

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

THE NETWORK RAIL (TACKLEY LEVEL CROSSING) ORDER

**SUMMARY PROOF OF EVIDENCE – CHARLIE LANE of LANE EQUESTRIAN
CONSULTANTS LTD
EQUESTRIAN ISSUES**

Date: 21 MAY 2024

1. Introduction

1.1 I, Charles William Selby Lane have been instructed by Network Rail Infrastructure Limited (**Network Rail**) as an expert on equestrian issues.

1.2 I consider the following matters:

- i. Items 3 and 4b raised in the Statement of Matters; and
- ii. Responses to those objections and Statements of Case raising equestrian safety on the New Bridleway and/or the suitability and convenience of the New Bridleway and other potential effects upon equestrian users.

2. Existing Bridleway and local equestrian routes

2.1 I have visited the local area to familiarise myself with local equestrian routes, the Existing Bridleway and the proposed route of the New Bridleway as well as connections to those bridleways.

3. Existing Bridleway

3.1 The Existing Bridleway will ultimately remain in situ under the proposals and will only be closed at the point of the Level Crossing. Riders would be unable to use the Existing Bridleway as a through “link” (and would instead need to use the New Bridleway to enjoy a circular route), but may nevertheless continue to ride along the Existing Bridleway and enjoy whatever they perceive is its nature and character, and to continue to gain their pleasure from this use, albeit it would eventually end at the point of the Level Crossing

4. Tackley Level Crossing

4.1 Tackley Level Crossing has been closed since 2020. The crossing would have presented a number of issues for riders. The need to use phones to request access across the level crossing would place a rider and their horse closer to passing trains than if using the New Bridleway. Negotiating the gates and crossing the level crossing itself would also present challenges and create risks which would be removed with the New Bridleway as the horse and rider are never on the line.

5. The New Bridleway

5.1 I am aware that the New Bridleway will be approximately 4m away from the railway line and it will be 4.5m wide with post and wire fencing on both sides.

5.2 I disagree with the contention within objections that the closure of Tackley Level Crossing will force riders onto roads. On the contrary, the New Bridleway allows the reinstatement of significant links between Tackley and Kirtlington. Any roads that riders need to use would be roads that they would have need to use anyway with the Existing Bridleway. Riding alongside vehicles, is also not hazardous, per se.

5.3 The New Bridleway will run alongside the railway line for a distance of about 860m. In my opinion, it will take a horse approximately 8-10 minutes to cover 860m at a walk, and approximately 3-4 minutes to cover this distance at a trot. A rider may expect one train to pass whilst using the New Bridleway section alongside the railway.

6. Horses' reaction to the speed and noise of a passing train

6.1 Horses will react differently to passing trains depending on their familiarity with this situation, their level of training and the experience and competence of the rider.

6.2 I differentiate between a horse that is initially *startled* by the appearance of a fast-moving train and a horse that is *frightened* by the train. Once horses are familiarised with trains (at any speed) they will be accepting of trains and not startled (or indeed frightened) however fast, noisy and close the train is.

6.3 The amount of time spent on the New Bridleway, which is a factor of its length, would not affect the likelihood of a horse being startled, or indeed frightened.

6.4 Most horses will not be frightened by a train, and none of those horses that have been familiarised with trains. If a horse is frightened, it might possibly react unpredictably by either:

6.4.1 twisting and turning very much on the spot; or

6.4.2 less probably accelerate fast and runaway out of control. It is not possible to say what direction it would run. This may depend on the direction the horse relative to the direction of the train.

6.5 The height of the New Bridleway is not expected to have any material effect on a horse's reaction.

7. Likely degree of familiarisation

7.1 The majority of riders who use the bridleway will live or keep their horses locally, i.e. within 2-3 miles. Any rider that had used the Existing Bridleway would have had to familiarise their horse with the passing of trains to negotiate the Level Crossing.

7.2 A horse that is not familiar with the railway should not be being ridden there, in the same way that a horse not familiar with traffic should not be taken on a busy road. Horses can be familiarised to trains passing at any speed.

7.3 Familiarisation of horse with road traffic will be very similar to familiarising a horse with trains and if a horse is familiar with traffic it will probably be part way familiarised with trains.

7.4 Responsibility and onus falls on the rider (and additionally, also on the stable or riding school) to know where the rider will encounter traffic or trains and ensure that they have carried out sufficient familiarisation and training of their horse..

8. Rider training and prudent behaviour

8.1 There is a minimum expected level of training or competence of a rider before they take a horse on a road or by a railway.

9. Comparison with other bridleways

9.1 Many of the example bridleways referred to in Appendix 4 of the Applicant's Statement of Case [SOC-NR] are sufficiently similar in the way they bring riders and railways together on a bridleway as to show why riders on a horse familiarised with trains should be able to use the New Bridleway in safety.

9.2 There is nothing I have seen in the proposals for the New Bridleway that suggest to me that the New Bridleway is unusually unsafe for equestrian users, either in and of itself, or by comparison to such other bridleways. The length of the section alongside the railway line is not a relevant factor.

10. Comparison with roads

10.1 The risk when riding on roads is probably significantly greater than using the New Bridleway.

10.2 Although a horse may be next to a passing train for longer than when vehicles pass it, this will not be a relevant factor for familiarised horses.

11. Interaction with other bridleway users

11.1 My Proof acknowledges the risk of collision between horse and other bridleway users but concludes that this risk exists when using roads or any bridleway.

12. 'Roadification' and the safety of the surface

12.1 The proposed bridleway surface will consist of a 20mm surface layer, 3mm limestone dust and 150mm compacted sub-base layer. I would expect this to be suitable to ride horses at walk or trot but not at a canter. I would not expect riders to canter on this surface.

12.2 In contrast to the objections of the BBT and BHS, what is proposed, still retains a high amenity value for equestrians and is significantly less slippery than a metalled road.

13. Alternatives

13.1 The alternative solutions put forward by the BHS to the New Bridleway are considered in my Proof. Leaving aside the ones the NR states are not feasible for engineering reasons, I comment that these alternatives are not materially safer for riders than the New Bridleway as they all involve sections by the railway and do not provide greater accessibility benefits.

14. Fencing and gating

14.1 I consider the proposals for fencing and gating of the New Bridleway to be appropriate.

15. Conclusion

15.1 The New Bridleway will be safe for equestrian users whose horses have been familiarised with trains.

15.2 I would expect only familiarised horses to have used the Existing Bridleway. Although there remains risk to unfamiliarised horses, no responsible and prudent rider would use a bridleway adjacent to a railway without taking basic and adequate measures to first familiarise their horses, as they should not use a road with road traffic.

15.3 The New Bridleway will provide the same connectivity that has been lost by the closure of the Tackley Level Crossing and with no or no significant loss of amenity to riders who used to enjoy the Existing Bridleway.

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.

A handwritten signature in black ink, appearing to be 'C. Lane', written in a cursive style.

Signed:

Dated: 21 May 2024

Charles Lane