently on foot between Ladcastle Road and the village centre; to reach the Moorgate Quarry Recreation Area; to access Saddleworth Golf Club's hospitality facilities; to have the benefit of the short circular walks to the west of Uppermil; to reach the panoramic viewpoint of the Peak District National Park from Ladcastle Road north of the Golf Club; or to take longer walks on the west side of the valley.

Conclusions on Safety Issues

- 27** Footpath 244 is completely unsuitable for use as a replacement for Footpath 209. We believe Network's Rail's proposal is a very clear instance of a failure to comply the Public Sector Equality Duty.
- 28** Network Rail's misjudgement in first proposing this route, and then refusing to reconsider it, demonstrated a huge lack of understanding of local walking routes and how they are and will be used. It chose not to take notice of informative consultation responses, or representations from local councils, local walking organisations or local residents.
- 29** This lack of knowledge was clearly demonstrated to us when a reply from the Network Rail Communications Manager (TRU) dated 19th May 2025 to the Parish Council justified the proposal by saying that Footpath 244 had always met Oldham Road. This suggested that Network Rail was not distinguishing between historic use (by local quarrymen) and its proposed future use (e.g. by young families on a first visit to the village, or by vulnerable walkers wishing to take exercise and enjoy the beauty of the scenery). Network Rail was also ignoring the enormous change in traffic on Oldham Road over the last two hundred years.
- 30** In order to make the rationale for local concerns about public safety crystal clear the Campaign Group has created a scenario "*A Walk in Uppermill. The Making of a Tragedy*" which explains how a disastrous accident could occur on Oldham Road. It also predicts the repercussions which are likely to follow. It is a fiction, but a very realistic one. This is available if requested.

CONVENIENCE FOR LOCAL PEOPLE

- 31** Uppermill's village centre provides a very wide range of services for both the residents of Uppermill and other areas of Saddleworth. Dark Lane and Moorgate lead to the very heart of the village. The village's facilities include:-
 - A wide range of shops
 - The Market
 - Post Office
 - ATMs
 - Legal and financial services
 - Medical facilities
 - Places of employment

- Numerous restaurants and cafes
- Parish Council Hall and Offices
- Library
- Swimming pool and gym
- Public houses
- Places of worship
- Saddleworth Museum
- Bus stops
- Long stay car parks useful to walkers.

The access that vulnerable people have to these should not be diminished in any way.

Many people living in nearby parts of Saddleworth choose to combine a visit to the centre of Uppermill with a healthy walk in beautiful scenery.

- 32** Unlike Footpath 209, Footpath 244 does not lead directly to the village centre. It delivers walkers to a point on Oldham Road about 300 metres south of the junction with Moorgate. This is remote from the facilities listed above. Any footpath route has to help walkers to cope with the steep rise in the land between High Street and Ladcastle Road. Footpath 244 is difficult and dangerous to use. For these reasons it has hardly ever been walked in living memory.

Network Rail has stated that the additional horizontal distance involved in traversing its proposed footpath diversion is 440 metres. Since the existing route is approximately 150 metres long, this suggests that the length of the proposed route must be approximately 590 metres. One route is therefore almost four times as long as the other.

- 33** Network Rail's application, and particularly its Safety Risk Assessment of Footpath 244, demonstrates a misunderstanding of walkers' purposes when using Footpath 209. Most walkers are trying to move along the traditional route between the junction of Moorgate/High Street and the junction of Dark Lane/Ladcastle Road. In this context the characteristics of the Footpath 209 route and the Footpath 244 route are starkly different.

Via Footpath 209 – the upper section is an evenly graded, wide and scenic path; the lower section is along the lightly trafficked Moorgate, one of the most attractive and historic streets in the Uppermill Conservation Area. The route meets High Street at a point where the pavements are wide and safe, close to a light controlled pedestrian crossing.

Via Footpath 244 - the top of the route starts by leading away from the village along a section of Ladcastle Road which is used by a significant number of cars and commercial vehicles heading to and from Saddleworth Golf Club. It passes through a narrow gap and down steep steps into a deep gully. After passing over rocky ground and under the railway, it meets Oldham Road at a dangerous place. To

reach the Moorgate/High Street junction then involves mainly walking along highway pavements, narrow in places, alongside the very heavily trafficked A670.

