APPENDIX C

REQUEST FOR A RAIL CROSSING DIVERSION ORDER TO BE MADE UNDER SECTION 119A OF THE HIGHWAYS ACT 1980 (INSERTED BY THE TRANSPORT AND WORKS ACT 1992)

The following questions are to be answered and the information and maps requested to be supplied by the applicant to the council which is to be requested to make the order. Tick the relevant box shown in some questions.

FOR AUTHORITY'S USE ONLY

File Ref: PROW/SR49/7/NR

Date acknowledged:

1. RAIL CROSSING TO BE EXTINGUISHED BY THE DIVERSION ORDER

(a) Name and location of rail crossing (including grid reference and parish or district in which it is located).

Name:	Pilgrims Way Level Crossing
Nearest station:	Otford
Mileage:	SBJ @ 24 miles 14 chains
NGR:	TQ533592
Parish:	Otford
District:	Sevenoaks
County:	Kent

(b) Name(s) and number(s) of any footpaths and/or bridleways leading to the crossing to be extinguished. (Indicate whether footpath or bridleway.)

FP No: SR 49

(c) Length in metres of any path or way to be extinguished.

23 metres

(d) Description of any length of path or way to be extinguished by reference to terminal points shown on attached map which must be to a scale of not less than 1:2500 or, if no such map is available, on the largest scale readily available.

The line coloured red on the attached plan.

(e) List the name(s) and address(es) of the owners, lessees and occupiers of the land on either side of any path or way to be extinguished.

The Applicant is the owner of all relevant land.

(f) Have you obtained the written consent of every person having an interest in the land over which any path or way to be extinguished passes, in so far as such consent is needed?

Yes.

If YES, enclose all the written consents.

Please see (e) above.

If NO, enclose all written consents that you now possess and give particulars of those where consent has been refused or has yet to be obtained.

(g) Is the crossing, or any path or way to be extinguished, subject to any limitations or conditions?

Yes

If YES, give details.

There is a stile present at either side of the level crossing, together with steps from the stile to the crossing. The level crossing deck also has a slight skew, extending the crossing time for users.

2. NEW PATHS OR WAYS TO BE CREATED

(a) Describe type: Bridleway or Footpath

Footpath

(b) Give description: width, length, terminal points (indicating any sections which run over existing paths or ways) by reference to the accompanying map at paragraph 1(d) above.

Width: 2m
Length: 71 metres
Diversion route is shown by a solid green line on the attached plan.

(c) List the name(s) and address(es) of the owners, lessees or occupiers of the land over which the new path(s) or way(s) would pass.

The Applicant is the owner of all relevant land.

(d) Have you obtained the written consent of every person having an interest in the land over which the path or way to be created passes, to this land being dedicated for this purpose, in so far as such consent is needed?

Yes.

If YES, enclose all the written consents.

Please see (c) above.

If NO, enclose all written consents that you now possess and give particulars of those where consent has been refused or has yet to be obtained.

(e) Are you prepared to maintain all or part of the path or way to be created?

In part.

If NO, give reasons.

If IN PART, state which sections you are prepared to maintain and give reasons.

Network Rail will maintain the structure of the bridge, with the Highway Authority responsible for the surface.

(f) Will the highway authority accept responsibility for that part of the path or way to be created which does not pass over the applicant's land?

N/A

If YES, a copy of any relevant letter must be attached.
If NO, state reasons.

(g) Are you prepared to enter into an agreement with the council in accordance with section 119A(8)?

Yes.

If NO, give reasons.
If IN PART, state upon what matters you are not prepared to enter an agreement with the council and the reasons.

(h) Will the new path or way connect with a trunk road?

No.

(i) Give reasons for the proposed rail crossing diversion order. Include information about:

i. The use currently made of the existing path, including numbers and types of users, and whether there are significant seasonal variations, giving the source for this information, together with details of any survey carried out (any circumstances preventing or inhibiting such use must also be mentioned);

The path over the level crossing is well used by local residents, walkers, dog walkers, families, unaccompanied children and the elderly.

It is estimated that there are approximately 172 users of the level crossing per day.

This is considered to be a high level of use over a public footpath level crossing.

It is also known that people will cross over the level crossing with bicycles; thus impeding their manoeuvrability/ability to react to an approaching train and slowing them down in general when passing over the level crossing.

Given the location of the level crossing, and being that it provides access to/from Otford Railway Station and several housing estates, it is not felt that use of the level crossing varies seasonally; following a 9 day census (as reported in the attached Diversity Impact Assessment) the use of the crossing is seen to be of a consistent level.

ii. The risk to the public of continuing to use the present crossing, and the circumstances that have given rise to the need to make the proposed order;

The last risk assessment was carried out on 26th March 2014. On Network Rail's All Level Crossing Risk Model, which assigns a relative risk to each level crossing, the crossing scored a rating of C3, making it high risk (please see Appendix A for further information).

The key risk drivers are:

- Insufficient sighting of approaching trains
- Fast and frequent trains
- High level of users
- High level of vulnerable/encumbered users
- Sun glare

A few recorded incidents of misuse are listed below:

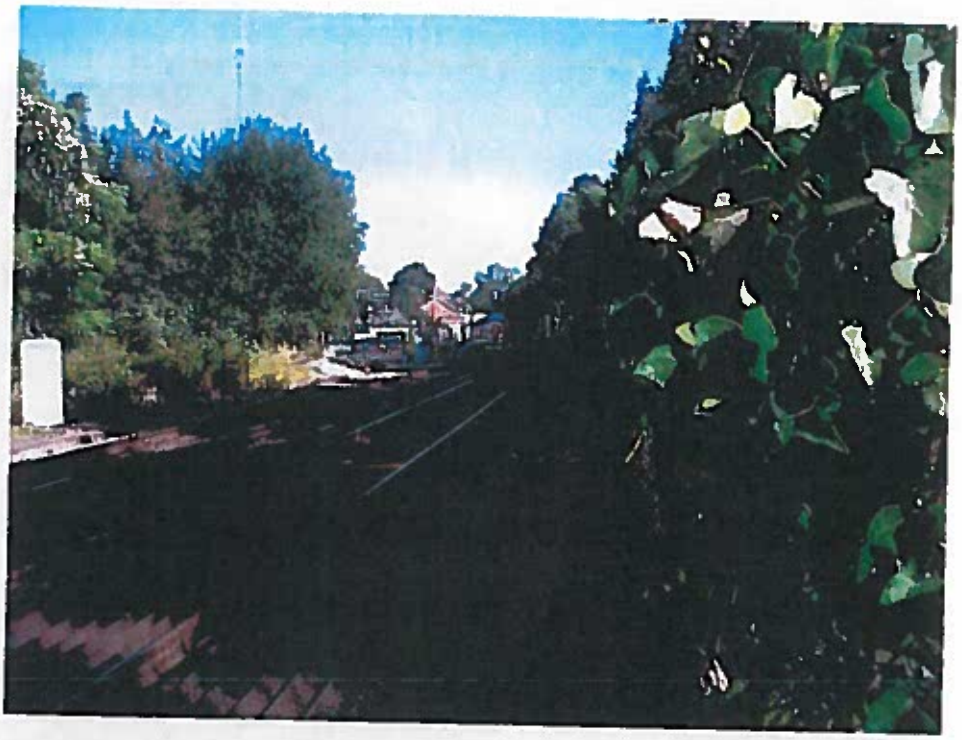
Date	Incident
11th September 1998	Children playing on crossing/near line.
17th August 1998	Near miss with pedestrian.
25th June 2003	Fire at level crossing.
2nd June 2004	Elderly man reported standing on crossing.
2nd July 2005	Children playing chicken on level crossing.
9th August 2008	Children playing on chicken on level crossing.
10th March 2007	Pedestrian crossed in front of train. Emergency brake applied.
17th May 2009	Near miss with six ramblers.
23rd October 2009	Near miss with pedestrian chasing dog. Emergency brake applied.
6th November 2009	Near miss with pedestrian.
30th September 2011	Persons witnessed trespassing on track from level crossing.
31st December 2011	Four youths crossed in front of train. Emergency brake applied.
22nd September 2012	Group of youths playing chicken on crossing.
8th October 2012	Three pedestrians witnessed standing on crossing as train approached.
21st April 2013	Female ran across crossing in front of approaching train.
27th April 2013	Fatality at crossing. Deemed suicide.
11th July 2013	Misuse by children at crossing.
18th April 2014	Children throwing stones from crossing at approaching trains.

