

Appendix F Proposed diversion of Footpath Batley 20 at Lady Anne Level Crossing: Comments made in response to preliminary consultation

“A footbridge, much like the tunnel at the bottom of Primrose Hill nearby will encourage vandalism and other anti-social activities to the point where it is unused by the general public as it will be seen as unsafe, as is the case with the tunnel. This will result in the location becoming ill maintained and unfit for purpose. “

“My main concern is safety and the high risk of encouraging antisocial behaviour if a footbridge is built.

The signal box is manned 24 7, meaning safeguarding for all is promoted. Having a footbridge will leave people, particularly women and children, at risk of muggings, attacks and sexual assault. It will also heighten the risk of suicide, which is currently lowered by having a signal box as someone is always there to prevent this and intervene.”

[Reference was also made to private rights at the crossing and potential for horses to ‘spook when using the footbridge; use of the existing private crossing with horses is a private matter to be resolved between rights holders and Network Rail. There will be no right to use the proposed footbridge with horses].

“Peak & Northern object to this proposed diversion.

The existing path between points A to B is 17 metres long on level ground. The proposed new paths are 255 metres via **STEPS** or 355 metres via **RAMPS**. Both options are significantly longer than the current 17 Metres and involve either steps or ramps as opposed to the current level gradient. The greatly increased distance combined with the ramps and steps would create a much less convenient route for the public and reduce accessibility to many members of the public.

The planning application 2021/62/9331/E largely affects land not on Batley Footpath 20. Footpath 20 is only affected in a minor way by construction of a wall across it at point A and security fencing at Point B. It is suggested that Batley Footpath 20 can be accommodated through these structures by means of British Standard gates and that diversion of Footpath 20 is not necessary for the development (which is for a footbridge/ramps etc) to go ahead.”

“... the proposed replacement for the crossing, and the resulting alteration to the existing public footpath, is unacceptable for many reasons.

- There has been an accessible route from what is now Batley Field Hill to Howley since medieval times, and old maps clearly show it existing at a time long before there were any houses in the area. Footpath BAT/20/20 follows part of this route. It would be a shame if people were put off following this ancient route by an extremely unpleasant obstacle
- There is no agreement about who will be responsible for the ongoing maintenance of the bridge and its approaches. Kirklees Council stated that

Network Rail will be responsible for all aspects of its upkeep, but at a public meeting local residents were told that NR would end their involvement once the works were completed, and that it would fall to the council to maintain it since it would be part of a Kirklees PROW. Either way, it would need regular cleaning and sanitising, gritting in winter, regular attention to the lighting, and some form of monitoring to deter the inevitable antisocial behaviour that the bridge would invite.

- Safety seems to have been overlooked. The manned crossing provides a place where pedestrians can be observed while crossing, and people feel safe when using it. The planned alternative will provide a haven for muggers, drug dealers and drug users, and encourage cyclists, skateboarders, etc. This would put off a great many people, who would be forced to go a very long way round on foot, or to get a taxi. Also, people going from Howley Street and continuing up Stoney Lane (and vice-versa) will face a lengthy diversion. Parents with pushchairs will find it difficult and inconvenient, and many boys from the High Scholl will surely find a quick way to scale the fence or wall and run across the track.

There are many other concerns regarding safety and the impact on the environment in this conservation area, many of which will have been expressed to you by others...”

Very similar comments made by several respondents:

“Convenience: diversion turns straightforward walk of 17m, into a convoluted run of 255m via steps or 355m via ramps. This increased journey will deter the elderly or those pushing a wheelchair for example.

Safety: Existing footpath is supervised, day and night, by the signaller. The increased journey will be undertaken with no such protection and is thus discriminatory against women who are more likely to fear assault, especially in the dark.

There is a risk of injury from collision with cycles, motorbikes, skateboards and horses.

There is no escape along the footpath to avoid vehicles or potential muggers. Some people may be tempted to jump the wall as a quicker means of crossing the line. The crossing is used daily by unaccompanied schoolboys walking to 2 local secondary schools.

The walk alongside the track, shielded only by a mesh fence, will leave walkers vulnerable to the force of express trains and a soaking in bad weather. The footpath will be subject to ice and a danger of people slipping in winter.

Environmental: Despite Kirklees claiming it will have a negligible effect on the adjacent Conservation Area of Upper Batley, that is definitely not the view of those living close by, who describe it as an eyesore.

It destroys the much-loved historical Batley signal box, reminiscent of the Railway

Children.

It will have negative impact on plants and wildlife. Another issue minimised in Kirklees reports.

Maintenance: Neither Network Rail or Kirklees Council have accepted responsibility for maintenance, like lighting etc to date.

In short the diversion will effectively close the crossing to some people and be much less safe and convenient for everyone.”

Reference made to a single person known to have taken their own life at the crossing in period of 40+ years respondent has known the area. Also:

“The crossing has always been well used by all age groups - children going to various schools, families going for walks on Howley, people walking their dogs and older people going for exercise walks.