If footpaths are to be judged in terms of their safety, convenience, attractiveness, healthiness, their contribution to the Uppermill visitor experience, and likelihood to encourage walking rather than driving, both from the point of view of local residents and leisure visitors, then only one of these alternatives can be considered acceptable.

- 34** Network Rail has previously stated, at a time when it intended to keep Footpath 209 open by constructing a footbridge, “This footbridge will enable this important footpath route to be retained at the same location with only 2 metres increase in length while addressing the fundamental safety issues” (*Network Rail; Design and Access Statement, 1st June 2022*)

- 35** The village centre is the starting and/or finishing point for walking, cycling and running groups. Uppermill is at the hub of many attractive routes for these groups. This set of visitors is an important source of custom for the village’s shops, market, cafes, restaurants and public houses. Moorgate/Dark Lane provides excellent access to areas west of the village for these groups. It was described as “*a popular route for recreational purposes*” by Network Rail itself in its submission of the Design and Access Statement supporting its planning application for a footbridge.

- 36** Footpath 209 also provides a direct and safe walk for local residents and visitors who are planning to walk to the former Moorgate Quarry just above Ladcastle Road. Here a disused stone quarry was purchased and transformed by Oldham Council in the 1990s. It is now a superb recreational asset for both local residents and visitors. It offers three walking trails and opportunities for picnicking and enjoying nature. It is a designated Site of Biological Interest which attracts nature experts from across Greater Manchester and beyond. The Moorgate Quarry Recreation Area featured prominently in Oldham’s tourism promotion material on the VisitOldham website.

When the public investment was made in the transformation of the former quarry into the Moorgate Quarry Recreation Area it could not have been anticipated that anyone would ever contemplate closing Dark Lane. It was envisaged that this footpath route, the safest, most attractive, most direct and most convenient way of reaching Moorgate Quarry from Diggle, Uppermill, Greenfield, Friezland and Grasscroft would remain open for ever.

- 37** The same route connects Saddleworth Golf Club to the village centre. Many social events and family celebrations are held at the Club. A total of approximately 8000 people attend about 100 events each year. People attending these events can easily walk from and to the village via Dark Lane. Nobody would contemplate using Footpath 244 instead because of its hazardous steps and surfaces, its dangerous exit onto Oldham Road, and because it doesn’t lead into the village centre. Instead those guests are likely to use cars or taxis, or to choose other venues.

- 38** Uppermill's importance as a local centre is reflected in the borough's strategic planning policies. These are set out in the Oldham Local Development Framework 2011, and the current Local Plan Review. The latter's section "Our Centres" designates seven "centres" across the whole borough, in addition to Oldham Town Centre. Uppermill is one of the seven. The text of this section begins *"Oldham's centres play a vital role in meeting the needs of people of all ages, through the provision of a range of shops, services, community, leisure, cultural and employment opportunities. The centres are an important contributor to local identity, acting as a focal point for surrounding communities."* (Oldham Local Plan Review, Draft Local Plan, December 2023. Now superseded by the Publication Plan, January 2026). Under "Our Centres" Policy C3 on page 66 of the Publication Plan is relevant to the proposals for Moorgate.

Oldham Council's Development Plans define the extent of the Uppermill centre. Footpath 209 delivers walkers via Moorgate to the middle of the "centre". Footpath 244 meets Oldham Road outside the "centre".

The TWAO application made no reference to this relevant and important matter in the documents which should have described the planning policy context.

THE FOOTPATH NETWORK - SERVING LOCAL PEOPLE, LOCAL BUSINESSES AND LEISURE VISITORS

- 39** Many millions of pounds of public money have been invested in projects which have made Saddleworth a much more attractive place to live and to visit. Projects such as the Huddersfield Canal Restoration, derelict land reclamation, new outdoor recreation areas, tree planting programmes, and conservation projects have each played their part. The canal restoration alone took decades to complete with grant investment in the Saddleworth section exceeding £20 million. The canal runs parallel to the rail line through Saddleworth and close to the Moorgate crossing.