21st January 2015	Bicycle left on rails at crossing. Struck by train.
16th March 2015	Three youths ran across in front of approaching train. One then ran back in front of train.
5th June 2015	Couple crossed in front of approaching train.

The level crossing is situated between Tudor Drive to the east and Evelyn Road/Hopfield Close to the west.

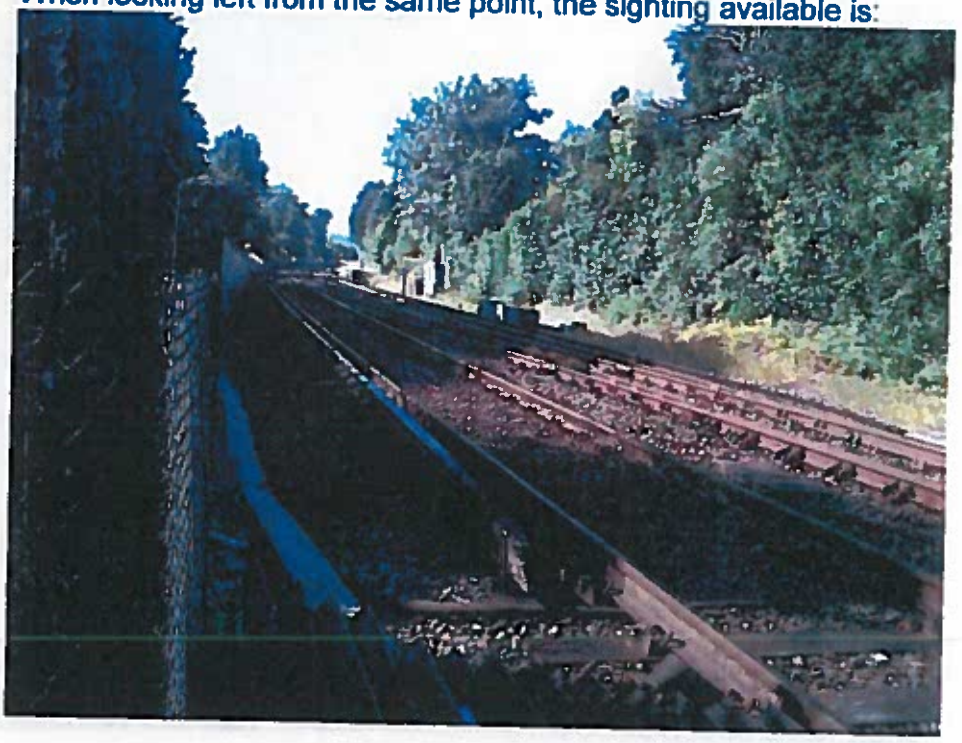
It can be noted from this photo that the level crossing surface has a 'skew' in it; this also adds to the risk of the crossing as users cannot walk in a direct and straight line in order the cross over the railway line.

When crossing from Tudor Drive and looking right towards Otford Station, the available sighting of approaching trains to a user is:



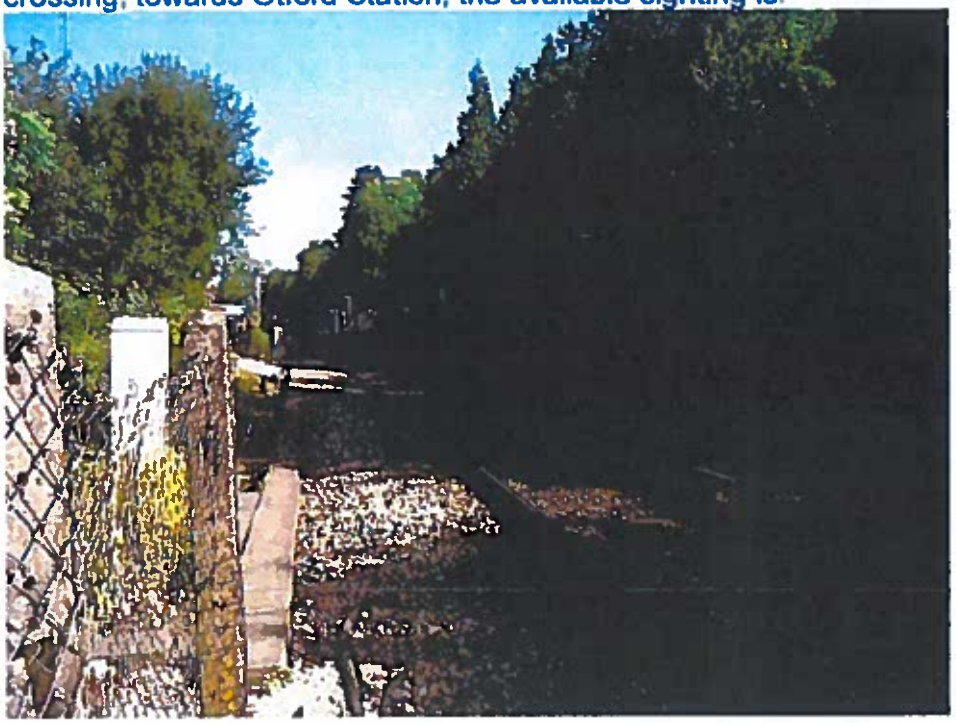
The sighting here can be obscured due to vegetation and track curvature; even with vegetation management this cannot be sufficiently improved; there are no options available to improve the sighting.

When looking left from the same point, the sighting available is:

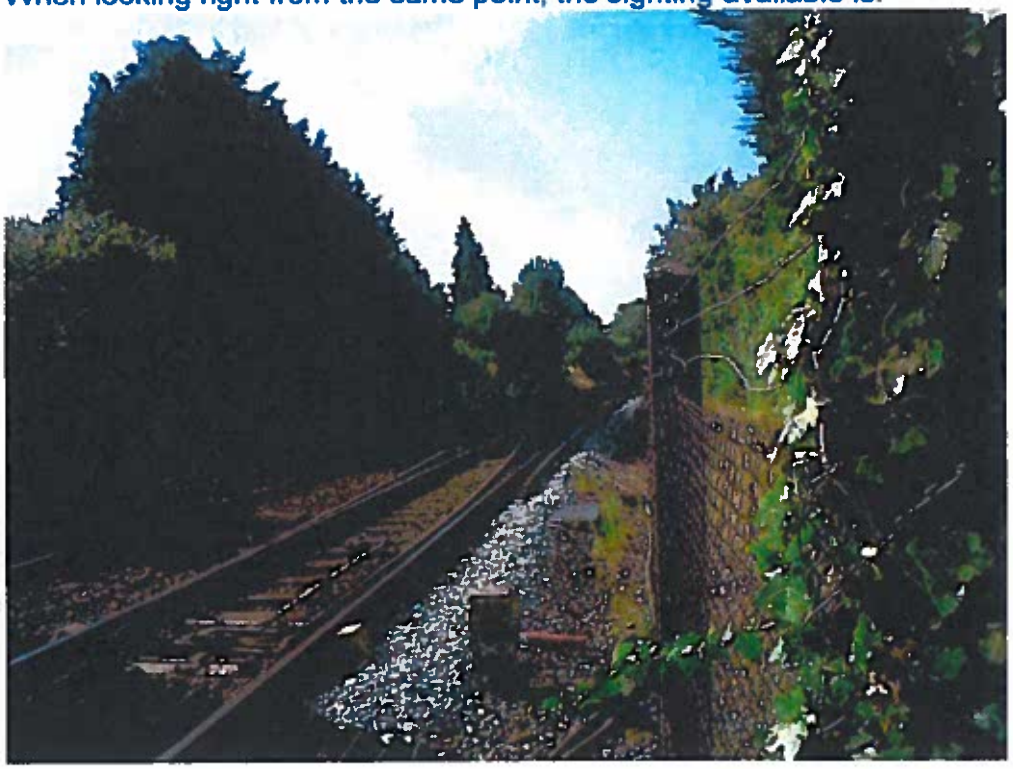


Again, it can be seen that available sighting is reduced due to track curvature. This could not be improved.

