



The Network Rail (Leeds to Micklefield Enhancements) Order
CD 7.29 - Public Right of Ways Proof of Evidence

TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURES)
RULES 2004
NETWORK RAIL (LEEDS TO MICKLEFIELD
ENHANCEMENTS) ORDER

PUBLIC RIGHTS OF WAY PROOF OF EVIDENCE
OF
SUZANNE BEDFORD

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1. Personal Details

- 1.1 My name is Suzanne Bedford and I am the Liability Negotiations Manager for the North & East, East Midlands and East Coast Routes on Network Rail's Eastern Region.
- 1.2 My role and responsibilities include overseeing the closure process for level crossings within the three abovementioned Routes and supporting my team in doing the same. This involves exploring possible options for permanently diverting and stopping up public rights of way such as public roads, footpaths and bridleways, utilising legislation such as the Transport and Works Act 1992 and also s116/7, s118/118A, s119/119A of the Highways Act 1980 and s247/257 of the Town & Country Planning Act 1990.
- 1.3 My role includes liaising with key stakeholders such as the Highway Authority, affected landowners, Parish Councils, user groups and landowners/occupiers and their professional advisers, to look at viable solutions for diverting and/or stopping up public and private rights of way to achieve closure of level crossings, and balancing this against the inconvenience to users and the importance of trying to maintain connectivity on the public rights of way network.
- 1.4 I have been employed by Network Rail for over 16 years; initially in the capacity of a Liability Adviser but taking the role of Manager in 2014.
- 1.5 Further duties in my role include determining Network Rail's statutory, common law and contractual responsibilities applicable to its land holding and infrastructure as well as the duties owed by Network Rail to adjoining landowners, occupiers, and users of land.
- 1.6 I have personally facilitated closure of over 100 level crossings during my employment at Network Rail, which were a mixture of both public and private status.
- 1.7 I have a BA (Hons) in Law and Information Technology and have been a member of the Institute of Public Rights of Way (IPROW) for 6 years.

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2. Scope of Evidence

- 2.1 My Proof of Evidence examines the five level crossings that form part of this Order in respect of the extent of existing rights recorded over them (whether public or private) and how each connects into the wider public rights of way network.
- 2.2 I will also examine the impact closure of these level crossings will have, specifically when looking at connectivity and enjoyment of use of the alternative routes.
- 2.3 My evidence is based on how, for a typical level crossing closure investigation involving public rights of way, I would personally evaluate the impact of closure and whether there is a need for any additional works. My proof also addresses matters relevant to Matters 4(a) – (d) in the Statement of Matters.
- 2.4 My proof should be read alongside Mr Cunningham's (Route Level Crossing Manager) proof of evidence where he talks to the use being made of each of the level crossings, the risk they represent and risk mitigation. It should also be read alongside the Mr Greenwood's (Head of Infrastructure Liability) evidence on Network Rail Policy and Strategy for Level crossings, and Mr. Westwood's proof of evidence where he sets out the options considered by the Transpennine Route Upgrade Project for Barrowby Lane, Barrowby Foot and Peckfield Level Crossings.
- 2.5 As Garforth Moor and Highroyds Wood Level Crossings were already being taken forward for closure by Network Rail's North and East Route, I will speak to the closure optioneering solutions within my proof as a representative of the Route.

3. Level Crossings to be Closed

- 3.1 The Network Rail (Leeds to Micklefield Enhancements) Order, in combination with various other consents, would enable Network Rail to close five level crossings within the boundary of the Order, specifically from west to east **Barrowby Lane, Barrowby Foot, Garforth Moor, Peckfield, and Highroyds Wood.**

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- 3.2 Each of the crossings convey public rights of way over the railway on the level and census information shows that the crossings are being used, or in the case of Garforth Moor and Highroyds Wood level crossings, were being used prior to their temporary closure. Garforth Moor also carries private rights which the Order, if made, would also extinguish.
- 3.3 The level crossings are indicated on the Works and Land Drawings (**CD1.09**), **Order Sheets 6, 7, 12, 13 and 14**.
- 3.4 The scheme to close Barrowby Lane and Barrowby Foot level crossings is listed in the Order as **Scheduled Work No 4** “*New Barrowby Lane Bridge, Closure of Barrowby Lane Level Crossing & Barrowby Foot Level Crossing*” and the scheme to close Peckfield level crossing is listed as “*Works and land use for the closure of Peckfield Level Crossing and construction of PROW diversion with associated highway improvement and parking works to Lower Peckfield Lane*”. Details of how each scheme was developed and decided upon is examined in Mr Westwood’s Proof of Evidence.

4. Barrowby Lane and Barrowby Foot Level Crossings

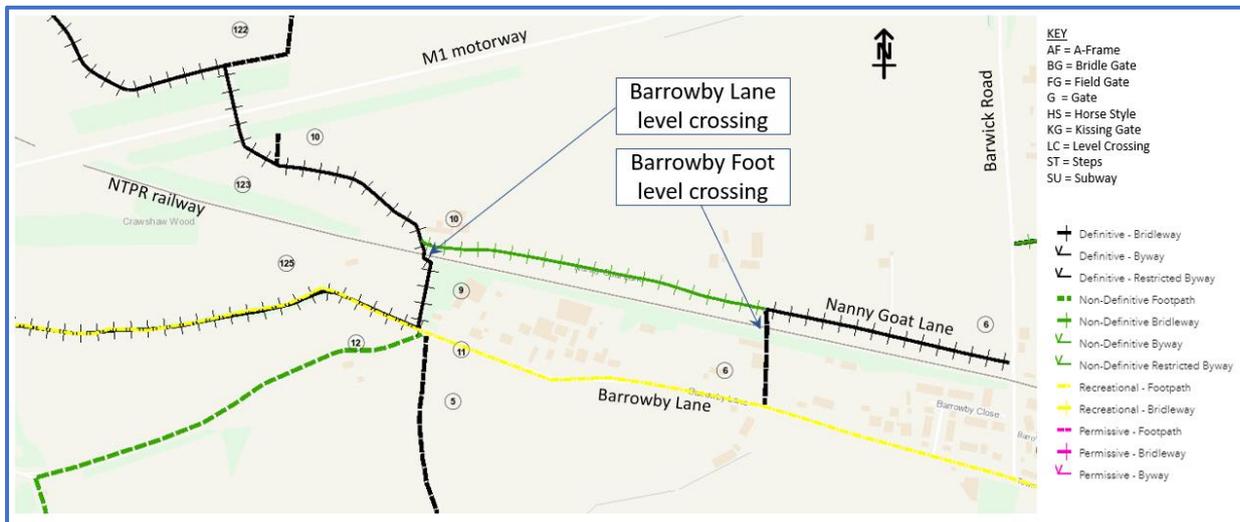
- 4.1 Barrowby Lane Bridle and Barrowby Foot level crossings are located to the west of the town of Garforth in North Yorkshire. Barrowby Lane is the most westerly level crossing with Barrowby Foot approximately 440 metres away to the east.
- 4.2 The Order, if made, would authorise the closure of both level crossings with the extinguishment of public rights of way over Barrowby Foot and the diversion of public rights of way at Barrowby Lane, as set out in Schedule 8 to the Order and shown on **Land and Works Plans Order Sheet 6 and 7 (CD 1.09)**.
- 4.3 Public bridleway rights are recorded over Barrowby Lane level crossing while Barrowby Foot is only recorded as a public footpath.
- 4.4 The crossings are connected by an undefined bridleway along the north side of the railway, namely Nanny Goat Lane, which also serves as a private access road for two houses and a farm. On the south side of the railway, the two public rights of way are connected by a road also named Barrowby Lane which is recorded as being maintainable by the Highway Authority¹.

