



Regulatory Committee

Minutes of the meeting held at The Springfield Hotel, Wareham on
Thursday, 14 June 2018

Present:

David Jones (Chairman)
Margaret Phipps, Shane Bartlett, Ray Bryan, Jean Dunseith, Katharine Garcia, Nick Ireland,
Jon Orrell and David Shortell.

Members Attending

Cherry Brooks County Councillor for South Purbeck
Beryl Ezzard County Councillor for Wareham
Peter Wharf County Councillor for Egdon Heath

Officer Attending: Maxine Bodell (Head of Planning), Phil Crowther (Senior Solicitor), Chris Stokes (Principal Planning Officer (Development Manager)) and Lee Gallagher (Democratic Services Manager).

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Cabinet to be held on **Thursday, 12 July 2018.**)

Apologies for Absence

22 Apologies for absence were received from Cllrs Jon Andrews and Kevin Brookes. Cllr Nick Ireland attended the meeting as a substitute for Cllr Jon Andrews.

Code of Conduct

23 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

Terms of Reference

24 Members received the Terms of Reference for the Committee.

Noted

Minutes

25 The minutes of the meeting held on 22 March 2018 were confirmed and signed.

Public Participation

26 Public Speaking

There were public questions received at the meeting in accordance with Standing Order 21(1). The questions are attached in an annexure to these minutes. It was clarified at the meeting that questions 1, 3 and 4 did not relate to the remit of the Regulatory Committee and would therefore be forwarded to the applicant to respond to outside of the meeting. The response to question 2 was provided as part of the introduction to the item by the Planning Officer at minute 27 below.

There were 28 public statements received at the meeting in accordance with Standing Order 21(2). All statements are attached in an annexure to these minutes.

Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

Alterations to the existing railway footbridge and erection of new ramp structures, providing step free access from the highway to the footbridge. Wareham Railway Station, Northport, Wareham, Dorset, BH20 4AS.

27 The Committee considered a report by the Head of Planning in relation to a replacement step free crossing across the railway line at Wareham Station. A site visit to Wareham Train Station was held on 16 November 2017 and attended by a number of members. Those members who had not attended the site visit took part in the debate as they felt that they were familiar with the site and had sufficient knowledge of the site to take part.

The Principal Planning Officer provided a presentation and detailed introduction to the application and an update sheet (attached as an annexure to these minutes). A site plan and images of the proposed ramps were shared at the meeting to explain the design and scale. It was explained that as the key north-south pedestrian access for Wareham there were in excess of 1000 movements across the current crossing and approximately 68 trains passed through the station each day. The presentation included photos showing the station and application site, including public crossing the train line, the bridge, platforms, buildings and the surrounding roads near to the site. Further context was provided regarding the grade 2 listed bridge and buildings, and the street scene.

The impact of the proposal on the listed building was explained. Two 2m wide-sections of the bridge parapet would be removed to allow two mobility scooters to pass. Additional brackets and columns would be added to the bridge under these cut outs. The Principal Planning Officer explained that for the most part, the setting of the listed building was relatively unaffected. However, there was particular concern about the impact on the setting from the East and on the relationship between the existing bridge and the signal box. It was explained that Purbeck District Council's Conservation Officer had assessed the harm to the listed building as less than substantial. As the proposal would result in harm to the listed building, the Principal Planning Officer set out the various alternative that had been considered.

In relation to the rail crossing, the background to the use of the public across the trainline was explained and the arrangements in place for the current manned crossing. Network Rail and the Office for Road and Rail had an ongoing concern in respect of the potential for incidents at the crossing and that there had been recorded near misses on the site between 2015-2017. Network Rail had closed over 1000 level crossings based on the same risk assessment methodology (this crossing had been assessed at D4 based on a scale of A-M and 1-13) in December 2017 which included the abuse of crossings. A photo was shown taken by the Principal Planning Officer during an unannounced visit showing the crossing guard holding back a person who was on the wrong side of the gates after they had closed. A video of what in Network Rail's view constituted a near miss was also provided for information.

The design of the step free proposal which provided for 1:12 gradient ramps was explained in detail, which conformed with the Design Manual for Bridges and Roads. Although it would be preferred that the ramps would normally be at a gradient of 1:20, this was not possible due to the need to retain a crossing at this point, amount of space available on site and the need to limit the impact on the Listed Buildings and their settings. Previously proposed schemes, and examples of other bridges in Dorset at 1:12 were provided as context.

Discussion had taken place with the occupier of the adjoining dwelling. As a result of their concerns, mitigation in the form of a mesh screen had been incorporated into the design so that they had withdrawn their objection.