When looking left from the Evelyn Road/Hopfield Close side of the crossing, towards Otford Station, the available sighting is:



When looking right from the same point, the sighting available is:



It can be appreciated from these photos that the available sighting is much worse when crossing from west to east, due to the track curvature. These sighting distances cannot be increased.

In order to mitigate the insufficient sighting distances available to users whistle boards were installed on both approaches; they required train drivers to sound their horns on approaching the level crossing. This system relied on the individual actions of drivers and the residual risk remained that users of the level crossing may not hear or appreciate the significance of the train horn.

However, due to noise complaints and the serving of a Noise Abatement Notice, the whistle boards were removed.

As a consequence a Temporary Speed Restriction was placed on the line, requiring trains to travel at a slower speed, thus affecting train performance and causing delays.

One of the main concerns (second to that of insufficient sighting) at this crossing is the high level of usage, especially by unaccompanied children.

Unaccompanied children are more likely to become distracted when using the level crossing and are more likely to misuse the crossing when in groups, thus increasing the risk at the crossing.

The usage is of further concern given that users are required to negotiate stiles and steps when accessing the level crossing and may lose their balance whilst trying to carry items, guide children, control dogs, or push bicycles over the crossing.

As mentioned above, the level crossing surface is also at a slight skew so users must negotiate the decking in place and are unable to pass over the level crossing in a consistent straight line; not only does this increase the length of time it takes to pass over the level crossing, but it may also cause users to lose balance or trip when carrying objects etc.

Given the consistent level of usage of the level crossing there are concerns that users may become complacent and fail to look and listen correctly for approaching trains; this is most likely when users only use the crossing at certain times of day and may cross under the illusion that it is safe to do so, as it has been at that time of day before, without checking correctly.

The line speed on both lines over the crossing is 60 mph; it is possible that this line speed will be increased in line with government policies to reduce passenger journey times.

There are 170 trains passing over the crossing per day; it is also possible that this number may increase in line with government desires to increase passenger numbers on the railway.

Insufficient sighting at the crossing, coupled with the fast speed of approaching trains, with virtually no approaching sound, produces a negative relationship between the crossing time for users and the approaching trains.

iii. The effect of the extinguishment of the crossing and the creation of the proposed new path(s) or way(s) having regard to the convenience to users and the effect on any connecting rights of way and the network as a whole;

The footpath will be diverted to a newly erected stepped footbridge situated approximately 20 metres to the north of the existing level crossing.

Convenience to users will be minimally impacted as the proposed diversion route links the land on both sides of the crossing and also links up to the existing footpath network in the area at the same points as the current footpath.

Users of the footpath will also no longer have to stop to wait for trains to pass or come in to direct contact with the railway line.

The proposed diversion route, via the footbridge, will take less than 5 minutes to walk.

The attached Diversity Impact Assessment (DIA) discusses further the impact of closure of the level crossing and Network Rails' assessment of the proposed diversion in regards to the Equalities Act 2010.

Whilst the attached DIA recognises that use of the level crossing is made by users with pushchairs, it is noted that those users have the physical capability to manoeuvre those pushchairs over two stiles and via steps in order to pass over the crossing; it is not felt that a stepped footbridge would therefore have a negative impact on those users. It should also be noted that this use only made up 0.6% of total usage of the crossing. Further, the installation of a footbridge will prevent users with pushchairs coming into direct contact with the railway and will therefore have much safer crossing experience.

Due to the current level crossing only enabling access via able-bodied persons it was not possible under the DIA to assess what, if any, usage was desired by non-able bodied users. As detailed in the DIA there is an accessible alternative route already in existence via Station Road overbridge, 200m to the north.

It should also be noted that the approaches on both sides of the level crossing are very narrow and it is likely that third party land would be required in order to widen these approaches to an acceptable width for accessibility purposes. These approaches are outside of Network Rail ownership and therefore the widening of such would be beyond the control of Network Rail.

It would not be possible for Network Rail to pursue an accessible solution at this location given land ownership (both for siting of the structure and land to enable construction) and funding constraints. It is also unlikely that a ramped footbridge in this location would be successful in obtaining planning permission due to the size and bulk of the required structure and the proximity to residential properties on either side of the railway.

iv. The opportunity for taking alternative action to remedy the problem such as a bridge or tunnel in place of the existing crossing or the carrying out of safety improvements to the existing crossing;

Whistle boards could be repositioned on both lines approaching the crossing as sighting of approaching trains is deficient in both directions. Whistle boards assist in mitigating the risk at level crossings, but do not remove the risk, as discussed above. It is unlikely this would be acceptable to local residents due to historic complaints and the issuing of a Noise Abatement Notice.

Vegetation management has been undertaken, and is regularly required to maintain current sighting distances, but due to track curvature and the location of the property adjacent to the crossing no further improvement could be made to available sighting.

No other works can be undertaken to improve safety of the crossing in its current location.

Please see Appendix A for further details.

v. The estimated cost of any practicable measures identified under (iv) above;

Please see Appendix A for further details.

vi. The barriers and/or signs that would need to be erected at the crossing and the points from which any path or way is to be extinguished or created, assuming the order is confirmed; and

The existing level crossing will be securely fenced off in order to prevent unauthorised access to the railway. Any signage required by the Council at the crossing (and any other points) will be provided.

vii. The safety of the alternative right of way to be created by the order relative to the existing rail crossing.

The diverted footpath will remove the need for users to pass directly over the railway via a level crossing and will remove members of the public away from the railway infrastructure entirely.

There will be no need for whistle boards to be re-installed nor will trains be subject to a speed restriction; allowing users free flowing passage over the railway line.

3. NAMES AND ADDRESSES OF PUBLIC UTILITY UNDERTAKERS IN AREA (whether or not their apparatus is likely to be affected):

(a) Public gas supplier

Southern Gas Networks Ltd
Inveralmond House
200 Dunkeld Road
Perth
PH1 3AQ

(b) Public electricity supplier

UK Power Networks plc
Newington House
237 Southwark Bridge Road
London SE1 6NP

(c) Water undertaker

South East Water
Rocfort Road
Snodland
Kent ME6 5AH

(d) Sewerage undertaker (if different)

Thames Water
Developer Services
Clearwater Court
Vastern Road
Reading
RG1 8DB

(e) Public telecommunications operator

BT Openreach
National Notice Handling Centre
PP 3WW18
Telecom House
Trinity Street
Hanley
Stoke-on-Trent ST1 5ND

(f) Others (specify).

N/A

4. MAPS AND PLANS

List below all maps and plans accompanying this request, giving details of their scale and content. In addition to the map mentioned in paragraph 1(d), this must include a map of a scale not less than 1:25,000 or, if no such map is available, on the largest scale readily available, showing the crossing and any paths or ways to be extinguished or created, and any connecting paths or ways.

The route of the public footpath to be extinguished is shown on the attached plan in a solid red line. The route of the proposed diversion is shown in a solid green line. The route of any unaffected public footpaths is shown in a solid blue line.

5. OTHER INFORMATION

Give any other information you consider relevant.

Please see Appendix A attached.

DECLARATION

I/We

(a) Understand that no authority for the extinguishment, obstruction or creation of any path or way in this request is conferred unless or until a Rail Crossing Diversion Order has been confirmed and come into force;

(b) request that a Rail Crossing Diversion Order be made and confirmed relating to the crossing and paths or ways described in Sections 1 and 2 above; and

(c) declare that, to the best of my/our knowledge and belief, all of the factual information included in this form is true and accurate.

