

I write in response to the attached extraordinary letter sent yesterday from you (Final 3CR), just one full working day before the end of the 'Consultation'.

I have long opposed this change, for the reasons which caused the Planning Inspector judged against it - that there is minimal evidence of past risk at the crossing, and conversely that the proposed crossing will create certain and far larger risks in at least 3 ways.

- 1) risk to pedestrians in Shepreth from motorists speeding to beat the new much longer downtimes
- 2) risk to residents of Meldreth from ~+5 minutes required for emergency vehicle access, and
- 3) risk to motorists who will divert to the statistically much more dangerous A10.

I attach some specifics below, but be advised that:

- I will obviously seek to publicize the way this has been managed as broadly as possible in local and regional media, in particular NR's patent lack of real desire to consult and setting aside of the Inquiry's verdict as 'irrelevant'
- I give advance notice that in the event of either a pedestrian injury at the crossing in Shepreth linked to a motorist speeding to beat the crossing, or the death of a Meldreth villager due to delays at the crossing or ambulance diverting down A10, I will pursue NR on behalf of those affected for damages. **The Inquiry is incontrovertible evidence not just that such risks are foreseeable but that they were foreseen**, as they were the rationale for the crossing being disallowed. Therefore any subsequent such fatality or injury will be a liability to NR from setting aside that judgement and proceeding regardless, focussed only on your internal measure of road/rail without any regard for transferred risks or costs.

Some specific issues:

'Moral law' and common sense: You state 'it should be noted that the Planning Inspector's report and the Secretary of State's refusal to grant the powers to purchase the land is not a refusal in principle to allow the upgrade work to progress by other legal mechanisms available, such as through private negotiation'. Even if technically true it is a matter of record that was not the spirit or context of the Inquiry of judgement, as evidenced by the report. The fact NR at no point raised this at the Inquiry itself undermines it. A cursory glance at the Inspectors report evidences this.

Balance of risks. Yes 'Network Rail has an explicit legal duty under the Health and Safety at Work etc. Act 1974 (HSWA) to so far as reasonably practicable, not expose our passengers, the public or our workforce to risk at our level crossings.' However per the ORRs email response of 7/11 'The proposed level crossing order will also require Network Rail to periodically monitor the duration of closures of the crossing to road traffic and shall take action to ensure that the closure times are minimised effectively. Once again, Network Rail are legally obliged to comply with this clause in the order.' There is no evidence that this has been case at Shepreth Station since the changed barriers were installed in 2018. The NR team that we met in early October was cavalier to the point of it being insulting that this was not their job or problem.

Risk Assessment. Has been D2 since 2019, and despite the many changes and redactions since of 'incidents' which happened at other places. The letter restates debunked data from the original Sotero report of 2019 (attached):

The Risk Assessment also includes ten years of Incident data up to August 2016 with 11 incidents recorded (versus an average of 18 for a crossing of this type). OFFICIAL The

following recorded incidents are noteworthy at Meldreth Level Crossing: • Two reported incidents of a 'near miss' with a pedestrian; • One reported incident of a 'near miss' with a cyclist; • One reported incident of a road vehicle obstructing the crossing; and • Three reported incidents of other misuse by a road vehicle'

In fact the FOI data (attached) showed below:

- 6 'incidents' in total - the same ones quoted presumably:
- 3 of which were equipment failures
- 2 of which were not at the crossing I think - **it says 'Meldreth' not 'Meldreth Road LC'**, and commentary for one mentions a train from Liverpool Lime Street to Norwich which is a different line completely.
- Therefore 1 'real' incident which was....
 - November 2011 and 'Alleged ([Redacted under section 40(2)]) witnessed unknown rail staff having not acknowledge train warning at Meldreth Road level crossing. Unknown train.' 'At 08:57 hours the [Redacted under section 40(2)] reported that a member of the public (who works for RAIB) reported a train blew his warning horn at Meldreth Road level crossing and that a railway worker wearing Hi - Vis clothing and a White Hat, allegedly did not acknowledge the driver.' [Redacted under section 40(2)] reported that 1T13 07:25 Kings Lynn - Kings Cross may have been the train involved, however this was not confirmed. The [Redacted under section 40(2)] reported on arrival to site there was a Level Crossing Manager on site but he was not the person involved. There was no further info or sighting of any person involved. Update: [Redacted under section 40(2)] contacted the [Redacted under section 40(2)] and he confirmed that no train driver had made a call to the power box to report as alleged. [Redacted under section 40(2)] also contacted GoVia trains requesting if any drivers were able to recall the incident. As of the 21/09/2016 the email had made it's way to various driver managers (Go Via), however no feedback received.

In summary, its not clear there even WAS an incident, but if there was it was caused by railway personnel!

In addition the new letter states:

- The Risk Assessment also includes ten years of Incident data up to August 2016 with 11 incidents recorded (versus an average of 18 for a crossing of this type). **IE there are LESS than average number, even with these issues.**

Downtimes stated are, quite simply, a lie:

The 19/11 letter repeats data which is not only untrue but been admitted to be by NR. The fact this is being peddled 2 days before end of consultation after endless questions shows how little importance is attached to this process and the 'sham' reality of this consultation neatly. Particularly insulting to see the '2 seconds statistic' being trotted out, vs reality of avg +107 seconds and maximums of 302/428. This is a matter of record.

Compare and contrast:

A - the statement in your letter page 10/11

Based on the above barrier downtimes and scenarios an assessment of network performance on the road was undertaken. This showed that the average delay at Meldreth Road after the upgrade will increase as shown below:

- In the AM Peak the average delay will increase from the existing figure of 63.9 seconds to 91.8 seconds (an increase of 27.9 seconds)
- In the PM Peak the average delay will increase from the existing figure of 50.8 seconds to 72.3 seconds (an increase of 21.5 seconds).

- The traffic modelling also shows that the following impacts as result of the proposed upgrade:
- Modest increases in the average and maximum queue lengths at the crossing. The highest increase is 52m, which is observed for the westbound direction in the AM peak. This equates to approximately 9 vehicles; and
- The planned upgrade will have a minimal impact on eastbound journey times (2 seconds), with an approximate 65 second delay to westbound traffic, which is not considered significant.

B - the evidence from Nicolas Cotentin at the Inquiry 2.5 years ago, p3 attached Meldreth

3.15 The current average barrier downtime is 62 seconds in both the AM peak and the PM peak, which will increase by an average of 107 seconds. Maximum increase will be of 428 seconds in the AM peak and 302 seconds in the PM peak.

3.16 The proposed upgrade is considered to not have a significant impact on the road network. There will be modest increases in the journey times for vehicles traveling westbound and there will be some minor increase in queues in both directions.

Lack of any alternative or compromise. The letter explains why closing the road is not favoured (!), nor maintaining current crossing type. NR had previously stated intent to renew as an automatic full barrier (AHB+), the solution which both created double barriers for NR and maintained current lower downtimes for community (or at least lower than what is proposed). Yet again NRs reasons for deciding against that are ENTIRELY internal - that yes while the costs would be similar and much lower downtime, it is more convenient for NR to change to same type as at Foxton and Shepreth Station, despite the issue the change at Shepreth in 2018 caused. And this, despite within your letter stating that **witht** your proposed barrier change:

'Future 'busiest hour' road closure time of Shepreth station and Meldreth Road may not be sustainable.'

The fact that your letter contradicts itself so fundamentally - on the one side admitting that in the long term the impacts 'may not be sustainable' and on the other that there will be a 'minimal impact on eastbound journey times (2 seconds) illustrates the complete contempt NR has shown throughout this process for those whose lives will be needlessly impacted by your abuse of your position and power, as does the timing of your response.

Yours sincerely

Hugh Wood
94 Melreth Road, Shepreth, SG8 6PX
07815 186 068