Officers' conclusions were that the significant safety concerns and the need to maintain a crossing on the direct route from the North of Wareham to the South was sufficient to clearly outweigh the harm to the listed building and to the street scene.

Four public questions were received at the meeting in accordance with Standing Order 21(1), and twenty-eight public statements in accordance with Standing Order 21(2). It was clarified at the meeting that questions 1, 3 and 4 did not relate to the remit of the Regulatory Committee and would therefore be forwarded to the applicant to respond to outside of the meeting. The response to question 2 was provided as part of the introduction to the item by the Planning Officer. The questions and statements are attached as an annexure to these minutes.

The issues raised by members of the public addressing the Committee at the meeting are summarised below:

- Retention of the route as outlined in the Purbeck Neighbourhood Plan;
- Structure and visual impact of the proposed ramps;
- A proposed alternative layout for the ramps to provide a 1:15 gradient;
- The 1:12 gradient of the ramps and the impact on all users including those with disabilities and those who were able bodied, cyclists and use of buggies and pushchairs;
- That the proposal is a breach of the County Council's duty under the Equalities Act;
- That the ramps would be unusable in the winter when icy;
- It was contested that the ramps would not be wide enough for two scooters or wheelchairs to pass;
- The site would be used for skateboarders and rollerbladers;
- An asserted risk of breaching the Equalities Act by using ramp gradients too steep for disabled, especially those being pushed in wheelchairs, and less mobile people to use;
- The health and safety, and risk factor being rated as High when there had never been any fatalities or incidents at the site;
- Suggested alternative of using a controlled barrier, gates linked to signals, or other technology to retain a crossing in its current location;
- The negative impact on the existing Grade 2 listed building, which outweighed the public benefit of the proposal;
- Impact on the local heritage of Wareham as a historic town as the gateway to the Isle of Purbeck and world heritage site;
- The overriding need to take account of the local community views and needs;
- The design did not reflect the street scene or character of the locality;
- Access to services and the economic impact on Wareham in terms of local people using the town's amenities;
- Residents and visitors would be encouraged to go to Poole or Dorchester as an alternative to Wareham;
- It would adversely affect the regeneration of Wareham;
- The strong public support to keep the existing level crossing with barrier control/automation;
- It was important for the crossing not to be compared with the Poole pedestrian level crossing;
- There was an assumption of unlawful removal of public rights of way at the site;
- Concern that there were no alternatives that National Rail were prepared to look at which would retain the crossing;
- That Network Rail's risk assessment graded all level crossings as high risk;
- That the Office of Road and Rail would look at alternatives to a bridge, it is only Network Rail that is wedded to a bridge;
- The need to cross the bridge for tickets and return to the same platform;
- That the matter could be referred to the Council's Audit and Governance

Committee as a call-in;

- That the application was not in accordance with National Planning Policy Framework regarding good design, conservation and the Purbeck District Council Local Plan; and,
- Support from Michael Tomlinson MP to the views of the residents of Wareham in opposing the application.

The following clarifications were provided in response to points raised in the statements at the meeting:

- Although the Highways Authority was the applicant it was necessary for the County Council's Regulatory Committee to consider the application, but this was undertaken in an impartial way with assessment and decision making being carried out in the same way as any other application;
- It was also clarified that there was no further right of appeal or consideration by another committee of the Council relating to the decision of the Regulatory Committee as suggested in one of the statements; and,
- Legal advice had been received in relation to the stopping up of the road in the 1970s through a side roads order which extinguished all public rights. Any challenge to this position would be required separately to the planning application by the Council's rights of way team.

The following comments were made in favour of the application:

- The ramps would create a permanent step free and safe network for all users 24 hours a day, and included those with limited mobility;
- There was evidence of near-misses on site;
- The County Council had a duty to reduce as far as reasonably practicable the health and safety concerns relating to the site;
-
- Public access would cease in 2038;
- Over time the current situation was not tenable;
- Manned crossings were a thing of the past and not sufficiently safe; and,
- Automated barriers would be demonstrably less safe.

Local member representations were received from Cllrs Peter Wharf, Beryl Ezzard and Cherry Brooks. The representations echoed closely the concerns raised by members of the public, but with the addition of:

- Clarification that the proposal was not in accordance with policy for conserving and enhancing the historic environment (Section 12 of the National Planning Policy Framework (NPPF)); policy for good design (Section 7 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990); Policy LHH (Landscape, Historic Environment and Heritage) and Policy D (design) of the Purbeck Local Plan; and paragraphs 30 and 41 of the NPPF and Policies IAT and CEN of the Purbeck Local Plan;
- That not all avenues had been explored for an alternative crossing; and,
- Future alternatives could be found through developing technology in the future.