Signed

Name in capitals NICOLA MEE

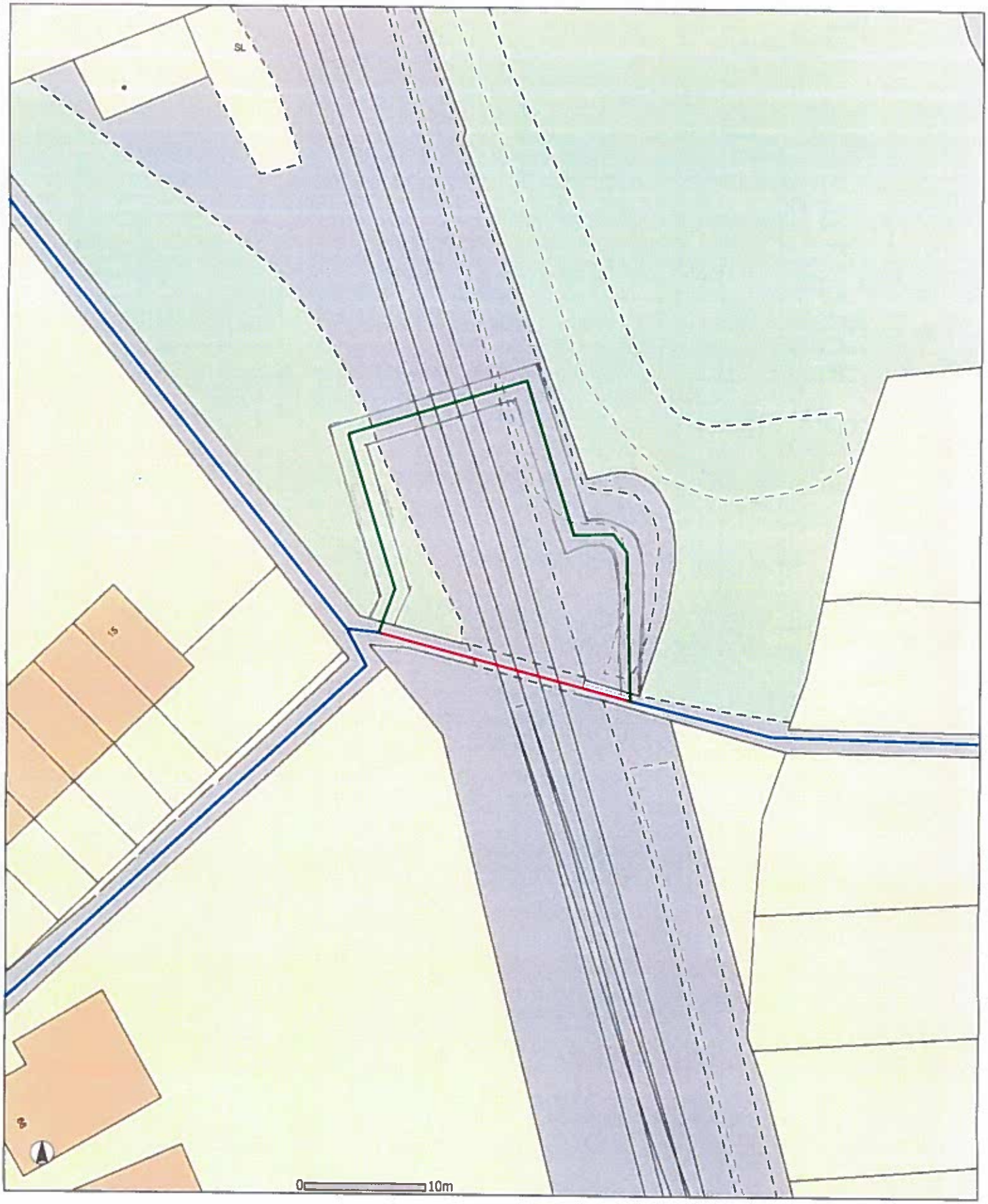
On behalf of (name of railway or tramway operator) Network Rail

Address Floor 3 Suite 1A
Waterloo Station
London
SE1 8SW

Position held Liability Negotiations Adviser

Date 13-07-15

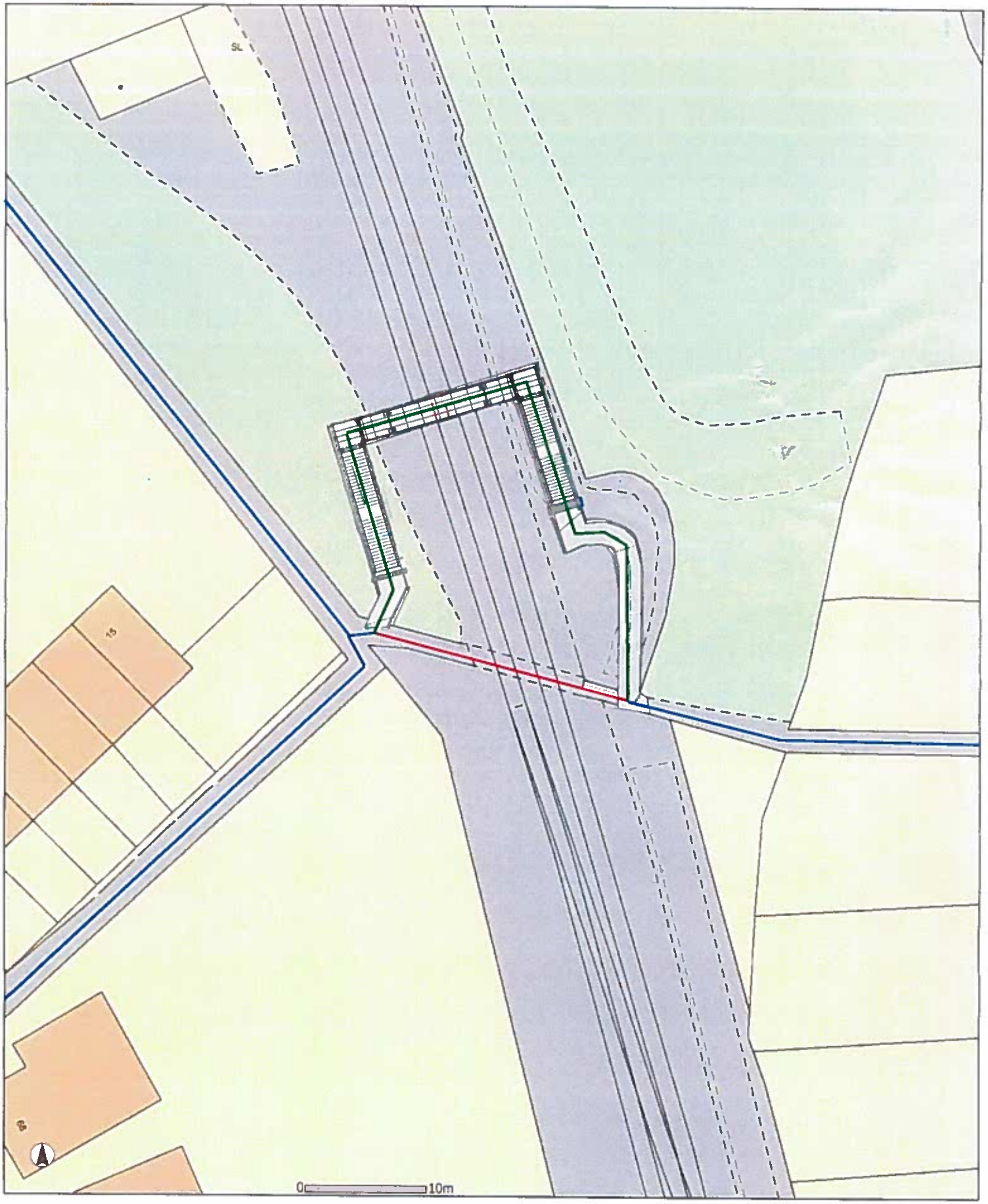
Note: the council will need all relevant information to enable them to proceed



PILGRIMS WAY
SBJ 24m 14ch

Plot Scale	1:300
Plot Date	13/7/2015

Network Rail



PILGRIMS WAY
SBJ 24m 14ch

Plot Scale	1:300
Plot Date	13/7/2015

Network Rail

~~Appendix A~~ – Justification & Other Information

1. Background

With the support of the Office of Rail Regulation, Network Rail are running a £130m investment programme to improve safety and reduce the risk wherever the public highway or footpath meets the railway across the railway network.