¹ Find My Street – www.findmystreet.co.uk/map - as viewed on 29th December 2023

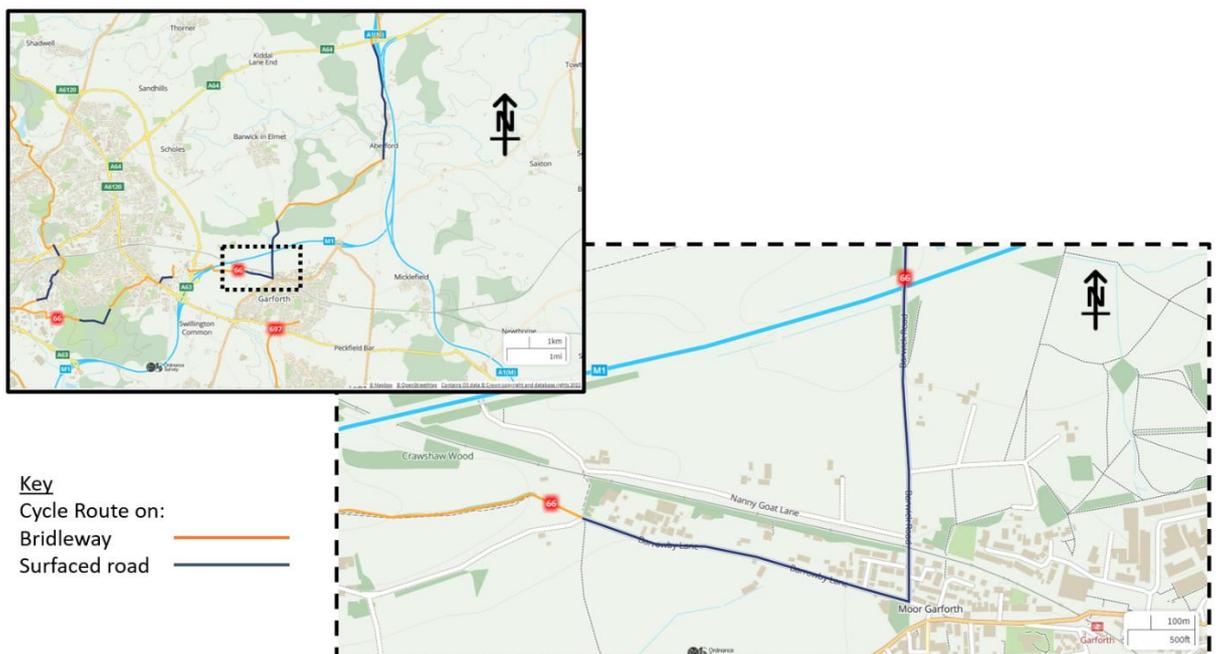
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4.5 The plan below is an extract from the Definitive Map and shows definitive public rights of way by black lines, undefined rights by green lines and recreational routes by yellow line. An up to date copy of the Leeds Definitive Map is available at <https://www.leeds.gov.uk/parks-and-countryside/public-rights-of-way/definitive-map>



4.6 Barrowby Lane road, where it is parallel to the railway, is also recorded as being part of a recreational route, namely the Leeds Country Way. The Leeds Country Way also forms part of a National Cycle Route (No 66) with cyclists directed to use Barrowby Lane and Barwick Road as per the route shown on the plan below – it should be noted the National Cycle Route is not scheduled over either level crossing.



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- 4.7 The public bridleway over Barrowby Lane level crossing and the approaches to it crosses two parishes and is therefore referenced differently depending on which side of the railway line you are stood. Bridleway Barwick 10 is on the northern side of the railway and traverses the level crossing, whereas south of the railway it is referenced as Bridleway Austhorpe 9, until it's junction with Barrowby Lane road.
- 4.8 The Definitive Map extract at point 4.4 of my proof shows that the level crossing connects a network of public rights of way on the north and south of the railway



line for horse riders, cyclists, and pedestrians on foot although Mr. Cunningham confirms in his Proof that little use is made by of the route over the railway by horse riders, and the primary use is cyclists and pedestrians.

- 4.9 Turning to Barrowby Foot level crossing approx. 440 metres to the east. This crossing is accessed via Nanny Goat Lane and public bridleway Garforth 6 on the north side of the railway and Barrowby Lane to the south. The crossing has very steep approaches either side of the railway line and consequently, is not a favoured leisure route by the public.

Barrowby Foot crossing on north side of the railway

- 4.10 My colleague Mr Cunningham sets out in his proof of evidence that census information shows no use was made of Barrowby Foot level crossing during the 2021 and 2016 census of use.
- 4.11 While it is entirely possible that the route could have been used outside of the census dates, when looking at the vegetation on the south side approaching the railway, there is no evidence of a worn path through that would indicate regular use is being made of the route.

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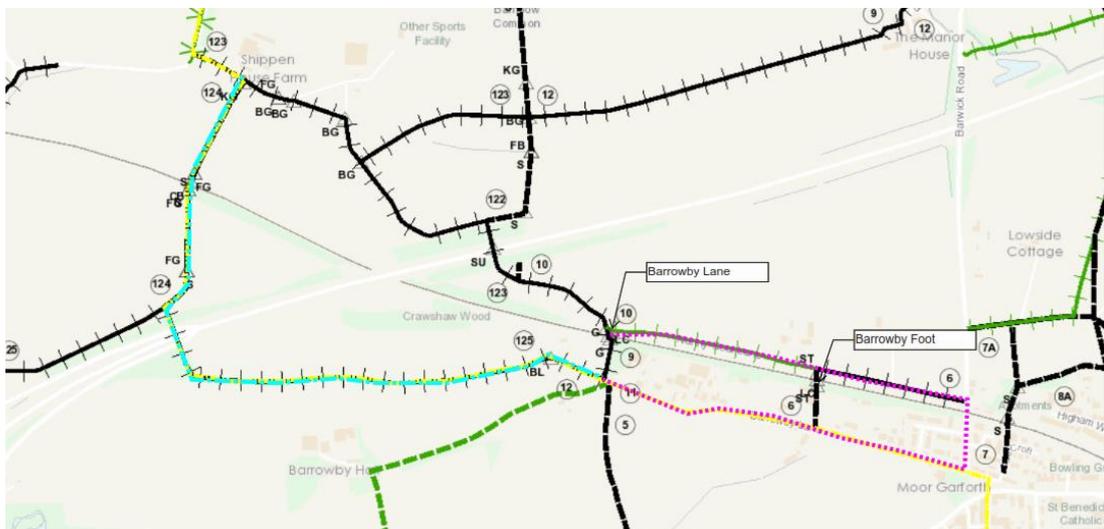
*Approach to the crossing steps on the south side of the railway
Photo taken 27th November 2023*

- 4.12 As Mr. Greenwood explains in his Proof, when a level crossing is identified for closure, Network Rail is required, when looking at possible options to consider the associated costs and balance this against the use made of the existing level crossing, and the inconvenience to the user.
- 4.13 It is standard practice for myself and colleagues in the Liabilities team to explore the feasibility of lower cost solutions to achieve closure of a level crossing in the first instance such as simply stopping up the public right of way, removing the crossing and improving alternative access or by diversion of the public rights to alternative existing points that cross the railway (i.e., a bridge), without the construction of new bridges or underpasses.
- 4.14 In looking at these low cost solutions we explore current connectivity, suitability of the existing route and any diversion routes, whether there is scope to improve connectivity and where there is perceived inconvenience to the user through stopping up or diversion, how this can be kept to a minimum.
- 4.15 At Barrowby Foot, as use of the crossing is extremely limited, if at all, I am of the view that it would be a disproportionate to spend circa £1m+ in providing a bridge to replace this crossing, given the route sees little to no use. This need to balance the proportionality of cost has been discussed and accepted by other Planning Inspectors.

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- 4.16 As users are clearly already using existing alternative routes (being the existing bridleway to the west and via Barwick Road underbridge to the east, it is my view that there would be no inconvenience in simply extinguishing Footpath Garforth 6 in its entirety without any need to undertake works to the surrounding paths, given they are already in use and to a standard more than sufficient for a public footpath.
- 4.17 Closure of Barrowby Lane level crossing is naturally more complex given its higher use and having the higher status bridleway rights. The lowest cost solution would be to simply stop it up and users would be required to find existing alternative bridleways/footpaths.
- 4.18 Although circular routes would be retained to the east via Nanny Goat Lane, utilising the undefined bridleway (coloured green on the plan at 4.4) and Bridleway Garforth 6, passing under the railway via the bridge on Barwick Road, a user who wanted to utilise the footpaths and bridleways immediately south of the level crossing, this route is approximately 1.68km long and would take an approximate additional time of 33.6 minutes to walk based on an average walking speed of 1.2m/s. This time would vary depending on the type/ability of the user. This route is shown dashed pink on the plan below.



- 4.19 A circular route is also available to the west via bridleway Leeds 124 which would retain access to the bridleway network south of the railway (dashed blue on the above plan). The additional journey time here will depend on a user's origin and destination but is roughly 500 metres by way of inconvenience (approximately 7 minutes based on an average walking speed of 1.2m/s).

