

Runnymede Borough Council

ECONOMIC DEVELOPMENT COMMITTEE

13 NOVEMBER 2003

SUPPLEMENTARY AGENDA

12. CROWN LANE TO LYNE ROAD FOOTPATH (FERNIVALS CROSSING), VIRGINIA WATER (DTS)
(Ref: Minutes of Economic Development Committee September 2003, page 638, para 300)

1. Purpose of Report

1.1 **The purpose of this report is to seek Members' views on the proposed closure of the level crossing and footpath between Crown Lane and Lyne Road, Virginia Water, following the results of a public consultation exercise carried out by Network Rail.**

2. Background Information

2.1 The footpath runs between Crown Lane and Lyne Road in Virginia Water and crosses the London to Reading railway line about 800 metres (½ mile) south-west of Virginia Water Station. (A location plan is attached at Appendix 'I').

2.2 Most footpaths in Surrey are public rights of way and are managed by the Highway Authority, Surrey County Council. Normally, they can only be closed if it can be proved that the public no longer needs the right of way. This footpath is unusual as it is designated as a footpath by Network Rail, which has the authority to close the path at its discretion. The railway line crossing is uncontrolled.

2.3 In 1993 British Rail Network South-East announced that it intended to close the footpath for railway crossing related safety reasons. At its meeting on 19 January 1994 the Borough Council's former Highways and Works Committee resolved that the Council should object to the proposed footpath closure on the grounds that the crossing provided an important amenity for those living in the area and the residents of the Borough generally. As a result British Rail withdrew its proposal and the footpath and railway crossing have since remained open.

2.4 At the meeting held on 10 June 2003 the Council resolved that :-

- i) it deplored the noise and nuisance caused by the blowing of horns on the approach to crossings by South West Trains during their passage through the Borough of Runnymede; and
- ii) having regard for the requirement to maintain Health and Safety issues, the Council make strong representations to the Railway Authority in an effort to reduce or eliminate the noise and protect the peace and tranquillity of those residents in close proximity to the railway.

2.5 Councillor P.J. Poole subsequently presented a petition, containing the names and addresses of 129 signatories, to the Council meeting on 17 July 2003. The petition requested "the closure of the footpath across the railway linking Crown Lane to Lyne Road because of the loud hootings from trains causing noise pollution now suffered by residents living near the railway line".

2.6 The receipt of the petition was reported to the Economic Development Committee at its meeting on 11 September 2003. The Committee was advised that Network Rail would be carrying out a public consultation exercise on the proposed footpath closure and that the consultation results would be reported to the Committee at its next meeting.

- 2.7 Councillor P.J. Poole presented another petition, containing the names and addresses of 53 signatories, to the Council meeting on 16 October 2003. This petition requested that "the rarely used railway foot crossing at Crown Lane, Virginia Water, be closed down, or an alternative to the train siren warning system be found, so that we will not continue to be subjected to this deplorable noise night and day".
- 2.8 Ward Members have also reported the concerns of local residents about the level of noise of train horns and the unsociable hours at which they are sounded, during recent months in Virginia Water and Egham. This has been referred to the Council's Environmental Protection Division and a report will be presented to the Leisure and Environment Committee at its meeting on 20 November informing Members about the progress made on minimising the impact of train horn noise on Borough residents.
- 2.9 The requirement to sound train horns on the approach to level crossings is governed by the 'Rule Book', which is a document issued by the Rail Safety and Standards Board, containing regulations and instructions to which railway staff must comply.
- 2.10 The new trains that are currently being introduced to replace the old 'slam door' type trains have louder horns. This is in order to comply with standards that have changed since the 1960s and 1970s when most of the older trains were built. The current relevant standard is RT/GM2180.
- 2.11 The Rail Industry nationally is receiving complaints about train horns and discussions are taking place within the Industry to determine the way forward. There is discussion about reviewing the occasions when drivers must use horns and also the volume of the horns.
- 2.12 The Rail Industry's view is that safety is its highest priority and the measures to control risk, such as the sounding of train horns, have evolved over many decades through inquiries and investigations into accidents that have caused serious injury or fatalities.
- 2.13 Due to the poor safety record at railway crossings, particularly uncontrolled ones, the Rail Industry and the H.M. Inspector of Railways is actively looking to close crossings where possible.
- 2.14 Network Rail would therefore like to close the footpath and rail crossing for safety reasons, to reduce its maintenance liability and address the horn noise issue.