Part of the campaign is to seek the opportunity to completely remove the risk to members of the public from coming into contact with high speed trains through the closure or diversion of level crossings, especially where a safer alternative route exists. Footpath crossings were also the focus of our recent TV advertising campaign, 'See Track - Think Train'.

Apart from Network Rail's own standards, guidance for Level Crossings is provided by the Office of Rail Regulation in the form of a booklet called 'Level Crossings: A guide for managers, designers and operators – Railway Safety Publication 7 – December 2011'. In its introduction on Page 3 the ORR state within their policy on level crossings that ".....Risk control should, where practicable, be achieved through the elimination of level crossings.....".

Level crossings are generally only safe when they are used correctly, incorrect use can be intentional or accidental, but can both result in serious consequences for the user. Accidental misuse can be caused by a lack of awareness, such as in children or young people, or time taken to cross which is increased for those who are mobility impaired or encumbered, such as elderly people.

Network Rail has analysed the data relating to incidents across all our level crossings nationally, and established that of those involving members of the public, 97% occur because of their personal behaviour and attitude towards level crossings. We are not realistically in a position to educate safe use with each and every member of the public who could potentially use a public footpath crossing.

Other areas of risk lie where pedestrians are travelling in groups as they are easily distracted; carrying bags, a dog's lead or holding other objects may also divert their concentration. There is now more evidence suggesting that many users wear earphones connected to electronic devices and cannot hear approaching trains. Coupled with the type of clothing now frequently worn, i.e. hoodies; there is a large element of pedestrians who do not see or hear approaching trains.

Network Rail is committed to improving level crossing safety but is ultimately unable to control how individuals use level crossings; this is what drives our policy to close level crossings where possible and where a suitable alternative route for crossing the railway can be found or delivered.

2. Risk Assessment

Network Rail uses a complex quantitative process to assess all risks at all its level crossings. These risk assessments help in the decision making process, where to pursue closure or where to invest in additional safety measures if closure cannot be achieved, such as on a public road or where there are no suitable alternatives available. This risk assessment process was independently reviewed for accuracy before it was introduced in 2007 and it has been audited internally and by the ORR since.

The risk assessment process considers amongst other things the type of crossing, how many people use it, available sighting for users, whether there are vulnerable and/or infrequent users, the frequency and speed, and different speeds of train services. The resulting risk score provides a normalised figure for risk and consists of a letter and a number.

- The letter represents the level of risk of a fatality to an individual crossing user, where A is the highest risk and M is the lowest risk
- The number represents the collective level of risk that may include, for example, train crew and or passengers, as well as those using the crossing

The highest risk crossings are those which score A, B or C for individual risk and 1 to 4 for collective risk.

Risk mitigation measures open to Network Rail are discussed below:

a) Eliminating the Risk:

- Provision of Footbridge (with diversion of public footpath) – This is the proposed solution at this location.
- Provision of a Tunnel – due to the geographical location of the level crossing it would not be possible to construct a tunnel.

b) Reducing the Risk:

- Reducing the line speed – There is currently a Temporary Speed restriction in place which is causing delays to trains and also incurring financial penalties to Network Rail and the Train Operating Companies. The expectation of Government funding in Network Rail is that line speeds should increase in order to reduce passenger journey times. They should not be permanently reduced on main line routes. This is therefore not an option and would not be acceptable.
- Provision of warning systems for users – Although this could be implemented, it is not felt that a warning system would be effective or acceptable at this location. These systems do not prevent misuse and are only effective when obeyed by users; given the historic issues of misuse at

this crossing it is not felt that the installation of a warning system would prevent misuse and therefore an incident would still be possible. Further, any warning system would also have audible warnings, which given the issuing of a Noise Abatement Notice in respect of whistle boards, it is unlikely that local residents would support an audible alarm at the crossing. The system would require the retention of the stiles and steps at the level crossing itself and would also still require users to come into contact with the railway line and have to wait for trains to pass before crossing.

3. Summary

It is Network Rail's view that the best option to facilitate closure of the level crossing at this location is the installation of a stepped footbridge.

Not only would users no longer have to negotiate stiles, but they would not have to look for approaching trains or wait for them to pass before passing over the railway line.

The installation of a footbridge, and diversion of the public footpath, would remove the need for users to come into contact with the railway line, thus increasing the safety of public footpath users.

It is not felt that there is a great loss of amenity to users of the public footpath by the diversion over the footbridge; users will still start and end in the same location.

Diversity Impact Assessment

National Level Crossing Risk Reduction Programme (NLCRRP)

Pilgrims Way Level Crossing, Otford, Kent (TN14 5QP)

OS reference – TQ 533592

19th October 2015

Introduction

Pilgrims Way level crossing is located in the village of Otford, just to the south of Otford Railway Station and is on the route of a public right of way. The crossing provides access between residential areas to the railway, Railway Station and towards the village centre.

Diversity Impact Assessments (DIA) are the method used by Network Rail to clearly demonstrate that we have paid due regard to our duties within the Equality Act 2010. The DIA is a tool that helps Network Rail confirm that our policies and the way we design, build and operate will work for everyone.