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- 4.20 In my experience, and from previous discussions with stakeholders, while additional journey time for horse riders is not a particular hardship (and in some cases is appreciated) for cyclists and pedestrians, a diversion over 500 metres tends to be regarded as too great an inconvenience and detrimental to users. In this regard a simple extinguishment of the bridleway over Barrowby Lane is not realistic.
- 4.21 In light of the above, and in noting Mr Cunningham's conclusion that the crossing should close, it is my view that the only feasible option available to maintain the PRow network is for the construction of a bridle bridge that would close Barrowby Lane level crossing, in tandem with extinguishing the footpath over Barrowby foot. This would retain a public right of way over the railway without having to go onto an A class road (Barwick Road), which would require users to cross the road twice as the pavement is on the opposite side of the road.
- 4.22 The scheme also provides an opportune moment to regularise/improve the public rights of way network as the Order includes formalising the status of the bridleway on Nanny Goat Lane (shown green on the plan at 4.4) as a definitive bridleway as part of the overall scheme.

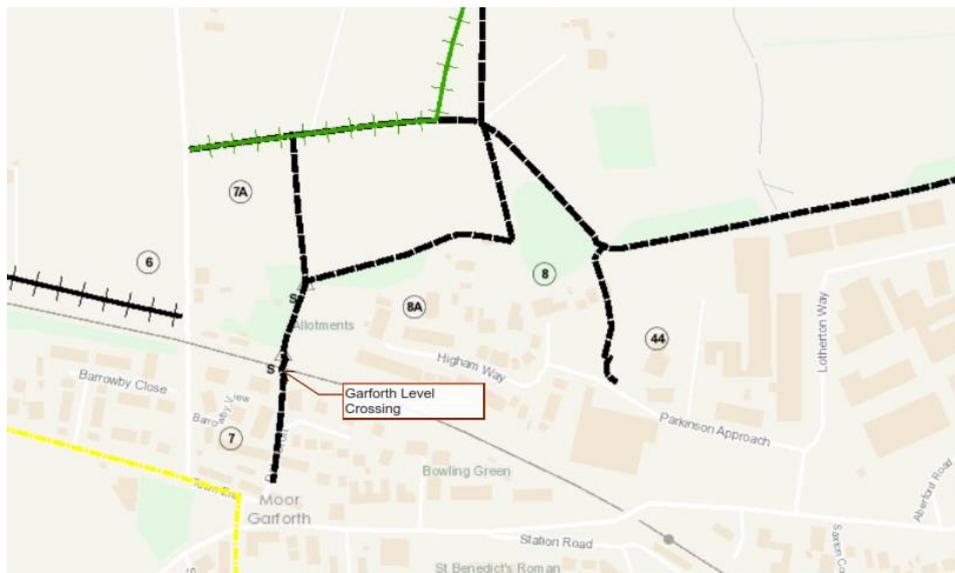
5 Garforth Moor Level Crossing

- 5.1 This crossing is located approximately 400 metres east of Barrowby Foot Level Crossing, closer to the town of Garforth. As a private occupation road, it provides access over the railway for a limited number of private users who have rights to use it to access their land. Public footpath Garforth 7 is also scheduled over the level crossing.
- 5.3 Over time use of the level crossing with vehicles reduced and by 1969 it only served the allotments which are owned by Leeds City Council. Use by the Council is therefore in exercise of the private right to access the allotments, and this right extends to the separate allotment holders, being their invitees.
- 5.4 The crossing was only used in the late 1960's as a means of providing direct access to deliver manure to the allotment owners on the north side of the railway. This limited vehicular use dwindled and in 1988 it was noted that the vehicular gate to the north side had been nailed shut and that the width of the approaches had become overgrown save for the width of pedestrian access. At a point in time after 1988 the vehicular gates were removed replaced with narrower pedestrian gates.

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- 5.5 Public Footpath Garforth 7 which traverses the crossing commences at Dale Croft to the south of the railway, continues in a north-easterly direction over the crossing and towards Sturton Grange. To the north of the railway, Garforth 7 connects to footpath Garforth 7A (which also incorporates a non-definitive bridleway), and footpath Garforth 8A at the corner of the allotments. The public rights of way network in the vicinity the Crossing can be seen on the below Definitive Map extract.



Leeds City Council Definitive Map Extract

- 5.6 In 2017 the Level Crossing Manager responsible for Garforth Moor Level crossing identified from a recent (at that time) 9 day census, that the crossing was being utilised by a high number of encumbered and vulnerable users. Having assessed the risk and consideration of possible mitigation options that could enable the crossing to remain open, it was decided that the Crossing was unsafe and needed to be closed to preserve public safety, with immediate effect. My colleague, Mr Cunningham, talks to this more in his Proof (**CD 7.23**).
- 5.7 I submitted an application to Leeds City Council stop up the public footpath and close the crossing through a Temporary Traffic Regulation Order (TTRO) whilst I also explored options for permanent closure solutions through discussions with the Highway Authority and adjacent landowner. The TTRO was initially in place for 6 months and extended thereafter. An extension to the TTRO was applied for on 18th December 2023.

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- 5.8 It was noted in the 2017 census that over half of users were vulnerable and/or encumbered with specific reference made to people carrying equipment such as wheelbarrows etc, no doubt for use at the allotments. These users would have been using the Crossing as invitees of the Council, and therefore were exercising private rights and not as users of the public right of way. This implies that under half of users were utilising the route as a public right of way.
- 5.9 When the crossing was closed, a number of complaints were received from Leeds City Council as the landowner as well as the allotment holders. A private track and parking facility was then provided on the north side of the railway as alternative access. To my knowledge, there have been no further complaints from members of the public that the crossing remains closed. In my opinion this implies that the crossing was primarily utilised by the allotment holders who were content once the alternative access was provided.
- 5.10 Since it's temporary closure, there have been no major new housing developments in the vicinity of the crossing to suggest that usage figures now would not be dissimilar to use in 2017. Nevertheless, future housing development in the Garforth area would see a rise in use of the crossing which, as Mr Cunningham explains in his Proof, would import additional risk at the Crossing.
- 5.11 It is possible that since its closure, some of those who historically used the public footpath have utilised alternatives which they regard as preferable than using the Crossing and as such it would not be the case that every user of the crossing will now use the alternative of Barwick Road.
- 5.12 When the Crossing was initially closed out of use and fenced off, Network Rail agreed with the Council that it would provide an alternative means of access into the allotments using an existing access track to the north. It would also provide a small parking area adjacent to the allotments. Separate retrospective planning has been obtained for the road and parking area and this is talked to by my colleague Mr Rivero in his proof (**CD 7.13**).
- 5.13 The allotment holders have, in my opinion, had a benefit out of the scheme with a new parking facility being provided immediately adjacent to the allotments. Although Network Rail was not obliged to provide the parking area, it has removed the need park on Dale Croft and other nearby highways for allotment holders wanting to bring equipment to and from the allotments.

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- 5.14 With regard to the public footpath element of the Crossing, due to the proximity of residential houses and with the low level of public use of the footpath, the provision of a new bridge to replace the Crossing was considered to be disproportionate financially; but also impractical, because of the lack of land to construct a bridge (stepped or ramped) and its visual intrusion into neighbouring properties.
- 5.15 As the alternative route for users, Barwick Road has street lighting located at regular intervals along the stretch of highway that users would otherwise be diverted along. It also has a pavement on one side – helpfully located on the Garforth Moor side of the road, meaning there would be no requirement to cross the road at this location to re-join the Public Right of Way (PRoW) network. For the most part there are double yellow lines along Barwick Road, meaning vehicles cannot park on the pavement and restrict use of the pavements although north of the railway bridge I understand this is more of an issue but the pavement is slightly wider in this area. Barwick Road is also step-free although there is a gentle slope to the road on the south side of the railway approaching the bridge.
- 5.16 Much of the length of Barwick Road which serves as the diversionary route is in a 30mph speed area, with markings in the highway encouraging road users to slow down. Although this is primarily due to the pinch point at the underbridge where the railway crosses over the road (which is a listed structure). There is also a priority system on the road meaning only single file traffic can pass through it. A reduced width of the pavement is preserved, under the structure,

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- 5.17 Following closure of the crossing in 2017, I attended site with a representative from Leeds City Council's public rights of way team, who expressed concern about the narrowness of the footpath through the bridge. The option of widening the pavement underneath the bridge was discussed but was discounted because the resultant narrowing of the road would have a greater restriction on vehicular traffic. Traffic lights was also discussed as a means of slowing down traffic through the bridge; but I understand that this was discounted due to the potential impact on traffic flow in the town. The potential for widening the arch through the bridge was discounted due to the extremely high associated costs.
- 5.18 There is also a further limitation on Barwick Road to the north of the railway. After the northernmost residential property, the pavement narrows slightly. Having personally walked the route on multiple occasions at different times of year, it is my view that this section it is sufficiently wide enough for pedestrians to walk single file.