... we were told on several occasions [by Network Rail] that having the bridge instead of the crossing would be safer all round but no real reasoning was given as to why this would be. Even though those at the meeting were told that people had been known to climb the gates or wall to get over to the other side when the gates were closed (and this included adults as well as teenagers) they did not seem to think this would be a problem. The changes they are intending to put in place would not really have any effect on this.

Another problem would be that of drug dealers - they already use the land at the back of the church and one or two of the roads. The bridge would not just be an ideal place for them to deal but also a good place to disappear quickly to the other side of Batley. As many of the people who use the crossing at the same time each day a bridge with opaque sides would be ideal for muggers to hang out on.

The bridge could at certain times of the year provide space for rough sleepers and this could lead to them being in dangerous situations.

Whilst I appreciate that Network Rail has provided access for mobility scooters and push chairs they have also provided access for e-scooters, skate boards, cyclists and rollerbladers, all of whom could come in contact with older people and cause serious accidents. Also when you think of the news stories about safety for women there have been this bridge can hardly be considered a safe place and I am thinking about people coming and going to and from work.

One of the other main problems with this bridge is maintenance... a Network Rail representative ... was adamant that as soon as the bridge was brought into use it would be handed over to Kirklees Council for its maintenance. This would mean that Kirklees would be responsible for hygiene, checking the lights were all working and putting grit down on the steps and slopes in freezing weather. As they do not have the staff to do this on all the roads around here this could be a dangerous problem. At the present time the crossing is always thoroughly gritted. Also if there is CCTV on the bridge who is responsible for checking and maintaining it?

The removal of vegetation to make the path could lead to problems also - less vegetation leads to less water absorbed and tree roots spread a long way underground and take time to rot. This slow rotting could lead eventually to the soil beginning to move down the slope.

The fact that there is someone in the signal box means that problems of people on the line can be easily picked up.

This crossing is part of a footpath which extends to both sides of it - it is a well-used and well-loved crossing, and it might have been better if surveys had been taken throughout the year”

“This... application is an attempt by Network Rail to avoid taking responsibility for the safety of people crossing their line by diverting the footpath and putting pedestrians into a position of danger.

At present, the public have a safely maintained crossing, but in future (if this application is passed) will be at risk of bicycles, scooters, motorbikes and muggers.

The proposed diversion alongside the existing track puts the public and especially pensioners and children at considerable risks to the elements and passing trains. This is not the case at present.”

“If this application is approved:-

- (1). Who will maintain the diversion?
- (2) who will be responsible for the safety of pedestrians?
- (3) who will be responsible for compensating pedestrians for accidents caused by this diversion?”

“My principal concern is that in the case of Lady Anne Crossing, the rights of the landowner (NR) are being unreasonably preferred over those of the public for whom the proposed changes would worsen the quality of life for both nearby residents and footpath users for the following reasons.

(1) The existing footpath arrangements involve a very short (17m) walk under the supervision of a NR signaller. The proposed arrangements create an unsupervised 335m diversion for users intending to travel along Stoney Lane and approx 108m for users heading towards Batley town centre via Rutland Road. For the great majority of Soothill residents, the latter is irrelevant because routes via Soothill Lane provide much quicker access to Batley town centre. Stoney Lane users would therefore be put to a significant inconvenience by the new route.

(2) It appears to be widely accepted by Kirklees Council ("KC") and British Transport Police ("BTP") (ref their submissions of 2/12/21 and 17/9/21 respectively [consultation responses regarding the associated planning applications]) that the new path / footbridge raises serious issues of increased crime and anti-social behaviour.

NR's own Planning Design & Access Statement (para 5.13) claims an objective of

creating a space "where crime and disorder, and the fear of crime, do not undermine the quality of life" - without offering any effective solutions.

KC's answer seems to be "more lighting" which would give the area the character of an industrial estate as well as a detrimental effect on wildlife.

BTP suggest illumination in conjunction with the times of street lighting which means that at dawn/dusk there will be no lighting at all at times of maximum user activity. BTP propose that users of the path/footbridge should have a "clear sight line along the whole of the route aimed to reduce their fear of crime" and hence the use of wire mesh fencing. The configuration of the ramps make such a sight line impossible, however, and KC seems to prefer enclosed panels in places.

Clearly, the objective of reducing the fear of crime is not being met.

(3) Issues of pedestrian safety have not been adequately addressed...

[NR have advised]...the footbridge would be for pedestrian use only, without ever explaining how trail bikes, scooters & bicycles (not to mention mobility scooters/wheelchairs for the disabled) would be excluded. Whichever direction users take, they are being forced to take a 335m diversion with no means of avoiding bikes etc. For users who have small children with them, or pushchairs, or disabled users, this is a potentially frightening prospect. There is no escape route half way along the footpath. Similarly, there is nowhere to escape if a mugger suddenly confronts users as the route is closed off on both sides.