At this point the Committee asked questions of clarification before entering formal debate and decision making in respect of the application. A request was made for more information regarding the near misses associated with the crossing, to which officers clarified that there had been formally recorded near misses of 1 in 2015, 1 in 2016 and 1 in 2017. It was also clarified that the crossing was manned between 6am until 1am daily.

The reporting of issues and problems on bridges with 1:12 gradient slopes was raised as although there had been no recorded complaints or problems reported by the public to the bridges team, but there was no formal reporting procedure. It was also felt that from the examples provided at the meeting, and through the experience of local members, the 1:12 gradient was not appropriate for wheelchairs. It was also clarified that although a gradient of 1:12 was not preferred in general design principles, and a ramp of 1:20 would be, it was in line with the Design Manual for Roads and Bridges in exceptional circumstances due to the restricted space available.

Wheelchair and mobility scooter access and passing on the existing bridge and proposed ramps was discussed in detail. It was explained that the ramps were 2m wide which would accommodate for two standard width wheelchairs (650mm) to be able to pass. However, concern was expressed that there were a range of sizes of wheelchairs and scooters available. The width of the bridge was accepted as being more than the width of the ramps using reference to scale maps at the meeting.

Alternatives to the proposal were discussed in detail, and a number of members were keen to understand why the provision of automated barriers linked to the signalling system had not been considered as a viable alternative by Network Rail. It was clarified that the application was that of Dorset Highways and not Network Rail and it was the duty of the planning service to consider the application submitted, and although it was possible for alternatives to be looked at in planning terms, this related to alternatives to the impact on heritage assets and listed buildings affected by the development only. It was anecdotally referenced that Network Rail considered all level crossings to be unsafe and was therefore not considered to be an acceptable alternative and that it was known that Network Rail had planned to close a further 600 crossings in addition to over 1000 already closed on grounds of safety.

A question was asked about a possible alternative of developing pedestrian access to the bypass. The Principal Planning officer confirmed that he was not aware of any proposal for a footpath enhancement, and in practical terms this would be more out of the way that the proposed ramps.

The mitigation put in place in respect of the neighbouring property to the ramps was discussed as it was felt that although the property owner had discussed mitigations and had not objected to the proposal, in relation to good design principles it seemed to be too close to the property. Officers confirmed that the property owner had been consulted and there were no issues of overlooking, overshadow and no noise nuisance so it was therefore not unreasonable for it to be there.

Following questioning from the Committee, Cllr Margaret Phipps highlighted the importance of listening to the local community as well as material planning considerations and proposed that the application should be refused for the following reasons:

'1. The construction and presence of the proposed ramp would cause harm to the setting and therefore the significance of the Grade II listed bridge which forms part of a listed group of station buildings, as well as ancillary/curtilage buildings which are listed. No clear and convincing exceptional circumstances have been demonstrated to justify harm to the Grade II listed bridge. Neither would the harm to this nationally important heritage asset be clearly and convincingly outweighed by the public benefits associated with the proposed development, as other significantly less harmful alternatives are available.

2. Approval of such development would be contrary to government policy for conserving and enhancing the historic environment set out in Section 12, paragraphs 131, 132, 133 and 134 of the National Planning Policy Framework (NPPF, March 2012) and the proposed development would make no desirable positive contribution to local character and distinctiveness as encouraged by paragraph 131 of the National Planning Policy Framework.

3. Section 7, Paragraphs 56, 57, 61 and paragraph 64 of the NPPF states that permission

should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The excessive mass and scale of the proposed ramps will not improve the character of the historic bridge and station. This is also contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The application is contrary to Policy LHH (Landscape, Historic Environment and Heritage) of the Purbeck Local Plan. In addition, the ramps would detract from the street scene and be contrary to Policy D (Design) of the Purbeck Local Plan Part 1. This is because the application fails to demonstrate that the protection and enhancement of the setting of the designated heritage asset has been addressed. It also fails to establish that the adverse effect that the proposed development would have on the setting of the listed building, can be satisfactorily alleviated through appropriate and acceptable mitigating measures.

5. Also the proposal is likely to increase the use of motor vehicles, and therefore fails to promote sustainable transport, contrary to Paragraphs 30 and 41 of the NPPF and Policies IAT and CEN of the Purbeck Local Plan.'

The proposal was seconded by Cllr David Shortell who also indicated that alternatives should be considered.