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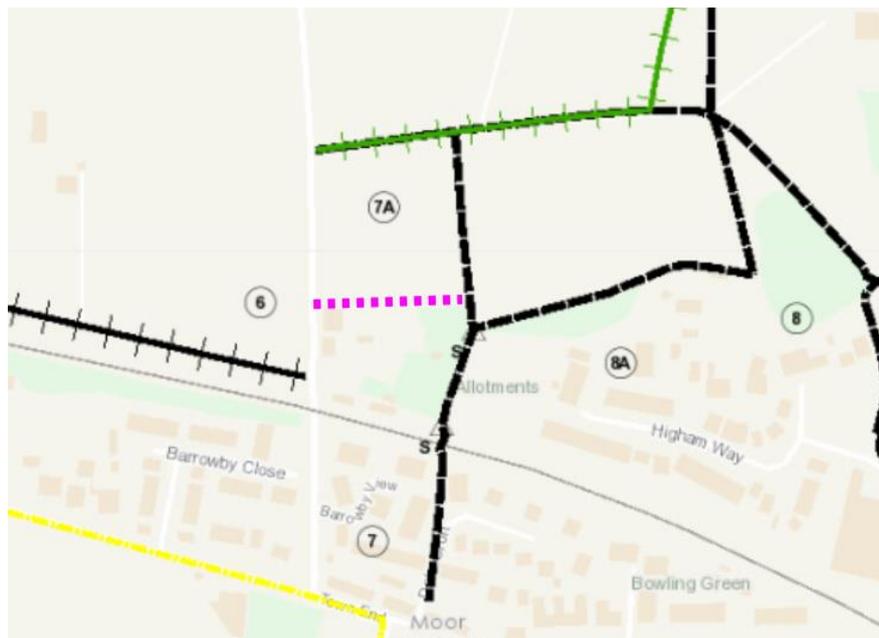
5.19 It should also be noted that according to CrashMaps² there have been no slight, serious or fatal incidents along the section of Barwick Road that forms the alternative route for pedestrians since the level crossing was closed.

² www.crashmaps.co.uk

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- 5.20 It is also worth mentioning that on the numerous days and times of day I have visited the site and walked the alternative route via Pit Lane I have only seen a limited number of people using the route. I cannot recall ever seeing anyone use the section between the houses and Garforth 7A.
- 5.21 Leeds City Council as Highway Authority advised that in parallel to extinguishment of the public right of way over the Crossing, they wanted to see the creation of a new section of footpath leading from Barwick Road and running alongside the residential properties parallel with footpath Garforth 7A but on the southern field boundary to reduce the time a pedestrian is walking on a footway adjacent to a main road. The new footpath is shown dashed pink on the below plan. If the new path was not constructed, pedestrians would need to walk a further 97 metres north to reach the footpath (and non-definitive bridleway) to the north.



- 5.22 In 2018, Network Rail submitted an application under s118A of the Highways Act 1980 to Leeds City Council to extinguish part of Garforth 7 footpath from its start point on Dale Croft to a point immediately north of the level crossing. The application included reference to creation of a new section of pathway as referenced in 5.21 above., which was to be created by a Public Path Creation Order under section 26 of the Highways Act 1980. Following informal consultation, both Orders were made in April 2022 and statutory consultation was then commenced.

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- 5.23 Several of the consultee responses were from the allotment owners (using the crossing in a private capacity), while some local residents supported the extinguishment as it removed previous anti-social behaviour, including users of the allotments blocking driveways. A further comment questioned whether it was really necessary to provide this additional section given it was only a short distance further up to connect to the same network of paths.
- 5.24 In November 2022 strong objections were received from 3 stakeholders to the creation of the new path who lived in the properties, 1 being the landowner over whose land the footpath would go and the other being two residents of houses adjacent to the new route. Their comments included:
- Concern that people were already parking adjacent to the house to take their dogs for a walk up Nanny Goat Lane (near Barrowby Lane/Foot Level Crossings) resulting in driveways being blocked and the new footpath would encourage more of this behaviour,
 - The existence of the other footpath less than 100 metres north and it appearing to be a waste of money to create a further one,
 - Concerns about access to rear of the property – the resident noted a recent incident where a motorhome was stolen from the rear of their property with the field being used for access.
- 5.25 Network Rail representatives met with one of the residents in December 2022 to try and resolve the objections. It was apparent that one of the residents would be satisfied if additional screening was erected in which case, they would withdraw their objection; but another resident was not agreeable to this solution. Additional screening would not however address their concerns about parking and whether this new footpath was entirely necessary given existing other routes.
- 5.26 Aside from the proposed footpath creation element, the s118A Extinguishment Order was unopposed.

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- 5.27 Because the Orders were consulted upon together, and because objections were received during the consultation process, it became apparent that the Orders would have to be referred to the Planning Inspectorate for consideration and determination. This was around the time the decision needed to be made by the TRU Project on the sites that would be included in the Network Rail (Leeds to Micklefield Enhancements) Order. As closure of Garforth Moor level crossing is a requirement to realise the benefits of the Transpennine Route Upgrade Project, and as the Extinguishment Order would not, in any event, extinguish the private rights, it was agreed within Network Rail that closure of the level crossing would be best progressed as part of the Transport and Works Order process.
- 5.28 To summarise, because of the objections that were received to the Creation Order, which could not be resolved, Network Rail is, within this Order, singularly promoting the extinguishment of the footpath over the Crossing, as well as all private rights over the crossing.
- 5.29 It is noted that the Peak and Northern Footpath Society (PNFS) have objected to the extinguishment of Garforth Moor Level Crossing unless an additional section of footpath is created as referred to in para 5.21 of my proof. The Society references that as the as the creation of this section of footpath was referenced in Network Rail's s118A application to the Highway Authority, Network Rail must therefore have regarded it as necessary. In fact, my original draft application to the Authority was for an extinguishment only, where Leeds City Council later advised that they would not support the application without the creation of this additional section of footpath and I then amended it to include the new path.
- 5.30 Network Rail was of the view, and remains so, that it is not necessary to provide this alternative route given footpath Garforth 7A is less than 100 metres north of the alternative. This is around 1 ¼ minutes at a walking speed of 1.2 m/s. It is accepted that for a user wanting to walk to the junction of footpath 7 and 8A, this will incur a further length to their journey by approx. 220 metres (approx. 3 minutes at a 1.2 m/s walking speed). In my opinion this is not a desire line for users of the public footpath who wish to access the wider PRow network, which can also be easily accessed by simply continuing east along footpath 7A.
- 5.31 In addition, while it is not the driving factor behind the decision not to include the footpath creation within this Order, there is a cost implication for creating this new section of footpath which is likely to be in excess of £70,000 when considering the cost of constructing the route, landowner compensation, providing materials such as screening etc.

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- 5.32 It is not uncommon for Network Rail to construct new or additional paths as part of a scheme to close a level crossing so in principle if we were required to undertake the works we would have to incur the cost but as I have mentioned further up in my proof – the question of whether it is proportionate to incur this cost against walking an additional 100 metres needs to be considered, along with the impact on the interests and/or landholdings of those who objected to it as I have set out above.
- 5.33 It is also noted that in Mr Crowhurst's objection (**Obj/29**) to the closure of Garforth Moor he suggests the provision of a separate pedestrian underpass. The costs of this would be significant and having explored the possibility of installing such an underpass at the site of Barrowby Foot level crossing approximately 300 metres to the west, ground conditions mean this is not a feasible option. My colleague Mr Westwood provides further details as to why this option was not taken forward for the closure of Barrowby Lane and Barrowby Foot Level Crossings in section 3.3 of his proof.
- 5.34 Mr Crowhurst also suggests the provision of a convex mirror to enable pedestrians to see what is coming either side of the Barwick Road bridge – Network Rail is not averse to funding the cost of providing measures such as this but no such request has been made by the Highway Authority and nor have they identified this to be a problem site historically, given it provides access already to residential properties and the PRow network, to warrant the provision of a mirror before now, nor has any request been made since the level crossing was closed.