There is continuing major expenditure on the maintenance of these assets.

- 40** At the heart of this effort was the creation, by Oldham Council, of a carefully planned, extensive "web" of recreational footpath routes. The area's public footpaths are an enormous asset in themselves, but they also provide the connections between the area's many other attractions. This network of leisure routes has been created for the benefit of local people and to enhance the visitor experience. Within this, Footpath 209 provides a crucial link. Indeed the manner in which Dark Lane brings the Moorgate Quarry Recreation Area into the wider footpath network is a perfect example of the strategic planning which was involved.
- 41** Short local walks from Uppermill are now a key part of Uppermill's visitor attraction. The Uppermill Trail was shown on the VisitOldham website and is in

other guide books and leaflets. They suggest that walkers use Footpath 209 as a part of the Uppermill Trail circuit. The Trail leaflet highlights the “amazing views of Uppermill and the surrounding countryside” which can be enjoyed from Ladcastle Road. These walking routes provide healthy exercise opportunities for both visitors and local residents. Ironically, this last point was emphasised by Network Rail itself, in support of its planning application for a footbridge at Moorgate in 2022.

- 42** Major public investment in leisure routes and attractions has stimulated millions of pounds of private investment in hospitality, accommodation and retail activity. Uppermill is a success story – an excellent example of how well planned investment in the environment can create growth, jobs, successful local centres, healthier lifestyles and a very attractive place to live and visit. However, in Saddleworth, Network Rail seems to believe it is acceptable to make a proposal which undermines this process, even though the Transpennine Route Upgrade is supposed to promote these types of positive change along its corridor.
- 43** The visitor economy does require careful management. The interests of local people need to be fully considered. One of the purposes of the local network of recreational routes is to “spread the load” – to provide an alternative to the tourism hot spots, such as the Dovestone area.
- 44** Uppermill is a tourism and leisure destination of regional importance. It is a driver of economic growth, with many jobs and livelihoods dependent on it. This also helps to sustain a vibrant village centre. One of the village’s great attractions is its excellent access to beautiful countryside. It is a gateway to the Peak District National Park, but many of the area’s attractions, such as the network of leisure walks, are close to the village, outside, but complementary to, the Park.
- 45** One of the objectives of the Transpennine Route Upgrade is to encourage economic growth across the North of England, but this issue seems to have been disregarded in our area.
- 46** It is noteworthy that one of the major regeneration initiatives led by Oldham Council was the transformation of many miles of abandoned rail line in Saddleworth into what are now extremely popular recreational routes within the footpath “web”. The rail industry had left the land in a state of dereliction. Within half a mile of Moorgate are two examples of footbridges which needed to be built, at local public expense, where former railway bridges across roads had been demolished.
- 47** Despite the challenges left by the rail industry, these linear parks are now, like Footpath 209, vital links in the area’s network of recreation routes, greatly enjoyed by both local residents and leisure visitors from far and wide.

CONSERVING OUR HERITAGE

48 Network Rail has said that the Transpennine Route Upgrade will be carried out in a way which respects the heritage of the area. It appears to acknowledge that heritage has a value - historical, cultural and economic. However, it does not appear to have given this issue any weight at Moorgate. The heritage and cultural significance of the Dark Lane section of Footpath 209 was pointed out to Network Rail in the responses after the consultation event on 28th November 2024. We can find no mention in the application that this issue has received any consideration.

49 Dark Lane is part of a historic network of routes across the Pennines possibly dating from Saxon times, or earlier. It was part of a route from Manchester which split into two on Wharmton Hill. The more northerly path, a major interregional route, led over Standedge towards Marsden. A more southerly route led across the valley and over the moors to Holmfirth and Wakefield, which became the administrative centre of the West Riding. Dry Clough Lane and Dark Lane are a critical part of this route. From Dark Lane it passed down Moorgate, and crossed the River Tame at a ford. It then ascended Church Road and Clarkes Lane onto the moors.

50 Dry Clough Lane and Dark Lane also had a very longstanding and important role within the Saddleworth Parish. The route functioned as a “church road” or “churchway”. It gave access from settlements in the western part of the district to Saddleworth Church and the manorial corn mill, which gave rise to the name of the village.