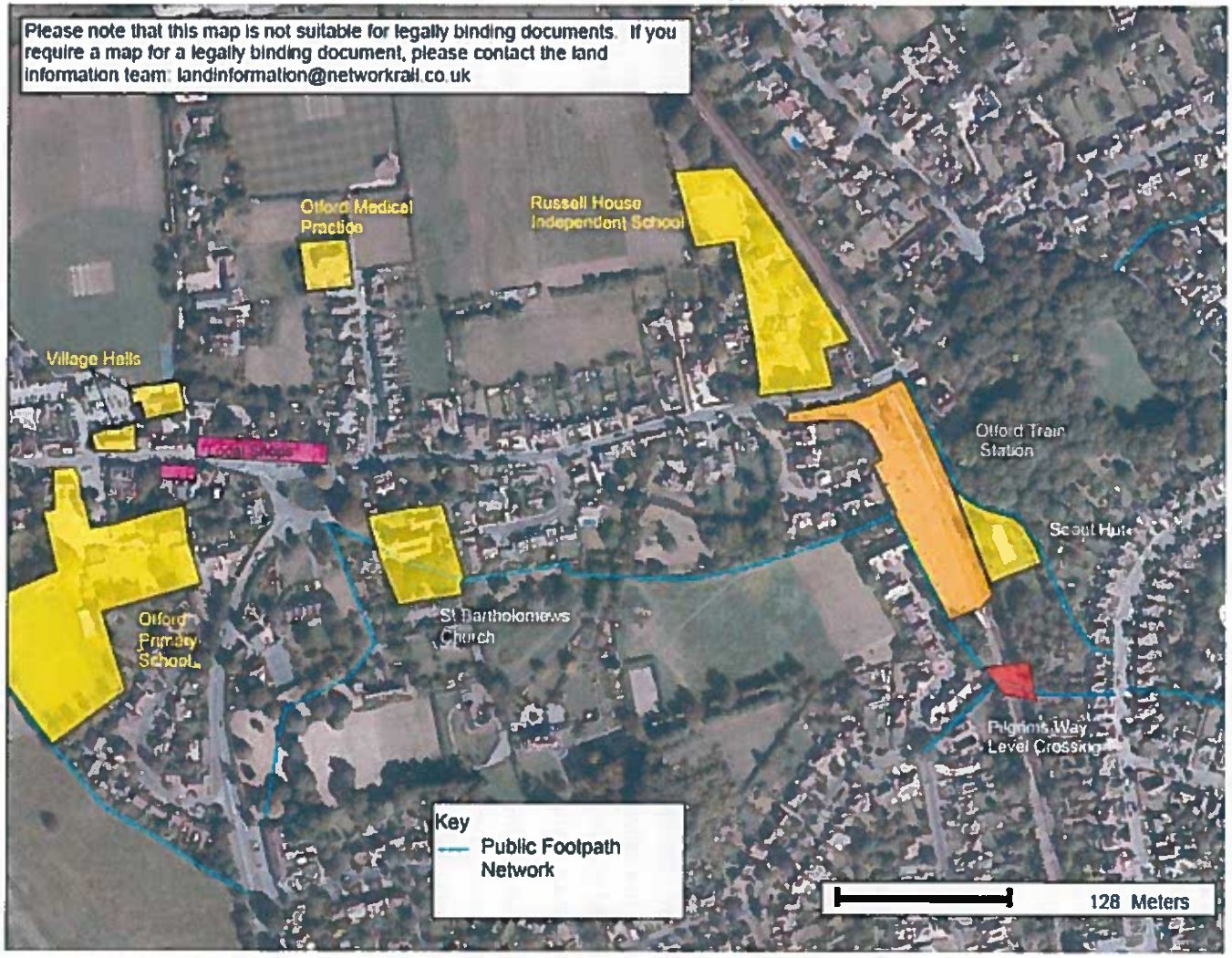
Contents

Step 1: Clarifying Aims

Q1. What are the aims of this project/piece of work?
1. The project aims to improve public safety by removing the conflict between speeding trains and users of this public footpath crossing the railway. The project will provide safer access for the public including vulnerable users e.g. children, older and disabled people. 2. The National Level Crossing Risk Reduction Programme (NLCRRP) is a required output from the Office of Rail and Road (ORR) to achieve a 25% reduction in level crossing system risk (3.3 Fatality Weighted Index (FWI)) by 2019. 3. Pilgrims Way crossing is on the route of a pedestrian public right-of-way and has been identified for closure based on the All Level Crossing Risk Model (ALCRM) risk assessment, FWI 0.017553621 and recorded incidents of misuse. 4. The NLCRRP aims to gain the support of the local authorities, third party stakeholders and the local community to the proposed solution

Q2. Could this work impact on people? If yes, explain how.
Yes. Currently, the level crossing has wooden stiles to accommodate the public and is accessed by vulnerable users, with approximately 170 trains per day at a speed of 50-60mph. Closure of the level crossing to remove the risks can only be achieved through extinguishment of the public footpath or by diversion of the existing route through provision of an overbridge/underpass. This has the potential to impact on users. Residential housing is located to the south east and south west of the crossing with Otford Railway Station being located to the north west of the crossing. A wooded area which opens up into Chalk Pit recreation ground is located to the north east of the crossing. The tracks are lower than the surrounding land on the Eastern side. A location plan can be found below (plan 1). The route across Pilgrims Way level crossing links the housing on the east to the village centre and the railway station. The complete closure of the crossing therefore has some potential to impact on accessibility for the community although, as discussed later, there is restricted accessibility from existing infrastructure. Significant development in the area are: • Otford Railway Station which lies approximately 100m to the North of the crossing. For some of the residents on Tudor Drive the level crossing offers the most direct route to the Railway station. • The Scout Hut which lies approximately 100m to the North of the crossing. For some of the residents on Hopfield Close the level crossing offers the most direct route to the scout hut. • Otford Medical Practice lies approximately 600m to the North West of the crossing. The most direct access to this for the majority of dwellings does not require the use of the crossing. • Other developments in the area are Otford Village Centre includes Russell House Independent School, Otford Primary School, St Bartholomew's Church, Village Halls and local shops. Further to the west 2 further churches; Otford Methodist Church and The Most Holy Trinity Roman Catholic Church, and the local library. The most direct access to these for the majority of the dwellings does not require the use of the crossing.

Plan 1 – Location Plan.



Access to the east is from Tudor Drive and is via a narrow, unlit pathway with some overhanging vegetation. Due to the differences in land level users have to negotiate a series of steps which leads down to the crossing. Access to the West is via a narrow, made, unlit pathway which leads from Hopfield Close and from the Railway Station car park.

The pathways are made but may become muddy and slippery in poor weather, particularly during leaf fall season, due to overhanging vegetation and the vegetation growing at the sides of the paths.

Step 2: The Evidence Base

Q3. Summarise what data we have about the diversity of the people potentially impacted by this work and any research on the issues effecting their inclusion.
When considering any site, the preferred solution is to remove the public interface with the railway which will eliminate risk of pedestrians being hit by a train. This would involve closing the crossing to users, so the next step would be to identify whether a suitable alternative route is available. Closure of the crossing would cause pedestrians to use existing alternative routes and crossing points. These alternative routes will increase the distance users have to travel to cross the railway, typically by up to 100m. The local authority has advised they will not support an extinguishment or a diversion order at this crossing. A number of options have been considered as set out in table 1 below. These considerations have led to the consideration of a pedestrian overbridge for this site.

Table 1

OPTIONS	DESCRIPTION	CONSTRAINTS/VIABILITY
Upgrade to automated warning systems	The provision of a fully automated warning system would not change the current usage of the crossing so is a method of reducing instead of removing the public safety risk.	Miniature Stop Light technology is dependent on the signalling systems in the area and can prove expensive to install and maintain. The addition of Miniature Stop Lights or other audible warning systems will not mitigate risk from misuse. Users can mistakenly attempt to cross the crossing whilst a red light remains showing after a train has passed that is veering a second approach train. Due to the proximity of Otford Railway Station due to the type of technology used the lights would likely remain red whilst trains stand stationary at the station. Furthermore an audible warning would be required along with lights to ensure partially sighted users are aware of a trains approach. Whistle boards, until recently, were present at the crossing meaning trains sounded their horns on their approach to the crossing to warn any users of their approach. Due to a noise abatement notice these have been removed and a temporary speed restriction placed on the line. This option will not be favoured by lineside neighbours as the audible warning noises would be reintroduced to the crossing.
Extinguishment and Diversion	An alternative crossing point in the area could allow the closure of the existing level crossing by creating a suitable diversionary route for users.	The closest alternative crossing on the railway is via Station Road overbridge which is located approximately 200m to the north of the crossing. The length of diversion or the amount of inconvenience to users is difficult to quantify as different users will have a wide range of start and end points. These alternative routes will increase the distance users have to travel to cross the railway, typically by up to 100m via the local public footpath network. This route is the current fully accessible route and comprised of relatively wide tarmac pathway that leads from Tudor Way, past the Scout Hut to Station Road. The local authority would not support an extinguishment at this crossing.

OPTIONS	DESCRIPTION	CONSTRAINTS/VIABILITY
Provision of Lifts and Footbridge	Mechanical lifts would be required on both sides of the crossing with a bridge structure spanning between to provide an accessible and safe route for pedestrians to cross the railway	This location is not suited to the provision of lifts because there is no staff presence 24 hours a day which would result in increased response time of employees to solve issues and help users. The safety and security of users would be compromised if there were a problem with the operation of the lifts such as power failure, vandalism or antisocial behaviour. This level crossing site has experienced incidents of vandalism and trespass and general antisocial behaviour (as detailed later on); hence this option has been discounted. Anti-social behaviour was also raised as an issue at the public information meeting.
Provision of a footbridge with steps and ramps	A footbridge with steps and ramps will offer a safe crossing point over the railway.	Considerable third party land purchase on both sides of the railway is required to accommodate a ramped structure (see outline plan in Appendix 1). It would also impact on lineside equipment including telecoms and signalling equipment which can be expensive to relocate. There would be an impact on visual amenity, even with screening, particularly for the residential properties on the east of the railway as considerable trees and vegetation would be required to be removed. It is likely there would be a greater number of objections to a planning application for this type of proposal. Ramps would increase the diversion distance for users negotiating the crossing by around 240m. Good practice guidance, including BS 8300, states that where a ramp is too high, it may be unacceptably tiring for self-propelled wheelchair users and people with walking difficulties, even with landings provided. Users negotiating a ramped footbridge at this location would have further to travel compared to the existing alternative route that is currently available. For these reasons this option has been discounted.
Provision of a footbridge with steps	A footbridge with steps will offer a safe crossing point over the railway	There is sufficient land available either side of the crossing for the installation of a stepped footbridge (see outline plan in Appendix 1). This solution has the potential to impact access for some users. However, it will remove the public safety risk and offer a safe crossing point.