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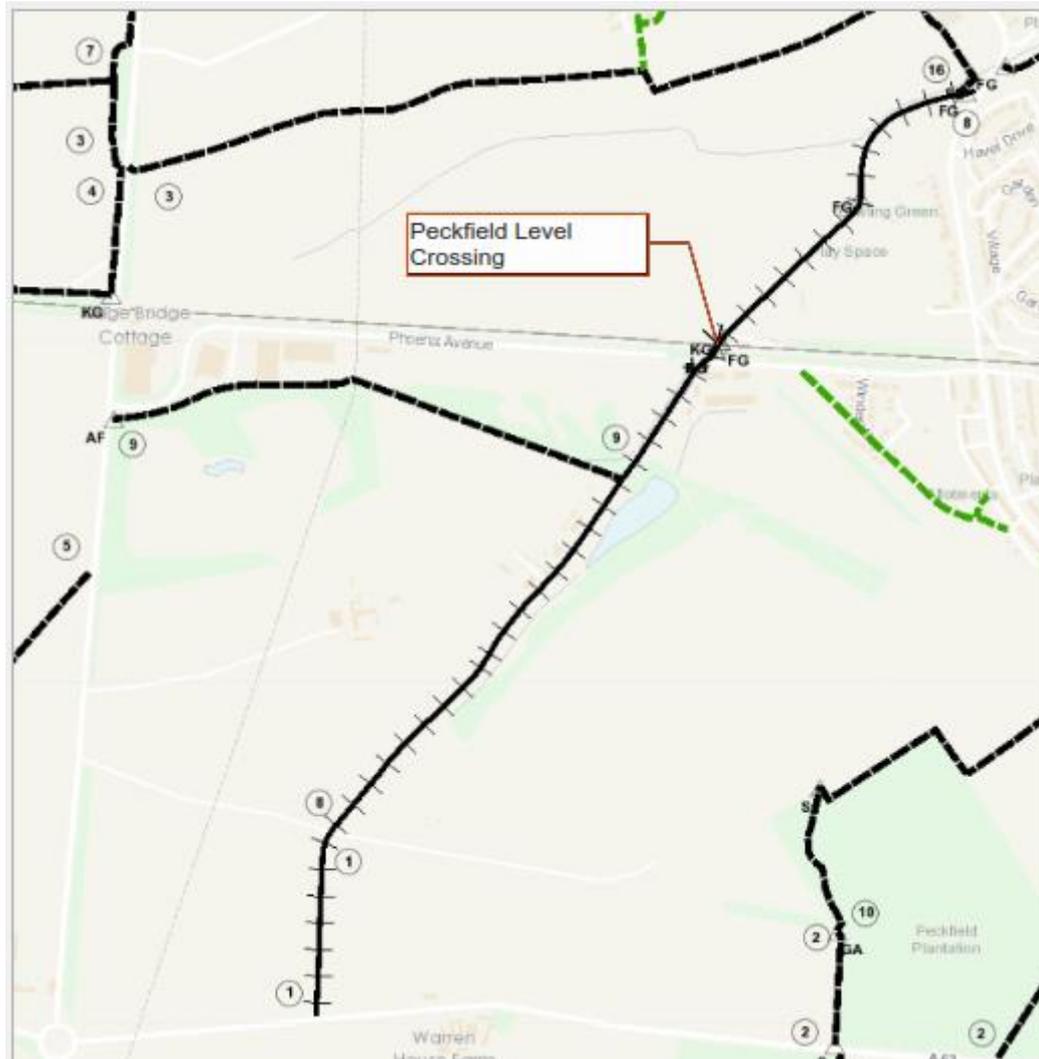
5.35 It is also noted in the objections received to this part of the Order (Mr Crowhurst (**Obj/29**) and the Peak and Northern Footpath Society (PNFS) (**Obj/20**), that the route via Barwick Road, where the footway passes through the underbridge is unlikely to be wide enough for wheelchairs and pushchairs. I recognise, as I set out above, that the footway through the bridge is narrow. This is the case now and has been since before the level crossing was closed. Network Rail has not made this situation any worse than what it was prior to the crossing being closed in 2017. As I have discussed above in 5.17, whilst this has been considered, it is not feasible to widen the footway under the bridge or the bridge itself. I would also note that the census data showed that prior to its closure, no use was made of the Crossing by people with wheelchairs or prams, as set out in Mr Cunningham's proof (**CD 7.23**). This is, in my view, largely due to the terrain either side of the railway. I would also reiterate that this route is the one which has been available to users who would otherwise have used the public right of way over the level crossing (as opposed to accessing the allotments) since it was temporarily closed in 2017 and I am not aware of any such issues having been raised or problems encountered by any such users since that time.

6. Peckfield Level Crossing

6.1 Peckfield level crossing is located in the village of Micklefield, east of Garforth over which public bridleway Micklefield 8 is scheduled. The bridleway extends from the Great North Road to the north and to the south, continues onto public bridleway Ledston 1 until it meets the A63, as shown on the plan below.

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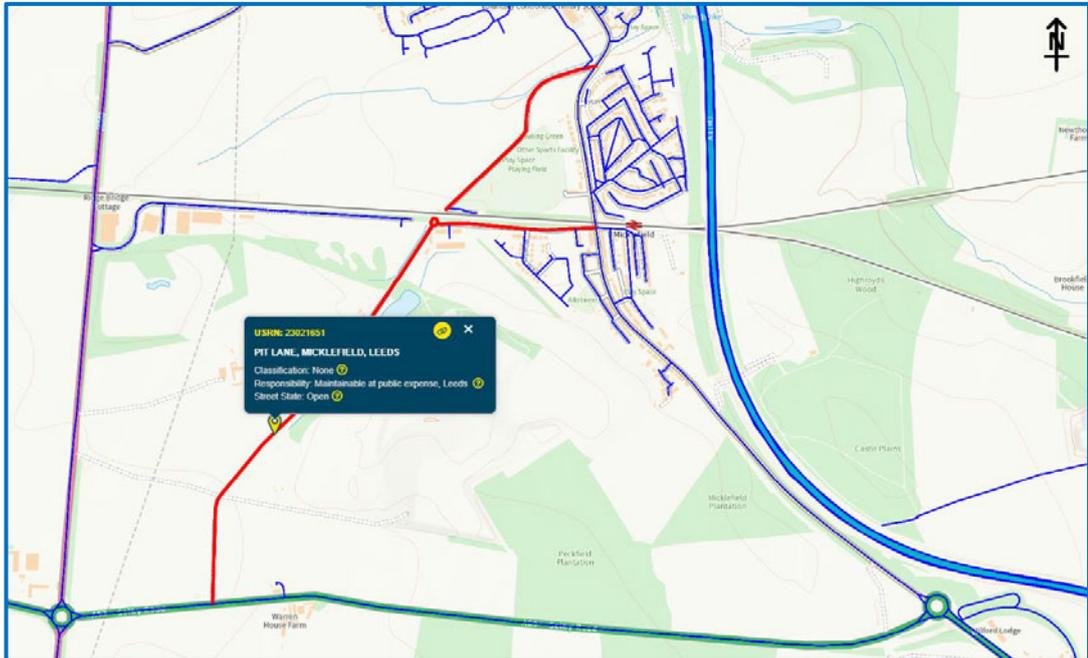
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Extract from Leeds City Council Definitive Map

- 6.2 To the immediate south of the railway the bridleway meets with Pit Lane which also turns parallel with the railway, leading onto Great Northern Road at the railway bridge. The section of road north of the railway shown red on the plan below is also named Pit Lane (it is referred to on the **Land and Works Plan** as Lower Peckfield Lane). On the National Streetworks Gazetteer (NSG), Pit Lane is unclassified, but is maintainable at public expense by Leeds City Council as the local highway authority. It is recorded on the NSG as being the route shown red on the below extract taken from www.findmystreet.com

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- 6.3 Where the bridleway commences from the A63 to the south, the road has a 60mph speed limit. There is a footway on the bridleway side of the road, but it is narrow; I would estimate no more than 1 metre wide along its duration, although there is a grass verge which has a gentle slope that in places, does offer the ability to walk around other users without stepping into the carriageway.



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- 6.4 At its northern end, Micklefield 8 bridleway joins the Great North Road which, at this point, has a 30mph speed restriction. When approaching the start of the bridleway from a northerly direction on the Great North Road, there is a need to cross the road to access the route given there is only a very narrow grass verge on the bridleway side of the road. At this point the road is on a curve which limits sighting.



- 6.5 There are also a series of public footpaths north of the bridleway that provide access into Micklefield Village. When looking at desire lines of users, the majority of residents who own properties that have direct access onto Great North Road are also likely to utilise this Road being the most direct route rather than the bridleway to access these amenities as it would require users to walk west and then north on an unlit private vehicular road.