Dark Lane is likely to have been used for some or all these purposes for more than a thousand years and probably much longer. The route of Footpath 209 seems never to have been diverted throughout its recorded history, even when this section of the railway was constructed. The line opened on 1st August 1849 and a footpath level crossing was provided.

51 Dark Lane is defined as an Ancient Highway and a Green Lane.

52 Dark Lane once led to Moorgate Halt, the former passenger station for Uppermill. It is a part of the story of the village. It is within the Uppermill Conservation Area. The historic pattern of streets and lanes makes an important contribution to the character and quality of conservation areas. In the case of Uppermill, Dark Lane is a well used feature of the conservation area, which has never been lost. It predates any of the buildings in the village by many centuries. In Oldham Town Centre ancient routeways are commemorated with plaques. That would be appropriate on Dark Lane.

The Publication Plan stage of the Oldham Local Plan Review carries forward local plan policies in respect of the Historic Environment (page 122). We believe that Policy HE2 *Securing the Preservation and Enhancement of Oldham’s Heritage Assets* (page 124) and HE3 *Development Proposals Affecting Conservation Areas* (page 128) are pertinent to Moorgate. This would be even more the case if

Recommendation 1 in the Mayer Brown “Highway Statement” report (para. 6.9) forms part of Network Rail’s proposals, because this would involve a complete, deliberate destruction of a heritage asset.

- 53** A few yards from where Network Rail held its “consultation” and “information” events in Uppermill in November 2024 and July 2025 is a statue of Ammon Wrigley. Ammon is Saddleworth’s most celebrated writer, poet and local historian. In his book *Wind Among the Heather*, published in 1916, Ammon included a chapter describing Uppermill. He wrote about the path down Dark Lane and Moorgate as follows:-

“I know how pleasant it is to walk down that old track from Wharmton at sunset. To drop down past those motherly old houses at Moorgate into the village street. To sit and talk in the twilight over a tankard in an old inn kitchen. No one knows what immortality is, no one knows that it even exists, but if it does, I would spend my time going down those old roads into Uppermill”

There could hardly be a stronger statement of the cultural heritage significance of the historic route which Network Rail intends to sever.

Network Rail seems to be quite oblivious to any sense of the qualities of special places, and to a community’s emotional attachment to its heritage.

THE COST AND BENEFITS OF A FOOTBRIDGE

- 54** It would appear that Network Rail’s reason for deciding not to build a footbridge is essentially one of cost. It seems that from all other viewpoints it would be Network Rail’s chosen solution.
- 55** In August 2022 Network Rail obtained planning approval for the construction of a footbridge. The estimated cost stated by Network Rail was £1.2 million. In July 2024 Network Rail unsuccessfully applied to Oldham Council for a closure of the crossing with no footbridge being provided. At this point Network Rail stated that the estimated cost had risen to £2.3 million, against what it referred to as a “normal” footbridge cost of £1.8 million. It was said that this increase was due to the need for
- concrete protection to the bridge piers;
 - piled foundations due to the rock underground being at greater depth than previously thought (although ground conditions had been checked before the planning application was submitted); and
 - additional expenditure on labour, subcontractors, plant and materials all delivered over 8 months due to the requirement for out of hours working to avoid disruption to train traffic.

This was then “rounded up” to £3.5 million to allow for land acquisition (an addition of £1.2 million). There was a lack of clarity about whether temporary or

permanent acquisition would be needed, and which land was required. A further £1 million was added for unspecified reasons leading to a revised total estimated cost of £4.5 million. Network Rail reached a conclusion that this did not represent “value for money” and abandoned its proposal to construct a footbridge.