Views were shared by members which supported the refusal of the application, whilst noting that the current arrangements were strongly supported by the local community, the significant impact to the character of the local area, and risk to the public and less mobile of icy conditions in the winter.

However, an opposing view was expressed that a deferral of the application could be considered based on the exploration and negotiation between the Council and National Rail for an alternative arrangement at the site, potentially with automated barriers.

On considering the proposal for refusal it was agreed that it would also be suggested that the Highway Authority and Network Rail be encouraged to enter into discussions about alternative solutions including an automated barrier system.

On being put to the vote the proposal was agreed unanimously.

Resolved

1. That the application be refused subject to the reasons set out in the minute above.
2. It is suggested that the Highway Authority and Network Rail enter into discussions about alternative solutions including an automated barrier system.

Questions from County Councillors

28 There were no questions raised by members under Standing Order 20(2).

Meeting Duration: 10.10 am - 1.35 pm

Public Participation

Questions

Norman Kilpatrick, local resident

Statements

1. Hilary Evans – Wareham Neighbourhood Plan Steering Group
2. Mark Egan – local resident (to be read by **Hilary Evans**)
3. Mark Titman – Titman Design
4. Rod Thomas – local resident
5. Graham Baynes – local resident
6. Gavin Johns – Chairman, Swanage Railway Trust
7. Tony Hill – local resident
8. Barrie Warren – local resident
9. Debbie Davis – local resident
10. Andrew Cannon – Resident of Wareham
11. Nick Fagan – Chairman, Wareham Town Trust
12. Charles Miller – local resident
13. Robin Humphries – local resident
14. Linda Kenyon – local resident
15. Kate and Rob Brailsford – local residents
16. Maxine Humphries – local resident
17. Ralph Holmes – local resident
18. Karin Forbes – local resident
19. Harold Forbes – local resident
20. Judith Price – local resident
21. John Neimer – local resident
22. David Peel – local resident
23. Cllr M Malcolm Russell – as a local resident
24. Cllr Carol Turner – Mayor of Wareham Town Council
25. Cllr D Budd – Purbeck District Council
26. Michael Tomlinson MP (letter to be read by **Cllr Mike Wiggins**)
27. Simon Gledhill – Dorset Highways (Applicant)
28. Stewart Firth – Network Rail

Local Councillors

Peter Wharf
Cherry Brooks
Beryl Ezzard

Agenda Item 6 - Alterations to the existing railway footbridge and erection of new ramp structures, providing step free access from the highway to the footbridge. Wareham Railway Station, Northport, Wareham, Dorset, BH20 4AS.

Questions

1. Norman Kilpatrick, Resident of Wareham

The railway companies would prefer level crossings abolished to avoid blame for accidents. There have been no accidents at Wareham. Who will take the blame if there is an accident or death on a long ramp? (Slipping, runaway pram or child's tricycle; or a heart attack and cardiac arrest in someone struggling up a ramp.)

Was the "near miss" used in publicity supporting closure of our crossing, genuine, or staged?

Why would Dorset County Council want to close the crossing, against all local opposition?

Why not barriers like those on Poole High Street? Who pays for ramps or barrier?

Statements

1. Hilary Evans – Wareham Neighbourhood Plan Steering Group

This is one of the most important issues for the people of Wareham in 50 years which will affect thousands of people's day to day lives for years to come.

In 2015 Purbeck District Council refused planning consent for a similar proposal for a ramped bridge for good planning reasons. Reasons which still apply to the current application and listed building consent was recently refused for the current proposal

2. Mark Egan – Local Resident

Can the regulatory committee provide additional drawings of the proposed crossing to show what it will look like in context and that impact factors have been considered. A front elevation on either side of the crossing should be available to the public. The current birds-eye drawing does not look in keeping with the station or a Market Town. Though I understand there is to be 'character features'. The residents of Wareham will be living with the construction for decades to come. Its consequences for the area can reflect a downturn in property value and overall appeal or as I hope you choose an in keeping design, gateway to the Purbecks and Swanage Railway.

There is a large illustration (approx 3mx3m) of SouthWest Trains vision of the region on the ticket office wall at a major west London station, Paddington I think. That vision should be reflected in the future design and layout of stations.

If the current design is simply a concrete construction in the available drawing then the design should be scrapped and another design sort.