OPTIONS	DESCRIPTION	CONSTRAINTS/VIABILITY
Provision of an underpass	A concrete pedestrian tunnel under the railway with graded footpath approaches would be required to provide an accessible and safe route for pedestrians to cross the railway.	The installation of an underpass at the crossing would require considerable land purchase either side of the railway to create the necessary footpath approach gradients including local residential properties. The topography of the surrounding area would also give risk to flooding of the underpass which would require additional maintenance measures. Ramps or graded approaches would increase the diversion distance for users to negotiate the crossing by over 200m. Underpasses may not be preferred by users and residents as they can attract antisocial behaviour.

The following data has been reviewed in considering how diverse and inclusive the project has been:

Alternative access routes

The nature of the eastern approach to the crossing dictates that access to the crossing is not available for all potential users. Initially the footpath leads from Tudor Drive between two dwellings with it being only approx. 1 metre wide with vegetation growing along each side and bare soil present in places (see plan 3 below). This will likely make the footpath muddy and slippery in poor weather, particularly during the leaf fall season. There are cracks in the tarmac caused by roots from nearby trees and vegetation making the surface uneven in places. This section of pathway is on third party land. A wooden stile is present at the Network Rail boundary followed by a series of steps downs to the crossing to overcome the differences in land levels between the east and west of the railway.

The current accessible route from Tudor Drive to Station Road is via the public footpath to the east of the railway and the Scout Hut. As shown on plan 4 below the route is wider than the access to the level crossing at approx. 2 metres wide. The pathway leads around the edge of the Scout Hut and links up to the main road by Station Road Overbridge. The pathway is comprised of tarmac and is relatively flat with very little change in level from Tudor Drive to Station Road.

This route adds approximately 100 metres to a journey compared to taking the route over Pilgrims Way level crossing and is likely already taken by users who cannot negotiate the current footpath and crossing configuration. This distance is less than the length of travel if a ramped footbridge was to be introduced (see plan 2 below for differences in route length).

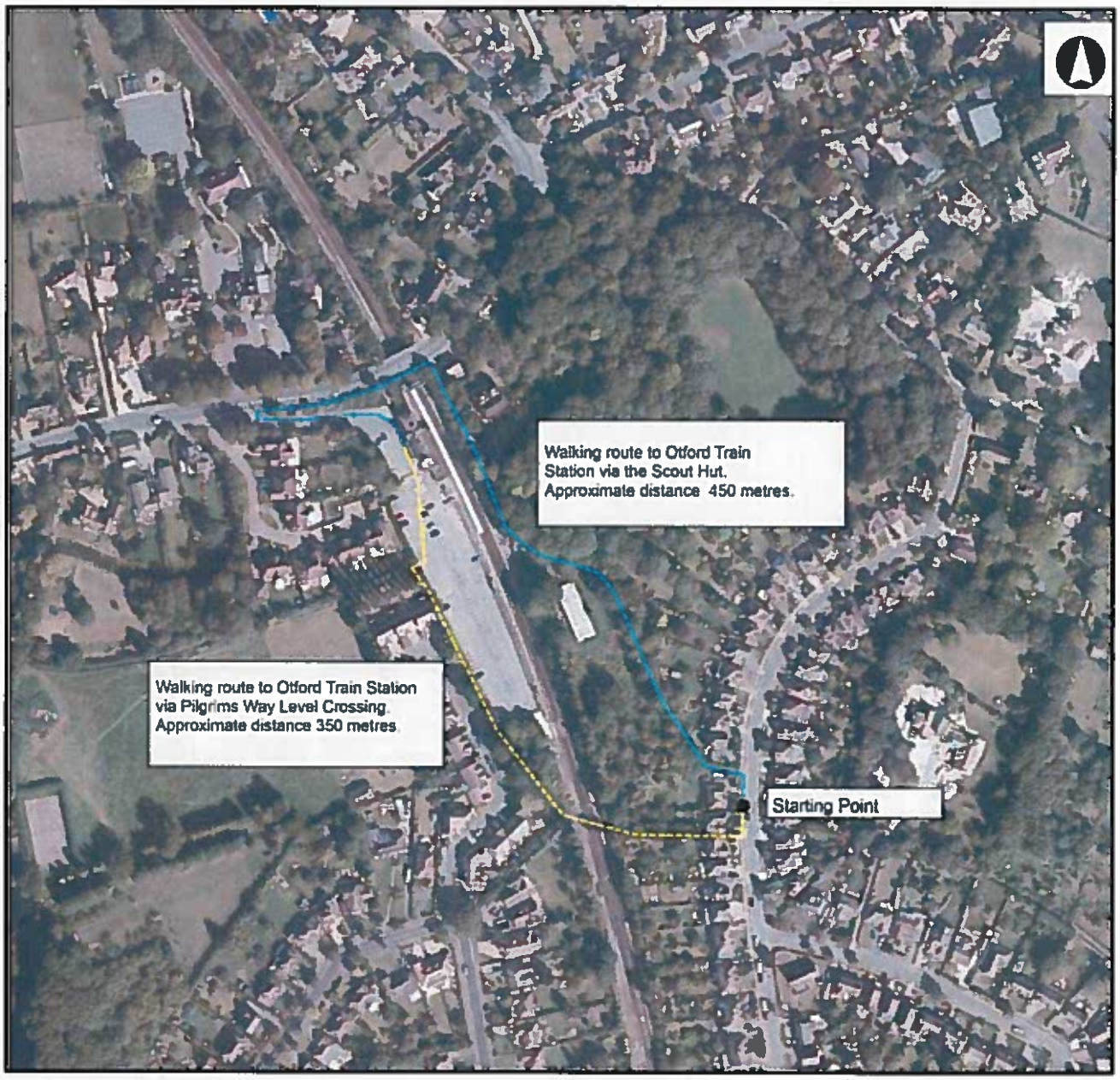
Otford Station is comprised of two platforms. Platform 1 is accessed through the station buildings and Platform 2 is accessed via a stepped footbridge. The access route for those unable to negotiate a stepped footbridge is via Station Road overbridge and then a ramped access down to platform level, which is located along

the footpath to the Scout Hut (see plan 5).

For users travelling from the Tudor Drive area accessing Platform 2, the shorter route is via the Scout Hut pathway rather than across Pilgrims Way level crossing.

A stepped footbridge would still maintain access to Otford Railway Station and the village centre.

Plan 2 – Alternative Route Plan.



Plan 3 – Plan showing the footpath route via Pilgrims Way Level Crossing.

Plan 4 – Plan showing the footpath route from Tudor Drive to Station Road via the Scout.

Plan 4 – Plan showing the pedestrain routes from the Ticket Office to Platform 2 at Otford Station.

Reported incidents of misuse

Records show that there were 22 incidents of misuse, trespass and near misses reported between 1998 and 2015. Of these, seven were reported as near misses and one was a fatality where a person was struck and killed by a train at the crossing. The incidents from the last four years are shown below.