- 56** Local walking groups and then the Campaign Group have been asking for more details of the costs since 12th November 2024 - 16 days before the consultation event in Uppermill. The requests have been for further explanation and justification of the escalating figures. We have also suggested that significant savings might be achieved by constructing the footbridge over a shorter period whilst the line is closed for other construction related reasons, such as the planned works at the nearby Greenfield Station. This approach could also allow for easier access for equipment and materials, and remove the need for night time working.
- 57** Despite our several requests, no response was received from Network Rail prior to the TWAO application being submitted on 7th November 2025. Following a Freedom of Information request made on 9th October 2025 Network Rail promised that the information would be sent to us by 7th November 2025. This did not happen. A breakdown of costs was received from Network Rail on 2nd December 2025. The information was provided under broad sub total headings providing little detail. Nonetheless, the information was sufficient for us to judge that the figures had little credibility, and included a major arithmetic error. We responded within the day to give Network Rail an opportunity to provide more adequate information before the objection period expired. Network Rail sent further information on 16th December. This information was very questionable, but it was by now too late for the Group or other objectors to seek further information before the close of the objection period. The Group remains willing to engage in a dialogue with Network Rail in an attempt to achieve a cost effective way of delivering a safe and convenient solution. On 15th December the long awaited costings of the “enhancements” of Footpath 244 were provided by Network Rail but by this time the opportunity to ask very legitimate questions about the figures before the close of the objection period had gone.

Our scepticism about the costs presented for a footbridge at Moorgate has been increased by the cost information which Network Rail has provided to us, and details published on its website, about the footbridge and bridleway bridge built at Barrowby Lane, Garforth as part of TRU. Network Rail’s “best estimate” for the total cost of “designing, procuring and delivering” this impressive structure is £2,011,808.

We hope that all these cost issues will be properly and cooperatively explored well before the Inquiry.

- 58** Despite our enquiries Network Rail has never shared its value for money calculation methodology or its value figures with us. We do not know whether there is any validity in its financial project appraisal.

At the time that it sought planning permission for a footbridge Network Rail referred in its Design and Access Statement to some of the benefits of providing a footbridge. One might think that before deciding to abandon the footbridge Network Rail would have attempted to estimate all the costs (or lost value) of not building it. These would then have been set against proper estimated construction costs. The benefits of providing a bridge might well include:-

- avoidance of early deaths or life changing injuries, particularly to children and vulnerable adults, arising from exposing them to serious risk by encouraging them to use Footpath 244;
- avoidance of the negative impact on the vital local tourism economy;
- avoidance of damage to the local service economy due to the inconvenience suffered by local residents;
- avoidance of the impact of more residents resorting to car usage rather than walking to the village centre or Ladcastle Road and the Moorgate Quarry Recreation area;
- avoidance of the negative health impacts of the reduction in numbers of people walking to services and taking recreational exercise;
- avoiding the cost of the destruction of a heritage asset: and
- the benefits of being able to introduce bi- directional running on the TRU. This must have an operational value. We have been told that bi directional running will not be possible if the level crossing remains.

59 The Campaign Group has not seen any evidence that a proper, comprehensive value for money assessment was made by Network Rail, or indeed that it has ever had a sufficient understanding of Uppermill to make this possible. An open minded approach, involving genuine learning from consultation with the local community and the local authorities, would have enabled a meaningful assessment of “costs” and “value”.

60 The purpose and value of infrastructure projects is to create economic, social and environmental benefits for society. We believe very strongly that public finance must be used efficiently and effectively to that end.

In this instance Network Rail’s seems to be taking a much narrower approach to assessing “value for money”. It seems to be very conscious of what is probably a marginal net additional cost arising from building a footbridge, but to be insensitive to the impacts on others of not doing so.

As just one example, its inclusion of the Safety Risk Assessment of Footpath 244 in its application (see Appendix A of the SRA in relation on to the exit of Footpath 244 onto Oldham Road) gives the strong impression that it intends to leave an extremely concerning safety issue as the responsibility of the local authority - which will be left to monitor the incidence of accidents and then attempt to “mitigate” the danger.

We do not believe this is a proper approach to assembling a business case which

guides a decision on an infrastructure investment.