3. Report

3.1 Network Rail Consultation

- 3.1.1 Following receipt of the original petition Network Rail has carried out a public consultation exercise to judge the strength of feeling for and against the footpath closure.
- 3.1.2 The consultation exercise consisted of placing notices on the stiles each side of the railway crossing. The notices invited the public to write to Network Rail with their comments on the proposed footpath closure before 31 October 2003. The notices were in place for approximately 5 weeks. Network Rail also wrote to local residents and Community Associations and interest groups, such as The Ramblers' Association, for comments.
- 3.1.3 Network Rail has also agreed to delay its decision on the proposed footpath closure until it has received the Council's response.
- 3.1.4 At the time this report was prepared the consultation was still taking place and Officers will report the outcome to the Committee.
- 3.1.5 A Virginia Water Ward Member has objected to the footpath closure on the grounds of loss of amenity to residents.

3.2 Train Frequency and Operation Hours

- 3.2.1 Network Rail has provided the following information :-

Average Peak Hour Weekday Flows - 5 trains per hour in each direction. (Total 10 per hour)
Average Weekday Flows – 2 trains per hour in each direction. (Total 4 per hour)

Services start in the Up (to London) direction at 05.28 and finish at 01.57.
Services start in the Down (from London) direction at 06.20 and finish at 01.17.

There is little variation to these services at weekends.

3.3 Whistle Boards

3.3.1 There are whistle boards on both approaches to the crossing, requiring train drivers to sound their horns every time they approach the crossing.

4. Council Policy

4.1 The Leader's Position Statement 2004-05 states that one of the Council's core aims is "to ensure that we play an effective role in enhancing the quality of life for all our residents and visitors and provide an attractive environment for those who conduct their business in the Borough".

4.2 One of the main aims in the Community Strategy for Runnymede, in the Access and Transport Section, is to develop innovative solutions to reduce the need to travel by car. As described in paragraph 5.1 below, it is possible that the footpath closure could encourage more car use.

5. Public Interest and Sustainability

5.1 If the footpath is closed, the alternative route for pedestrians would involve walking an additional distance. For example, the distance from the Lyne Road side of the crossing to shops at The Parade is about 340 metres (370 yards) using the footpath and the alternative, via Lyne Road and Trumps Green Road, is about 500 metres (550 yards), which could add about five minutes to the journey on foot. Alternatively, this could result in increased car usage, instead of walking. The subsequent effects of such a change in journey patterns would be relatively small as development in the Lyne Road area is quite sparse. Feedback from the Network Rail consultation may also indicate the weight to be given to this consideration.

5.2 There is a risk to the health and safety of pedestrians using the railway crossing but closing the crossing would not completely remove the risk to pedestrians, as the alternative is to walk along Lyne Road, which has no footways.

5.3 The issues in paragraphs 5.1 and 5.2 should be balanced against the effect of the train horns on the residents' peace and quiet enjoyment of their properties. The number of properties or individuals affected by the noise is difficult to estimate but the public consultation response should again indicate the strength of feeling. It is to be noted, however, that the closure of the footpath would only reduce, and not remove, the incidence of train horn soundings in the area as a whole. Horns will continue to be sounded at other locations.

THE COMMITTEE IS ASKED TO:

determine the Council's response to the Network Rail consultation in respect of the proposed closure of the footpath and railway crossing between Crown Lane and Lyne Road.

(TO RESOLVE)

Background Papers

None stated.

NOTES:

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JOB TITLE
 XXXX

DRG TITLE
 Location Plan - Network Rail
 Footpath from Crown Lane to Lyne
 Road, Virginia Water

SCALE	N.T.S.	DRAWN BY	CM
DATE	Nov/2003	CHECKED BY	BJ

DRG No: _____
 RE _____