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- 6.6 Coming from the north, a user can make the decision to either cross onto the bridleway or continue to walk down Great North Road. The main road has street lighting, where currently Pit Lane north of the railway is not illuminated. With the closure of the level crossing, and assuming users chose to use the more direct route down Great North Road, they would still need to cross the road (as they do now to access Micklefield 8 bridleway), walk under the railway bridge and then along Pit Lane on the southern side of the railway to re-join Micklefield 8 bridleway south of the railway. Although there are no pedestrian crossing points along Great North Road, heading south in the direction of Pit Lane where it runs parallel to the railway, it is much straighter to the south, providing better sighting and making it easier to cross. The road could be crossed nearer the railway bridge where there are pavements on either side of the carriageway and the road along this section is 30mph.
- 6.7 The rail bridge over Great North Road near the junction with Pit Lane is arched and as such there is a slight limitation on headroom on the pavements. On the western side the pavement has been slightly widened (at some point between September 2022 and June 2023) to give greater clearance.



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- 6.8 As mounted horse riders should not use pavements, they would need to walk in the carriageway against oncoming traffic. Nevertheless, as is demonstrated in evidence put forward by Mr Cunningham, census data at the crossing shows that there is little to no use made with horse riders and against low numbers of this type of user, this is considered to raise a low risk, and much lower than walking horses over a busy level crossing. A Non-Motorised User Route Safety Assessment (RSA) has also been carried out for this route (**CD 3.10**) which has been provided to Leeds City Council. Mr Stamper speaks to this document in his Proof.
- 6.9 When considering the distances walked, the distance a user currently walks from the northernmost section of Micklefield 8 to the immediate south of the level crossing (via the crossing) is approximately 640 metres. Based on an average walking speed of 1.2 m/s for a pedestrian this journey would take approximately 9 minutes. The distance when remaining on Great North Road then turning up Pit Lane south of the railway is circa 900 metres, thereby an additional distance of only 260 metres. Based on average walking speeds this new journey would take approximately 12.5 minutes. Although it is 3.5 minutes longer to walk via the Great North Road, the time noted above using the route via the level crossing, does not take into account any waiting time at the crossing if there is a train approaching. The walking speeds and journey times would vary depending on the agility of the walker/rider.

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- 6.10 For users heading in a southerly direction the level crossing and the bridleway thereover, currently provides access to a small group of industrial units immediately south of the railway. Although much of Micklefield 8 north of the railway line will remain, without the level crossing, those accessing the units will have to either use the extent of the Great North Road, pass through the underbridge and then turn right south of the railway, onto Pit Lane – a distance of approx. 871m against a distance of 654m using the level crossing (approximately 3 additional minutes walking time at a 1.2 m/s walking speed). Alternatively, they could continue down Micklefield 8 bridleway to the site of the crossing and then walk the 240 metres along the new section of PROW proposed to be created under the Order that runs parallel with the northern side of the railway, before exiting onto Great North Road, passing under the railway bridge, and then joining Pit Lane on the southern side of the railway. This would reduce the length a user would need to walk along a carriage road if their preference was to walk on route with a lower level of vehicular traffic (given the road will retain private vehicular rights). It would add approximately 828 metres to the journey for someone who wanted to maintain a largely traffic free route which equates to approximate 11 minutes based on a 1.2m/s walking speed.
- 6.11 For users heading south to north, the alternative route is via Pit Lane, running parallel with the railway and then northwards along the Great North Road – the distances in 6.9 also apply to users heading in this direction.
- 6.12 It is noted, as set out in a number of objections received to the Order, that there is a new housing estate that has incorporated improvements to the nearby highways and that residents of that development may wish to use the bridleway and in turn the crossing to access facilities north of the railway. While it is accepted that Micklefield 8 bridleway heading north (which sees limited use with traffic) provides access to amenities north of the railway, such as GP's, schools etc, the route via Pit Lane is unlit and is jointly used by vehicles meaning users will have to step to the side of the road when vehicles are approaching. Whereas for people visiting a GP surgery or taking children to and from school, the Great North Road with tarmacked pavements separating pedestrians from vehicles and with street lighting etc., it is my opinion that Great North Road has the greater appeal.
- 6.13 Some of the objections received to the closure of Peckfield level crossing have suggested that a bridge should be provided in lieu of the level crossing. The option for a bridge has been considered at this site but has been rejected on several grounds, as discussed in Mr Westwood's Proof (**CD 7.26**)

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- 6.14 My colleague Mr Westwood talks to the decision making process the Project took for this site but when looking at it as I would for any other level crossing closure investigation, there are nearby existing alternative highway routes that are already being used and have recently been improved to minimise inconvenience to users.
- 6.15 Even under a Transport & Works Act Order, as is set out by my colleague Mr Greenwood, Network Rail cannot undertake mitigation works at a high cost where it has been correctly established through the optioneering process such works are not justified. In my opinion Great North Road provides a suitable and step-free route for users of the level crossing and when balanced against the high cost of constructing a bridge is more in-keeping with effectively managing public money.
- 6.16 This principle has previously been accepted by the Secretary of State in his consideration of a Bridge or Tunnel Order (“BOTO”) in the “Charfield 8” BOTO review. The Secretary of State (rightly) rejected a recommendation for a ramped footbridge (in favour of an alternative stepped diversion) stating in the letter enclosing the order decision (**Appendix 1, paragraph 17**):
- The Secretary of State notes that while the closure of Charfield 8 (Public Footpath OCH 8) remains in force and the alternative crossing remains open, the majority of hazards associated with crossing this section of track have been negated. Given these points, the cost of delivering a programme of a bridge or tunnel would potentially breach the responsibility of Network Rail to manage public money, while also generating disruption for local residents during the construction phase.*
- 6.17 As a direct comparator with Charfield 8 level crossing, the proposal at Peckfield utilises an ‘alternative crossing’ of the railway (here, via a new path and existing highways) which is at a lower cost than delivering a bridge, and ‘the majority of hazards associated with crossing this section of track have been negated’.
- 6.18 However, unlike Charfield 8 the ‘alternative crossing’ for Peckfield is via a step-free and safer alternative route which will enable closure of the level crossing. Also, unlike Charfield 8, Great North Road provides a safe and convenient diversion for those who have protected characteristics under the Equality Act 2010.

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- 6.19 Further, when considering the length of the alternative and safer routes, the lengths are not too dissimilar in length to the diverted route that was accepted at Charfield 8. It is therefore my view, when compared against the Secretary of State's Decision for Charfield 8, that the balance is clearly in favour of acceptance of the proposals for Peckfield Level Crossing.
- 6.20 In addition, a bridle bridge solution is also not a short diversion either. The length of the ramp, at 3.5metres wide, and with a slope of 1:20 would be a distance of approximately 440 metres. The length would be necessary to meet the required incline, and to safely clear the overhead lines. Dependent upon where the bridge could be positioned, this would add long approaches to the base of the ramps that would also need to be considered on the overall diversion a ramped bridge would give.
- 6.21 Ramped structures, with ramps either side of over 80 metres in each direction, are still not easily accessible for those in wheelchairs, and for those who cannot walk long distances on slopes (such as those with chronic asthma or walk with a stick). For those users, who may be able to utilise steps, to meet standards for overhead line equipment (OLE), 3 flights of steps are likely to be required which would also entail a distance of approximately 102 metres.
- 6.22 To summarise, for a user heading in a north to south direction, if a bridle bridge was to be provided, the distance would be at least 724 metres utilising steps but 1.32km if the bridleway/cycle ramps were to be utilised. With the bridge positioned further to the west, these figures would be higher. In comparison, a user to walk down Great North Road and along Pit Lane running parallel to the railway, the distance is approximately 900 metres, on a relatively level route with no limitations, that would also be a route that does not discriminate against users with protected characteristics under the Equality Act 2010.
- 6.23 The cost of a stepped bridge, being over £1m, would only reduce the walking distance by 160 metres for those who could utilise the steps; but this would be of no benefit to users with limited mobility. This raises the question of whether, given the high costs involved, it is proportionate to the inconvenience in having to walk/cycle/ride the additional 160 metres on the alternative route proposed as part of the Order scheme.