THE FUTURE

- 61** Even if an Inquiry were not to find in favour of the Campaign this is unlikely to be the end of the matter. If a threat to life is created this cannot then be ignored (indeed Network Rail expects Oldham Council to monitor this risk). A footbridge would not be built as part of TRU, but the Campaign to seek a footbridge should continue, and would probably be reinforced by the reality of the danger and inconvenience arising from the use of Footpath 244.
- 62** If there is a fatality on Footpath 244, or the adjacent highway, the responsibility for this must not lie with the local authority. Neither should it lie with a driver who could not possibly have anticipated or seen a walker who is about to step out into Oldham Road. Local people and the local media will be very aware of how the danger was created. An Inquest is likely to correctly attribute blame, and the construction of a footbridge will probably be deemed essential, even though the cost will be greater if the work is carried out outside the TRU programme.

CONCLUSION

- 63** We object to Network Rail's proposals for the Moorgate Level Crossing. Footpath 244 does not provide a "suitable and convenient" alternative. A footbridge should be provided at the site of the level crossing.

STATEMENT OF CASE

MOORGATE FOOTBRIDGE CAMPAIGN GROUP

Part 2

COMMENTS ON THE CONSULTATION REPORT NR 07

1	Introduction
1.1	The Moorgate Footbridge Campaign Group challenges NR 07 insofar as it relates to the Moorgate Halt level crossing. Our observations are about both consultation with and provision of information to the public. The Moorgate Footbridge Campaign Group has worked with Saddleworth Parish Council, sharing information. So on the occasions where consultation was misleading and information has been denied to either, this has impacted on both the Campaign Group and the Parish Council. It has hampered both of them in their attempts to inform and advise our community.
2	Seeking accurate information on the cost of a footbridge
2.1	Since Network Rail abandoned its proposal to build a footbridge it has appeared that the issue of the cost of a footbridge has been fundamental to its decision. However, Network Rail has been unwilling or unable to share information on this point at any time when consultees might have wished to have the opportunity to comment on the figures and offer suggestions for cost savings
2.2	On 12 th November 2024 four Network Rail staff met with three representatives of local walking groups at the Moorgate Level Crossing. Network Rail's minutes of the meeting record that the representatives of the walking group asked:- • for more detail of the costs for the footbridge (they had suggested that there might be ways of reducing the costs); • whether the footbridge could be completed during the works at the Oldham Road road bridge at Greenfield Station, and if this would bring down costs.
2.3	Network Rail had informed the representatives of the walking groups that a public consultation event was to take place on 28 th November 2024. The information which had been requested was not provided prior to 28 th November. Neither was it provided at the consultation event.
2.4	In early 2025 the walking group representatives joined the Moorgate Footbridge Campaign Group at the point of its formation. Many further requests for both information and discussion about these points were made to Network Rail. Eventually Network Rail promised that a response would be made by 7 th November 2025 (the opening day of the objection period). This again failed to arrive. Information on costs was sent on 2 nd December, but this was incorrect. We pointed out the error. A further version of a basic breakdown of costs was sent on 16 th December. The figures

	remained very questionable, but because the final date for submission of objections was 19th December we, and others, were unable to address this issue during the objection period. Despite the way this matter has been handled by Network Rail, the Campaign Group is still willing to discuss this issue in a constructive manner in an attempt to find the most economic approach to an acceptable solution.
3	Consultation by Network Rail
3.1	At the Consultation Event on 28th November 2024 attendees were not provided with a full, open, transparent account of the situation. An obvious option, of a footbridge, had been excluded by Network Rail despite it having previously been one which Network Rail favoured, and for which it had applied for and received planning permission in 2022. This had been publicised by the media as the solution which was likely to be implemented.
3.2	At the event Network Rail did not publicise the fact that Oldham Council had refused its application to close Footpath 209 as recently as July 2024.
3.3	Feedback to the public about the responses made by the public, and how Network Rail was responding to them, was not provided following the event, until the TWAO application was submitted.
3.4	Some information was obtained from Network Rail in January 2025 by a representative of a walking group. This revealed that a very strong majority of respondents were categorised as “disagreeing” with the plans made by Network Rail, but a minority were categorised as “agreeing” with them. A Network Rail summary of the comments made was included. This is repeated in NR 07. The views of the majority had been disregarded, but until we made them aware of this they did not know. They have now been informed by Network Rail by means of a Consultation Report included within a voluminous application.
3.5	The summary information provided in January 2025 and the same information in document NR 07 should have been presented with much greater clarity. A distinction should have been made between comments about the level crossing and comments about the suitability of Footpath 244, the only alternative route upon which Network Rail had encouraged comment. Respondents may well have approved of the closure of the level crossing, but not agreed that Footpath 244 was a suitable alternative. By not offering this detail Network Rail obscured the meaning of the public’s comments.
3.6	To remedy this deficiency, The Moorgate Footbridge Campaign Group asked Network Rail to provide it with copies of the responses, redacted to anonymise them. The Group was anxious to understand opinions within the community, particularly about the idea of using Footpath 244 rather than a footbridge. We asked for further information about the public’s response so that we did not have to rely just upon Network Rail’s summary and interpretation of this.

