

Statements of objections to:

CUMBRIA COUNTY COUNCIL (UNRECORDED FOOTPATH AT BAILEY LANE PARISH OF GRANGE OVER SANDS) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2019

Some of the grounds on which these objections are made (2 pages).

1. In most parts of the Statement of the Order document, the route to be extinguished is said to be a footpath. In paragraph 1 of what would be done by this Order, it is referred-to as a public right of way. Historical photographs show farm-type five-bar gates on Bailey (Bayley) Lane at each end of this crossing, which suggests it was used as more than only a footpath. This is supported by Network Rail's (NR) reporting that cyclist (I am one) have used the crossing. The proposed diversion should be a public right of way of the same status as that which would be lost. I object because of a lack of evidence that confirms that the crossing is not more than a footpath.

2. Paragraph 4 of the Order states that CCC has required the operator of the railway to enter into various agreements. This implies that these agreements are not yet secured. The Order should not be decided until it is defined, and members of the public know what they would be getting. I object because the consequences of the Order are vague.

3. Paragraph 3 of the Order states that CCC's action is an expedience based upon what appears to be matters of the safety of members of the public. CCC has several times considered closing this crossing, and each time has not done so. It can be assumed that previous CCC members were fully informed, and did not behave irresponsibly. The Order says CCC current members have decided differently because they have been encouraged to believe the situation has changed, and the crossing is now more hazardous than in the past. There is no evidence that this is true. Use of the word 'appears' indicates that CCC members are not sure about what they have been told. Fairly recent advice given to CCC members by CCC officers was that the crossing should not be closed. I object to this order being made without confirmation of evidence.

Works done on the crossing by Network Rail have made it now less hazardous than in the past. NR's case to CCC – that it has become so dangerous that it should be closed down – is contradicted by some of NR's own statements. Being an expedience, it appears that the reason for CCC's Order is to avoided the nuisance of continuing to resist NR. I object to the possibility of what would be the unjustified loss of a much-used and valued public amenity.

Presented here are some examples behind the assertions in the preceding paragraph.

a) The minutes of meetings of Grange Town Council from February to October 2008 (mins C07/254, C07/285, C07/320, C08/89, C08/126, C08/144, C08/172) record GTC's efforts in trying to get NR to install suitable gate closure springs at the crossing. C08/89 (July 2008) records that H.M. Inspector of Railways expressed surprise that NR had done nothing. Then, the crossing presented more hazards to users than now.

b) Andy Scott's (AS: NR employee) notes of a public meeting on the crossing diversion, held at Victoria Hall, Grange-over-Sands 21st March 2013, records:

'15 What is the biggest reason behind the safety concerns? AS said sighting distance. Looking left/right? What is the worst risk? AS said the worst sighting distance is looking right (towards Barrow) when coming down Bayley Lane.'

An email message from Ann Buckley, Liability Negotiations Adviser, Network Rail to Andy M Sims, CCC on 4 Dec 2017, subject heading: '*RE: Bayley Lane - Response to Objection to Closure Application*', tabulates the sighting distances, from Bayley Lane crossing, of approaching trains. The longest sighting distance (379m) is 'Up looking towards up direction train', which is looking right (towards Barrow) when coming down Bayley Lane.

These statements by NR staff are contradictory, indicative of NR's incoherence.

c) In the drop-in public information session run by NR, Victoria Hall Grange-over-Sands, 1100h - 1900h, Wed 6 Dec 2017, I suggested to a NR staff member that the crossing could be made shorter, and something installed to warn users of an approaching train. These suggestions were repeatedly peremptorily dismissed as impossible, and without any discussion. There can be no reasons for not explaining, other than there are none, or/and improving crossing users' safety is not a NR priority. I object because NR has not further improved crossing-users safety.

Crude measurements of lengths taken from the Order diversion route plan indicate the crossing could be about 0.8x its present length. The time to cross would be 0.8x time now, and the required sighting distance and hazard arising from a passing train, which is the only hazard, would be significantly reduced.

Each platform at Grange Railway Station has electronically-controlled information screens which give updated details of approaching trains. It is improbable that two more similar screens could not be installed at the crossing. The distance involved must be less than that at some major train stations.

Many more examples of NR's off-handedness could be cited.

4. Like the two railway underpasses, one at the Railway Station and one at the south-western end of the Prom, the Order underpass will, from time to time, be flooded: hence the flood gates (which incorporate the fundamental flaw of being mounted the wrong way around). If Bayley Lane crossing were not there, this would leave the two footbridges, one somewhat remote, as the Prom's only access/egress points. This would affect the trade conducted in Grange. Until illegal closure by NR, Bayley Lane crossing was the obvious and much-used route to the Prom from the Town centre, with or without incidences of flooding elsewhere. I object because of the detrimental effect upon the amenity value of the Prom, Grange's greatest and much-admired asset. NR's classification system indicates the crossing safety is not bad and that it has improved: it could be further improved if NR decided to do so.

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(Sent by email: 2 October 2019)