(4) Road safety issues have not been addressed. The proposed footbridge would join Rutland Road at a sharp (90 degree) bend in the road. That corner is already dangerous enough (no lines of sight for vehicles passing in the opposite direction) without adding the distraction of extra pedestrian use at that precise point.

In summary, BTP state that the proposed structures should provide a "desirable feature which users will want to use". KC refer to Local Plan policies LP24 & LP35 requiring proposals to "add to the overall quality of the area". Plainly, views will differ on this point. All the residents / users in the immediate vicinity of the proposed path / footbridge regard such structures as an eyesore completely out of keeping with the present character and appearance of the conservation area. KC, who of course would not have to live with the structures on a daily basis, seem to adopt a completely contrary view and assert, without presenting any supporting evidence, that the proposed development will have "negligible direct and indirect impact" and be "sympathetic to the character, heritage and landscape of its context". Exactly how a 335m wire mesh/panel enclosed walkway and substantial steel bridge becomes a harmonious addition to a conservation area defies all logic.

Finally, we have the question "will users want to use the proposed path / footbridge"? In essence, users are faced with exchanging a very short, safe walk at the existing crossing for a significant detour on a route that is unprotected, impossible to escape from once started, exposed to anti-social users (on bikes etc), gangs gathering in secluded areas and in particular, muggers. No amount of extra lighting, for roughly half the year, can eliminate such problems. The proposals are

discriminatory against women, especially when accompanied by small children, who will simply be afraid to use the proposed structures. Instead, they will seek alternative (and much longer) routes or switch to using cars or taxis. For many local users/residents, the proposed development will amount to the closure of the existing footpath and longstanding right of way. This is of no concern to NR and its relentless mantra of "faster trains" (an assertion with many flaws) and bogus claims of "safety" - but it is of considerable concern to members of the public who use the existing crossing and whose interests are in danger of being ignored and abandoned."

"This footbridge will not increase the number of trains. It will not increase the speed of the trains. It will not reduce accidents at the crossing. All it will produce is an eyesore and a huge cost to Network Rail and the taxpayer."

"I would like to lodge our objection to the proposal of the above diversion to the footpath. The reasons being:-

1. safety of the public walking near the railway line.
2. Confirmation of responsibility of the upkeep of the footpath, lighting, security, risks of vandalism and how often this will be maintained.
3. Increased length of time proposed to cross the railway track and why can't the crossing be left as it is."

Similar comments made by two respondents:

"-Safety, there have been no untoward incidents at the manned level Crossing. However the proposed alternative footpath is long, dark and isolated. People using the path / bridge will be out of view.

- Proximity to the railway line. The current crossing is short but the proposed path runs adjacent to the railway line and in close proximity. Trains splash water and diesel in wet weather, are dirty, noisy and quite frightening.

- There is a risk of loss of flora and fauna in the proposed plans.

- Foxes and bats live along the railway banking and are at risk of being displaced.

- Rutland Road is a conservation area, the proposed changes will affect the area negatively.

- My family personally use the crossing several times a day... the proposed changes will not only make the journey much longer on foot but will mean using the path during the dark on winter mornings and evenings...

...My last issue is with the historical value of the crossing which is fitting with the Victorian buildings on Rutland Road and will be completely lost through closure of the crossing."

Comments from Cllr Zaman:

“Further to my previous e-mail regards my objections for this planning application, please see below further comments from the public.

Issues raised by others include:-

- Convenience: diversion turns straightforward walk of 17 m, into a convoluted run of 255m via steps or 355m via ramps. This increased journey will deter the elderly or those pushing a wheelchair for example.
- Safety: Existing footpath is supervised, day and night, by the signaller. The increased journey will be undertaken with no such protection and is thus discriminatory against women who are more likely to fear assault, especially in the dark.
- There is a risk of injury from collision with cycles, motorbikes, skateboards and horses.
- There is no escape along the footpath to avoid vehicles or potential muggers.
- Some people may be tempted to jump the wall as a quicker means of crossing the line. The crossing is used daily by unaccompanied schoolboys walking to 2 local secondary schools.
- The walk alongside the track, shielded only by a mesh fence, will leave walkers vulnerable to the force of express trains and a soaking in bad weather. The footpath will be subject to ice and a danger of people slipping in winter.
- Environmental: Despite Kirklees claiming it will have a negligible affect on the adjacent Conservation Area of Upper Batley, that is definitely not the view of those living close by, who describe it as an eyesore.
- It destroys the much loved historical Batley signal box, reminiscent of the Railway Children.
- It will have negative impact on plants and wildlife. Another issue minimised in Kirklees reports.
- Maintenance: Neither Network Rail or Kirklees Council have accepted responsibility for maintenance, like lighting etc to date.
- In short the diversion will effectively close the crossing to some people and be much less safe and convenient for everyone”