	Network Rail refused this request. NR 07 contains nothing which illuminates this issue.
3.7	An email to the Parish Council from Network Rail on 19 th May 2024 said that Network Rail recognised that there were “differing opinions within the community” about the future of Moorgate level crossing. We have not received the information we requested about the content of the consultation responses. Nonetheless, having had sight of Network Rail’s own summary of the figures for those “agreeing and “disagreeing” we know that “differing opinions” was not a full, open, and accurate picture of the public responses which had been stimulated by the consultation event.
4	Continuing attempts to have a constructive dialogue with Network Rail.
4.1	It became apparent that consultation by Network Rail had ended when the 28 th November 2024 event closed. Network Rail had decided to proceed with the proposals that it had probably already firmly decided upon in advance of the consultation event.
4.2	Nonetheless the Campaign Group made repeated requests to engage in a dialogue with Network Rail. We repeatedly asked to meet with anyone with sufficient authority to engage in constructive discussions. These requests were all rebuffed.
4.3	During Spring, Summer and Autumn 2025 we submitted many requests for information to Network Rail. We sought fundamental information such:- • a breakdown of the cost of a footbridge; and • details of the “enhancements” proposed for Footpath 244 by Network Rail. The first of these issues is covered in Section 2 above. Information on the second topic was not shared with us until the TWAO was submitted on 7th November 2025, and even then we had to ask for copies of essential supplementary detail, namely the Safety Risk Assessment of Footpath 244 and the preceding Highway Statement.
4.4	We believed that the Group and its supporters had ideas to offer, founded on our local knowledge and utilising the considerable expertise and experience within the community. A dialogue could have been constructive but from November 2024 onwards Network Rail was completely unwilling to engage in discussion.
5	Information Event 10th July 2025
5.1	On 10 th July 2025 an information event took place at Saddleworth Museum, Uppermill. Very little publicity was given by Network Rail to the fact that the event would be happening, but the Campaign Group had been informed. It used this information to promote the event. NR 07 records the hours during which the event should have been open (15.00 to 19.00). This is not what happened. The Chair of both the Parish Council’s Strategic Planning Committee and the Moorgate Footbridge Campaign Group arrived at 17.45. By 17.50 the display material was being removed. Just before 18.00 everyone was asked to leave. The Chair had been expecting to be able to view the display and speak with Network Rail staff for up to 75 minutes. In fact the time was restricted to less than 10 minutes. The Chair had travelled a considerable distance to

	attend.
6	Display of TWAO documents.
6.1	On 4th November 2025 Network Rail provided a briefing to Councillors about the application process. Councillors suggested that the place where paper copies of the application were to be made available (Greenfield Library) was not appropriate, if that was the only location. They suggested that Uppermill Library would be more appropriate, given its more accessible and central location, and longer hours of opening. The paper copies were placed in Greenfield Library, and nowhere else.
7	Conclusions
7.1	We believe that the purpose of consultation is for all parties to learn and, thus, decisions to be improved. This can only happen if those who engage are open minded, and are prepared to act in a transparent manner. Consultation can then lead to better outcomes and a higher level of support within local communities. Network Rail's "Our Guiding Compass" seems to show an awareness of this. The TWAO Guidance for Applicants seems to encourage "constructive dialogue". This is not what has happened at Moorgate.
7.2	Unless consultation appears to be genuine in its intent and is well managed in its delivery it breeds cynicism, causes delay and unnecessary costs, and leads the public to feel that there is no point in engaging in such exercises in the future.

9th February 2026