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- 6.24 Pit Lane itself, where it runs parallel to the railway on the southern side, has recently been improved as a result of a recently constructed housing estate. Network Rail are not aware of having been consulted on planning permission for this development. Although improvements have been made, the TRU project undertook the abovementioned RSA to understand, amongst other matters, other limitations on the route along Great North Road (where it serves as part of the alternative route when the crossing is closed) to Pit Lane.
- 6.25 The assessment is discussed by Mr Stamper but in referring specifically to section 2.2, four potential issues are noted along the route between Great North Road and Pit Lane (which serves as the alternative route for users of the crossing), specifically the existing width of footways not supporting shared walking/cycling use, the path not being of sufficient width for bridle use, the width of the existing footways being restricted by verge overgrowth and restrictions on use at the junction of Pit Lane and the Great North Road. It is noted in the assessment that the width of the pavements and improvements to the Pit Lane Junction were being addressed as part of highway improvements being undertaken by a housing developer. In respect of the limitations for bridle users, as my colleague Mr Cunningham will attest, the census data did not show any use is being made of the level crossing by horse riders and as such the identified existing safety issue may not be an issue.
- 6.26 During investigations into closure requirements for Peckfield level crossing, it was noted that the residents and visitors to the railway cottages north of the railway visiting by car, often park on Pit Lane (south of the railway) and then use Peckfield level crossing to access the properties.
- 6.27 The Order Scheme specifically provides for works to upgrade Pit Lane where it is north of the railway, including the provision of passing places and a parking/turning area for residents of the private residential properties. However, for a resident wishing to use facilities such as Micklefield Railway Station or bus stops and shops south of the railway, once the crossing is closed, they are able to utilise the adjacent Micklefield Recreation Ground as a cut through to Great North Road. However, the Recreation Ground does on occasion close and in such circumstances, residents would be forced to take up Pit Lane and returning south along Great North Road to access these facilities – a journey of approximately 1.1km.

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- 6.28 As a result of this, the Order Scheme provides for a new section of path to be provided parallel to and immediately north of the railway to provide a link from Micklefield 8 north of the railway as well as the residential properties onto the Great North Road. Users of the existing bridleway who want to minimise the length of time they are required to walk along Great North Road, only needing to walk under the bridge before returning along Pit Lane, could also use this new section of path.
- 6.29 The status of this path is to be decided, as the Order would provide for creation of either a footpath or a bridleway which reflects different views expressed by stakeholders during consultation and engagement.
- 6.30 In reviewing the objections received, a comment is made that Ramblers and Horse Riders use the route to join the public footpath to the A63 and beyond. Nevertheless, our census information confirms equestrian use of the crossing is very light, if at all, and Micklefield 8 leads to Ledstone 1 so is effectively a dead end bridleway.
- 6.31 The majority of other public rights of way in the area are of footpath status save for a non-definitive bridleway closer to Kippax that would require users of Micklefield 8 to go along the A63, navigate a roundabout and the continue along a further section of the A63. For a bridle user the only means of continuing a journey here is either to do a return journey along Micklefield 8 and Ledston 1 (which again would result in a dead end) or utilise public highways with associated footways along the Great North Road or the A63.
- 6.32 As users of the bridleway would be walking along the A63 which is 60mph and has a narrow footway, I would argue that utilising the footways on Great North Road which has a 30mph speed limit for the section that serves as the diversionary route, is of no great concern to those continuing a journey beyond the A63. Further, if the new path to be created is of bridleway status, this will reduce the amount of time a user is on Great North Road – a road a user would have had to traverse anyway if they were heading in a north-south direction.

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- 6.33 Through the enhancement of the extensive wider PRoW network, having excluded use of the Level Crossing, by creating a new section of path and noting the alternative routes for users of the crossing are (and will be) step free and accessible there will be no discrimination against any users of the level crossing. When balancing the inconvenience of some additional journey time for some, depending on their origin and destination, against the proportionality of the cost of designing and constructing a bridge as well as the additional land take needed to enable the works which itself, will be in excess of £1m and the visual intrusion to nearby residents, we consider that the proposals at Micklefield to balance against the closure of Peckfield Level Crossing are appropriate.

7. Highroyds Wood Level Crossing

- 7.1 Highroyds Wood Level crossing is located to the east of Micklefield village and conveys public footpath Micklefield 7 over the railway which connects to footpaths Micklefield 13 to the south and Micklefield 6 to the north.



Extract taken from Leeds City Council Definitive Map

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- 7.2 Public Footpath No 7 passes through woodland to either side of the level crossing. It is a rural path that starts at a junction with the Great Northern Road, approximately 630 metres south of Micklefield railway station, to the south of the village. The Public Footpath proceeds on a tarmacked road, running underneath the A1(M) for approximately 260 metres, before turning into the woodland. The Public Footpath at the start of the woodland proceeds through an 'A-Frame', with a natural surface around 1- 1.5 metres wide and up to 4 metres in places. The surface is natural with no stone.
- 7.3 The woodland has a number of tracks within that are not recorded on the Definitive Map. The current Public Footpath proceeds due north to a metal gate at the railway, with a 'stop, look, listen' sign at either end. As it is temporarily closed under a TTRO the railway is currently blocked off with palisade fencing at either side of the railway. The crossing deck is 1.5 metres wide and has a step on the northern side. Once over the crossing, there is a small area of stone (ballast shaped stone) firming up the surface.
- 7.4 The route then proceeds northwards. The surface of this footpath is natural, and a little soft in places, but with walking boots/wellingtons on it is negotiable; however, in my opinion, it is not really suitable for wheelchair access. The footpath heading east continues along a natural surface with some boggy patches, but given the location, users would not be surprised to find this. The footpath then proceeds through a narrow wooden kissing gate in a 'V' shape with steps either side. Once through the kissing gate, the route is within a grass field which the landowner uses for grazing. It then continues along a road (single track) which provides access to the farmhouse. Any user of the current footpath would have to have a level of fitness and mobility with a rural route. The existing route is 188 metres (approx.) with 2 metal gates.
- 7.5 The PRow network at this location straddles two authority areas, Leeds City Council and North Yorkshire Council. The latter authority does not have an online copy of their Definitive Map; however, the OS plan shows the extent of public rights in the vicinity of the crossing where it is within the North Yorkshire authority area. The continuation of Micklefield 6 north of the railway, is titled Footpath 35.39 2/1 when it passes in an easterly direction into the North Yorkshire authority, past Brookfield House, as shown on the below plan.

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- 7.6 The plan above shows that the footpath over the crossing traverses Network Rail's Hull to Selby (HUL4) railway line, providing a link to the PRow network and several footpaths south of the railway, as well as a series of public footpaths (and a non-definitive footpath shown green), just to the north. It then proceeds further north passing under a railway bridge on the Church Fenton to Micklefield (CFM) railway line.
- 7.7 The footpath does not provide access to any residential properties or other local amenities. Details of usage from our census data is provided in Mr. Cunningham's proof (**CD 7.23**).

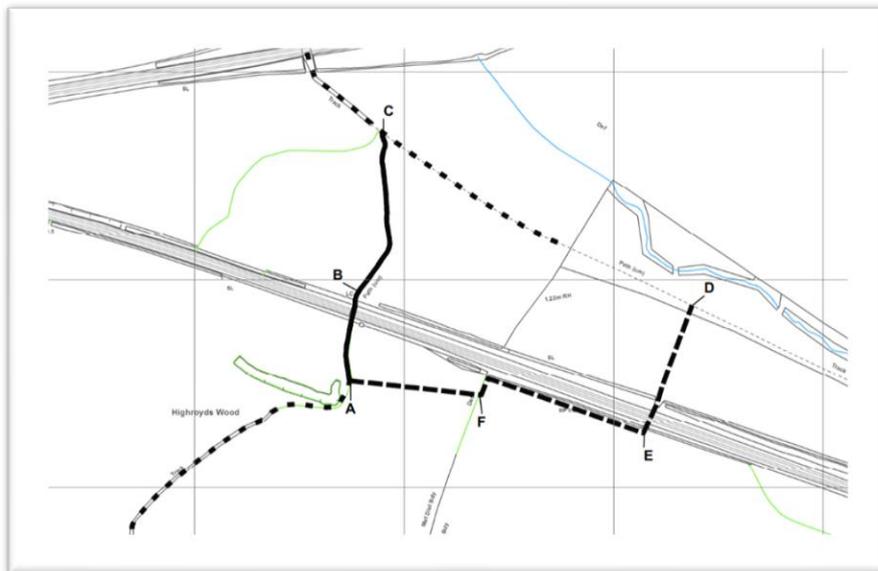
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- 7.8 As Mr Cunningham sets out in his proof, a covert camera was installed at the Crossing in September 2021 for a period of 17 days and established that a large number of trains held at a nearby red signal stood over the crossing or else stopped a few metres from the crossing that prevented sighting for pedestrians of trains on the opposite line. In addition, the camera footage identified frequent misuse at the crossing. The Level Crossing Manager highlighted the risks to an internal level crossing optioneering panel where options to make the crossing safe for use were explored. It was established that for various reasons, the crossing could not be made safe and therefore, its permanent closure needed to be secured. This decision was endorsed by Network Rail's Route Engineer for Signalling and the Head of Safety, Health and Environment. My colleague Mr Cunningham explains more about the identified risks and optioneering that was considered following the 2021 census in his Proof.
- 7.9 Following the decision that the crossing needed to close with immediate effect, an emergency closure Notice was requested immediately, followed by an application for a 6 month temporary traffic regulation order (TTRO) with users diverted through the nearby underpass to the south-east. This diversionary route is now proposed to be the permanent diversion route. Extensions to the TTRO have been requested and implemented since 2021. The current TTRO is in place until March 2024 (**Appendix 2**) and an extension to it has been requested in Jan 2024.
- 7.10 An application under section 119A of the Highways Act 1980 was applied for in 2022 on public safety grounds which included the diversion of footpath Micklefield 7 between the points A, B, C on the plan below, to the route A, F, E, D. The route proposed in the s119A application is essentially the same as that proposed under the Order Scheme and shown on the **Land and Works Plans**. There is an existing public footpath at the point D (which broadly accords with point P9 on the **Land and Works Plan Order Sheet 13 (CD 1.09)**) which then extends north-west to point C and also in a south-easterly direction. This does not feature on the Order plan as the diversion straddles the two authority areas, but as the majority was within Leeds City Council area it was decided they would process Network Rail's application.