DATE	INCIDENT
16/03/15	Misuse – Three youths ran across the line in front of a train
21/05/14	Vandalism – Train stuck a bike on the crossing
10/07/14	Contractor working unsafely
18/04/14	Vandalism – children throwing stones
11/07/13	Misuse by children
27/04/13	Fatality – 2B67 reported striking a person at Pilgrims Way footpath crossing on approach to Otford
21/04/13	Near miss with a pedestrian
08/10/13	Near miss with a pedestrian
22/09/12	Misuse by children
31/12/11	Youths trespassing on the track
30/09/11	Misuse – pedestrian crossed as train approached crossing

Information from Otford & Shoreham Ward National Census data

The 2011 census data relates to the 4,595 residents closest to the crossing. The data relates to age, health and ethnicity. It recorded that there were:

- 1,090 people under the age of 18 in this area
- 1,306 people aged 60 and above
- 236 people whose health limited their activities a lot
- 386 people whose health limited their activities a little

Level crossing 9-day camera survey.

A census was carried out over a nine day period in July 2014 which consisted of two weekends with the intervening weekdays.

The census shows that there were 1,554 movements across the crossing in nine days as expected due to lack of accessibility no wheelchair or mobility scooters recorded using the crossing. This gives an average of 172 movements per day.

There were a total of 348 children recorded during the census period. Of these 149 were unaccompanied. This equates to 9.6% of total movements for the census period.

There were eight pushchairs/pram movements in nine days which represents 0.6% of total movements for the census period.
There were two cyclists recorded using the crossing which represents less than 1% of total movements for the census period.

The weather recorded during the census was as follows:

DAY	AM	PM
Saturday 5th July 2014	Mild and Light Rain	Mild and Cloudy
Sunday 6th July 2014	Mild and Light Rain	Mild and Cloudy
Monday 7th July 2014	Mild and Clear	Mild and Clear
Tuesday 8th July 2014	Mild and Cloudy	Mild and Clear
Wednesday 9th July 2014	Mild and Cloudy	Mild and Clear
Thursday 10th July 2014	Mild and Light Rain	Mild and Cloudy
Friday 11th July 2014	Mild and Cloudy	Mild and Cloudy
Saturday 12th July 2014	Mild and Cloudy	Mild and Clear
Sunday 13th July 2014	Mild and Light Rain	Mild and Cloudy

Step 3: Impact

Q4. Given the evidence listed at step 2, what potentially negative impact could this work have on people who share protected characteristics.		
Protected Characteristic		**Explain the potential negative impact**
Disability	Yes	On the eastern approach to the crossing the footpath leads from Tudor Drive between two dwellings with it being only approx. 1 metre wide. There are cracks in the tarmac caused by roots from nearby trees and vegetation making the surface uneven in places. A wooden stile is present which is owned by Network Rail and highlights the Network Rail boundary line; it is then followed be a series of steps downs to the crossing to overcome the differences in land levels between the east and west of the railway. The western approach is relatively flat and level with a narrow (approx. 1 to 1.5m wide) made pathway that is unlit and has overhanging vegetation. A wooden stile is present at the Network Rail boundary. It is considered that these access routes are not currently accessible for wheelchair/mobility scooter users due to the stiles and stepped changes in levels. Replacing the level crossing with a stepped footbridge could create a further obstacle to and have a negative impact on people with restricted mobility. The footbridge design includes the following features: • Tactile paving strips • Warm to touch, visually contrasting handrails • Visually contrasting stair nosings • Anti-slip surfacing Replacing the level crossing with a footbridge with these features would have a positive impact for those people with hearing and visual impairment as well as some people with mobility impairment. These users would benefit from an improved and safer experience than the existing level crossing. The wooden stiles would be removed as part of the proposed scheme.

Age	Yes	The introduction of a stepped footbridge could have an impact on people with this protected characteristic who may find steps difficult to negotiate. Although the footbridge would provide a safer user experience than the current level crossing. The design of the steps is in accordance with version 4 of the Department for Transport's "Guidance for Accessible Train Station Design for Disabled People".
Pregnancy /maternity	Yes	The provision of a stepped footbridge would have the potential to exclude people with prams and pushchairs. The current crossing configuration means that users with pushchairs/prams would have to lift them over wooden stile and steps. Routes are in existence which are relatively flat and easier to negotiate via the Scout Hut, even though this route is slightly longer (approx. 100m) with the time it would take to negotiate the stiles and steps it is likely that the alternate route would be quicker and safer.
Race	No	Use of the crossing is not required to access local community centres. In view of this, there is no impact on this protected characteristic.
Religion or belief	No	The crossing can be used to access the village centre where St Bartholomew's Church is located, as it the shortest route to the residential properties on Tudor Drive. The provision of a stepped footbridge does not preclude access to the place of worship. Suitable alternative routes are available for users of this protected characteristic who are unable to negotiate a stepped footbridge.
Gender	No	There is no impact on this protected characteristic
Sexual orientation	No	There is no impact on this protected characteristic
Marriage/Civil Partnership	No	There is no impact on this protected characteristic
Gender reassignment	No	There is no impact on this protected characteristic

Q5.What extra could you do to have a positive impact on diversity and inclusion?
Although Network Rail is not eliminating any previous existing step-free access, however, we are increasing the effort that older or disabled users of the new structure will have to make to cross. Consequently, the project team are investigating the feasibility of incorporating seating into the design, with this being provided at either end of the structure. A cycle gutter could be incorporated into each staircase directly under the handrails if required. Network Rail has a target to have a 'net positive contribution to biodiversity' this means that we will try to improve what we have taken away. We will work with Sevenoaks Council and Kent County Council to determine if any highways improvement works are required along the diversion routes.

Step 4: Consultation

Q6. How has consultation with those who share a protected characteristic informed your work?	
Who was consulted? [1]	Changes made as a result of consultation
Public Information Event	A public information event was held on the 14th January 2014 in Otford Village Hall (which is fully accessible) and was well attended with approximately 200 local residents and users attending. The approximate age range of attendees was 18 to 80. A few of the attendees were using walking sticks. Two options were put on the table for a diversion over the existing footbridge on the station and a new stepped footbridge near to the crossing. The stepped footbridge close to the crossing was the preferred option but they were unhappy that a new footbridge would overlook their properties and that they would prefer the crossing to remain as it is today.
Parish Council Meeting	A meeting with the Parish Council was held on the 4th November 2014 and the members were happy with the idea of a stepped footbridge. We also attended a formal Parish Council meeting on the 10th

[1] This could include our staff networks, local users, the BEAP (re disability), local faith leaders etc.

	November 2014 and approximately 15 local residents attended who had issues with the footbridge as the plan seemed to show their properties would be overlooked. It was arranged that a separate site meeting would be held with those residents to take on board their concerns.
Site meeting with local residents	A number of meetings with local residents were held: 15th December 2014 with residents whose properties would have been overlooked with the plans at that time. 24th February 2015 with other residents from Tudor Drive who were unhappy with the bridge moving 10m down from the crossing. Screening has been added to the bridge design to prevent properties from being overlooked.

Step 5: Informed Decision-Making

Q7. In light of the assessment above, what is your decision? Please provide a rationale

From the evidence collected and in consideration of the site constraints the proposal for a stepped footbridge should be developed further. The design development will incorporate good practice design features and feedback from stakeholder consultations. The rationale for this decision is:-

- Extinguishment or diversion of the public right-of-way would address risk concerns but is unlikely to be promoted by the local authority.
- Lifts would not be suitable in operational terms for this location.
- Ramped bridge or underpass options do not have land availability and would have significant amenity and cost impacts. They would also result in further for users to travel compared to the existing alternative routes available.
- A stepped footbridge can be delivered within current land ownership and would remove the current risks. Alternative routes exist of a suitable standard for people unable to use a stepped footbridge. Discussions are to be held with the local authority for possible improvements/upgrades to this route.

Step 6: Action Planning

Q8. What actions will be taken to address any potential negative impacts and deliver positive impacts?

Action	By when	By whom
Meeting with Kent County Council Rights of Way to discuss Diversion Order		NR Liabilities
Hold discussions with Kent County Council and Sevenoaks Council about possible		NR Liabilities

improvements to existing alternative routes.		

Step 7: Sign off

Name	Position	Signed	Date
Margaret Hickish Equality Act review	Access & Inclusion Manager	M A Hickish	15/12/15

Step 8: Add an action to your plan setting out how you will monitor this DIA

Revision Date: Not applicable