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STATEMENT OF CASE

1.0 Introduction

1.01 My name is Leslie Harrison, and I have been a Chartered Civil Engineer since 1984.

1.01 From 1986 until 2010 I was employed by Oldham Metropolitan Borough Council as a senior consultant providing advice on all planning applications with highway/traffic implications.

1.02 During that period, I appeared at many Public Inquiries, giving evidence, as an expert witness, on highway/traffic matters.

1.03 Since retiring from the Council in 2010 I have been working on a part time basis as a private traffic consultant.

1.04 I have been asked to have a look at and make any appropriate comments on the proposal of Network Rail to divert the route of Public Footpath No 209.

2.0 Comments on Proposal to Divert Public Footpath NO 209

2.01 The Public Footpath links Ladcastle Road to Moorgate Street and crosses the railway line at an existing level crossing. Previously, Network Rail proposed to abolish the level crossing and replace it, on safety grounds, with a footbridge.

2.02 It would appear they have now decided to abandon that scheme, on financial grounds, and propose to divert the route along Footpath 244.

2.03 Network Rail accept in their submission that the Footpath has a 'high level of usage'. Footpath 244 appears to have a very low level of usage, presumably, due to its current condition and excessive gradient in places.

2.04 Network Rail have submitted a Safety Risk Assessment (SRA) prepared by Mayer Brown.

2.05 At Paragraph 1.4 of the SRA, it is stated that 'The SRA is concerned only with the re-routing of pedestrians onto the highway network and the potential effect on road user safety in the vicinity'

2.06 At Paragraph 1.8 it is further stated 'The question this SRA seeks to answer is whether the Activity of "re-routing pedestrians from the public footpath onto the adopted highway network is detrimental in road safety terms, to the existing situation" '

2.07 At Paragraph 5.4 it states, 'The safety objective is to understand the risk to road users on the A670 High Street due to the proposed increase in pedestrian movements resulting from closure of the level crossing and public footpath subsequent risks to road users.'

2.08 Section 6 of the SRA outlines the Conclusions reached from the Assessment.

2.09 Paragraph 6.2 states 'The activity of re-routing additional pedestrians onto the A670 does require additional control measures to mitigate an increased risk level, because of the assumed additional pedestrian movements'

2.10 Paragraph 6.3 states 'It is assumed that there are currently very few pedestrian movements at the location of the narrow footway on west side of the A670 and the level of footway occupancy will increase relatively significantly as a result of the closure of the level crossing and public footpath.'

2.11 Although the SRA uses the term ‘relatively significant’, this is a rather vague description, and I feel it’s appropriate to quote some figures taken from a census of the usage of the level crossing in documents submitted to Oldham Council and considered by the Highway Regulation Committee on 18th July 2024. *“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 this use was by vulnerable users”*. A later paragraph reveals that the census was conducted between 25th March and 4th April 2022. And *“The breakdown of usage is as follows 418 adults; 8 unaccompanied children; 8 accompanied children; 82 dogs on a lead; 2 dogs not on a lead; 2 cyclists. There was a high number of users classed as vulnerable and six of the crossings were between the hours of midnight and 0.60 hours.”*

2.12 Consequently, I would suggest ‘relatively significant’ should be more accurately described as ‘hugely significant’, with this volume of users likely to be egressing the footpath onto the A670 at a very dangerous location without any significant additional safety measures being implemented.

2.13 Paragraphs 6.4-6.6 conclude that if the narrow footway on the A670 was widened and the location of the change of speed limit was moved, these mitigating measures would result in the greatest reduction in risk, however, just simply moving the location of the change of speed limit without a footway widening would ‘retain the risk level at existing levels.’

2.14 I have visited the site, particularly the location of the junction of Footpath 244 with the A670 High Street.

2.15 The A670 in Uppermill is the most heavily trafficked road in the Saddleworth area, and it is also the route of many bus services. Many alterations to the highway in this locality have been made in past to improve highway safety, including introducing a reduced speed limit of 20mph.

2.16 Consequently, there is a constant traffic flow along the route.

2.17 Network Rail have conceded there will be a *significant increase* in pedestrian flow at this location, should their proposal to close the level crossing be approved, given their understanding that the footpath to be closed and diverted onto this new route has a ‘*high volume of usage*’.

2.18 As a pedestrian approaches the A670 from the footpath, to the right of the junction (south-westwards) there is no footway at all. To the left (north-eastwards) there is a very narrow footway of no more than 0.4 metres in width. Whilst it is possible that a pedestrian with great care could keep on this narrow footway, in all likelihood, given the significant increase in pedestrian movements, there will be many instances of pedestrians inadvertently stepping into the carriageway.

2.19 The SRA at Appendix A uses a ‘Hazard Identification & Risk Assessment Matrix’ to form its conclusion.

2.20 It identifies the hazard of a narrow footway and states; With additional pedestrians re-routed we consider the likelihood of collision would increase. However, it recommends this should be monitored by the Highway Authority. Firstly, there is no scope to widen the footway due to physical constraints and secondly it expects the Highway Authority to deal with the problem should accidents occur.

2.21 Appendix A also states; With additional pedestrians re-routed we consider the likelihood of collision would increase and concludes that reducing the speed limit on the A670 over a short distance from 30mph to 20 mph would increase the safety of pedestrians. Again, it is recommended this simply be monitored by the Highway Authority. Firstly, the alteration of the Traffic Regulation

Order is outside the control of Network Rail and there could be no guarantee of its implementation and secondly, simply reducing the speed limit over a short distance, I would suggest, only have marginal implications, at best, for a pedestrian necessarily stepping into the carriageway at this location.

2.22 Moreover, there appears to be no consideration in the SRA of pedestrians who wish to turn right coming out of the footpath, in the easterly direction, and who would have to cross the carriageway at this location where there are no crossing facilities. The nearest being some 40 metres to the north-east. This is a potentially dangerous situation at this location which has not been assessed. Users of the current footpath which Network Rail wish to close can use designated controlled crossing points to safely reach their destination in the easterly direction via the opposite footway. Human nature suggests that pedestrians will want to cross the road at this location, rather than going to the nearest safe crossing point.

3.0 Conclusion

3.01 The proposal to close the existing Footpath 209 and divert its route onto Footpath 244 would, in my view, have a detrimental effect on highway safety of its users. Insufficient mitigation measures could be implemented to overcome the safety issues highlighted.

3.02 Network Rail, through the SRA, accept the closure of Footpath 209 would significantly increase pedestrian movements on Footpath 244 and this would require 'additional control measures' to mitigate the existing risk level. But it is suggested in Appendix A of the SRA that the two suggested control measures i.e. footway widening and speed limit reduction, simply be monitored by the Highway Authority and, presumably, be introduced if necessary. However, no footway widening is possible due to physical constraints, and the introduction of a Traffic Regulation Order would, at best, only give a marginal increase in safety.

3.03 Consequently, it is my opinion that the diversion of Footpath 209 onto Footpath 244 would directly lead to a hugely significant number of pedestrians with a high number classed as vulnerable, at a location onto High Street with significant obvious dangers to highway users, and should not, therefore, be pursued for highway safety reasons. I would, therefore, respectfully request the application be refused.