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- 7.11 The alternative route A-F-E-D is approximately 378 metres in length. At an average walking speed of 1.2ms this requires an extra 5 ¼ minutes of walking time and avoids the need to wait for trains to pass over the crossing or navigate crossing the railway with trains restricting sighting.
- 7.12 In my opinion the public rights of way in this area are primarily used for leisure walks and thus an additional 5 minutes, which avoids an unsafe crossing, becomes negligible to their longer recreational walk.
- 7.12 The diversion will have a width of approximately 2.5 metres throughout. From point A on the above plan, it follows an already made path with a natural surface. There is a decline/ incline on the new route, but footing is stable. The path then continues to a natural point out of the woodland into an arable field. The land is rolling at this point within the field. The new Public Footpath runs alongside the field edge to the existing Network Rail underpass (Cattle Creep) (Bridge No.11). The field edge may require some scrapping of vegetation and levelling out.
- 7.13 There is a significant gradient down to the underpass that would need to be mitigated by approximately 5 steps at the width of 2.5 metres.

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- 7.14 Network Rail's proposed works also include the provision of handrails either side of these new steps into the underpass to assist users. The location of the steps is slightly set back from the underpass, and nothing will be fixed/fitted to the structure itself. Once in the underpass the surface is natural with some evidence of small natural drainage on one side of the underpass. At the request of the Local Highway Authority, a crushed stone surface will be provided to provide further stability. The width of the footpath is slightly narrower within the underpass, at 1.7metres approx.
- 7.15 Investigations into flood risk at the underpass were undertaken and confirmation was received that no risk is present. Once out of the underpass the land is flat and within a coppice area of woodland. The new footpath will proceed northwards to meet the existing Public Footpath.
- 7.16 It should be noted that alignment of point F on the plan in section 7.3 has now moved and is now closer to the railway line having identified that this is the desire line for walkers (see **Land and Works Plans Sheet 13 (CD 1.09)**).
- 7.17 Conversations with stakeholders including both highway authorities, the affected landowners and local user groups such as the Peak and Northern Footpath Society, have been ongoing since the crossing was temporarily closed and the proposed diversion implemented, to identify any other works required to bring the alternative route into existence on the ground.

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- 7.18 Following initial consultations to Network Rail's s119A application, the Leeds Local Access Forum confirmed its support for the scheme. Some objections were received to the application, although most related to ensuring the alternative route is suitable for users.
- 7.19 The question of Network Rail's duties under the Equality Act 2010 and provision of an accessible route was also raised during stakeholder conversations. In addition to observations made about the existing route in paragraphs 7.2-7.4 above, that notes the routes are relatively boggy underfoot at different parts. A discussion took place between Network Rail and the landowner about the provision of a ramp rather than steps down to the underbridge, but the landowner rejected the suggestion, raising concerns about drainage, pooling of water and the feasibility of providing such a ramp. Following a comment received during pre-consultation, Network Rail responded, setting out the accessibility and limitations on the existing route. No further comments were received, or challenges made to this. Further, neither Leeds City Council nor North Yorkshire Council have raised any concerns about accessibility on the proposed diversion route.
- 7.20 It is accepted that for those who may have protected characteristics under the Equality Act 2010, the provision of 4-5 steps on the approach to the underbridge will limit use of the diversion route. However, given its location and the terrain either side of the railway, meaning that the paths already have limitations, and it would be extremely difficult for users in wheelchairs, with prams etc., to utilise the routes as they are now and, prior to its closure, is the extent of user was largely proven by the census information, showing no evidence of this type of usage. I consider that there would be no discrimination under the 2010 Act.
- 7.21 Following closure of the crossing the landowner to the north of the railway is becoming increasingly concerned that as permanent works have not yet been completed to fence off the footpath from the rest of the field, they are experiencing a number of trespass incidents on their land. Network Rail offered to accelerate a payment to the landowner to fund the cost of fencing and additional signage, but unfortunately terms for compensation for loss of land, payment of professional fees etc., have not been agreed and as such this accelerated payment has not been made despite our best endeavours. Network Rail will continue negotiations with both affected parties if powers are obtained to divert the path to enable closure of the level crossing.

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- 7.22 As the s119A application had not progressed to formal consultation stage and noting that further objections would result in a further public inquiry separately to the current TWAO, and as it was paramount that the crossing needed to be closed to realise the benefits of this Order, it was deemed more appropriate for the proposals and powers to enable closure of Highroyds Wood level crossing to be included within the scope of this Order. I understand that despite having received some objections at the pre-consultation stage, the Council's Consultant Report made for Committee was recommending making the s119A Order under the Highways Act 1980.
- 7.23 It is also noted that there are no objections to the proposal to close Highroyds Wood level crossing as part of the current Order, save for a request from North Yorkshire Council to enter into an agreement to undertake works. Network Rail is of the view that no agreement is currently required as the diversion of public rights will not come into effect until works have completed to bring the new route into being, and to a condition acceptable to the highway authority.

8. Responses to Objections

- 8.1 **Obj/20** raises comments about Barrowby Lane/Foot Level Crossings and while they have no concerns about combining crossings, they would prefer to one crossing to be retained – the reasons for the need to close both crossings are set out in Mr Cunningham's Proof of Evidence.
- 8.2 The same objection also comments on Garforth Moor Level Crossing closure stating they do not agree with the creation of an additional section of footpath being included in the Order. The reasons this section of path has not been included are set out in 5.23, 5.24 and 5.28 of my Proof.
- 8.3 **Obj/20** also states they would want to see improvements to the footpath through Barwick Road underbridge. The reasons this cannot be done is addressed in 5.17 of my Proof.
- 8.4 The objector also challenges the additional walking distances and their amenity on the route via Barwick Road which has been considered by Network Rail and which I have discussed in sections 5.16-5.19 of my Proof.
- 8.5 Objections **Obj02, 05, 10-18, 24, 25, 27** and **28** are in respect of Peckfield Level Crossing closure and the option selected as part of the Order. This is briefly discussed in my Proof of Evidence at points 6.13-6.21, however, my colleague Mr Westwood talks to this in more detail in his Evidence.

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9. Conclusion

- 9.1 The Transpennine Route Upgrade project, and in particular the Leeds to Micklefield Enhancement Order, will directly affect risk to public safety at 5 level crossings. As Mr Cunningham confirms through his expert assessment, the imported risk to users of the crossings can only be mitigated by closure of the crossings and implementing alternative routes.
- 9.2 Against that, clear and positive proposals have been made that not only addresses the need to protect public safety, but which will protect and enhance the existing PRow network should the Order be made, and affected landowners' rights are protected and not unduly inconvenienced.
- 9.3 It is accepted that in some cases there will be some inconvenience to some users, such as enduring slightly longer walking distances/times and experiencing some minor limitations on alternative routes such as narrower footways. When balanced against the risk associated with the level crossings, which will only increase with the outputs of the TRU project, the proposals included within the Order provide the most appropriate solutions that seek to balance usability and connectivity for users against public safety. I would therefore invite the Inspector to make the Order that includes the closure of the 5 level crossings.
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10. Witness Declaration

10.1 I hereby declare as follows:

- (i) This proof of evidence includes all facts which I regard as being relevant to the opinions that I have expressed 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 proof of evidence 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



Date: 6th February 2024

Suzanne Bedford
Liability Manager
Network Rail