3. Mark Titman – Titman Design

Wareham station's modest "gateway" is an introduction to our World Class Purbecks, and will be ruined by these ramps - splitting us into two towns and as bad engineering they are a lost **opportunity** for something elegantly modern, ornately traditional or curvingly landscaped. Not simply a railway engineer's functional design for an industrial structure... but a commodious and delightful 'Realto Bridge', 'Bridge of Sighs'- or 'Millenium Bridge'- ramps can be beautiful too. Most selfrespecting towns would commission a competition to get a world-class piece of Engineering. Please aim higher in your expectations- ramps can bring more than simply access.





4. Rod Thomas – Resident of Wareham

My wife and I have lived on Northmoor Park for over 40 years and have used the level crossing safely for all that time and have never heard of any person being harmed whilst using it.

We therefore object most strongly to the proposed ramp giving the following reasons:

(1) The Health and Safety aspects of the proposal.

The proposed ramps over the railway should not go ahead because it will make the lives of the people who have to walk into the town centre very difficult.

We shop regularly in Wareham and the thought of pulling a heavily laden shopping trolley up and down the long ramps fills us with dread. We may have to resort to taking the car and doing our shopping in

Poole, this will be a shame because we like to support the local shops and this proposal will not allow us to do that knowing how difficult parking can be especially in the summer months with all the visitors.

We are also concerned about the safety aspect of walking up and down the ramps at night.

Once you are on the ramps or on the bridge there will be the feeling of being trapped without any quick exit should you find yourself in a difficult situation. Lighting alone is not sufficient to make a person feel safe and unthreatened.

The fact that bicycles, mobility scooters, skateboards and pedestrians will all be using the narrow walkways is not really practical and could be quite dangerous

bearing in mind the number of people who use the crossing on a daily basis.

(2) The visual impact of the proposal:

The proposal is ugly and will be an eyesore completely out of keeping with our lovely Victorian railway station and bridge. It will look like a barrier and will have the psychological effect of separating the north of the town from the south of the town.

It is more suited to a motorway crossing and should have no place in a small market town.

5. Graham Baynes - Resident of Wareham

Page 14 Item `1.2 is incorrect. Powered gates have been installed since the clause was written. Network Rail disregards this.

The gates could be controlled through the signalling system, and the line speed either side of the crossing reduced to, say, 20 mph.

Network Rail has recently introduced ALARP (As Low as Reasonably Practical) to the Risk argument. Here, the word '*Reasonably*' is important. Since there have been no deaths and no incident involving injury for over 100 years, the risk must be low. Automating the safety gates would bring it to a totally acceptable level.

Ramps are not necessary.

6. Gavin Johns – Chairman, Swanage Railway Trust

The Swanage Railway's response to this application is to support it in principle, not as stated in the papers for this meeting.

We hold no particular view on the engineering solution now before you, as we believe this is a matter for the applicant and others, but simply wish this long standing matter to be resolved.

Implementation will enable the full track layout at Wareham station to be used. This will offer better services for passengers and reduce risk to train operations.

We would encourage compromise in order to achieve the physical work within the current funding timescale.

7. Tony Hill, Resident of Wareham

Dorset County Council is biased with these proposals, Council officers and employees being involved with Swanage Railway in various capacities to the detriment of the Wareham Public.

Sidings have been made ready for Swanage Railway without consultation, these sidings cannot be utilised until the existing pedestrian crossing is closed and sidings signalling linked into the Network Rail system. This being a major reason why they and Dorset county council wish to close the crossing and build the bridge.

Dorset county council would be turning their backs on ordinary folk and less mobile of Wareham, yet again, by supporting this application.

8. Barrie Warren – Resident of Wareham

Throughout my working life I have been connected with building and engineering design. The first principle with design is if looks wrong then it probably is. Well this bridge /ramp most certainly looks wrong.

It does seem that you are determined to push forward with a ramp crossing as opposed to an electronic controlled crossing. If this is the case I think you have missed trick. With new ramps to the east of the iron bridge there is absolutely no need to retain the east side access steps. With these steps out of the design there is no need to break into the cast iron bridge panels, instead you can use the existing east steps opening and maybe get away with a much simpler double ramp providing it meets the maximum incline angle

This is a brief summary of a letter and sketch already in your possession, I would like the chance to put these views forward at the meeting

9. Debbie Davis – Resident of Wareham

It seems to me that British Rail are hell bent in closing crossings, disregarding the wishes of local people.

You try pushing someone in a wheelchair up the steep long ramp, it is impossible!
Impossible for the elderly and infirm to climb It is too steep!!

What us locals want IS FOR THE CROSSING TO STAY AS IT IS, The present gates could be mechanised, no one need man it.

We have never had a fatality, and the crossing has been used for many, years. What an absolutely eyesore this ramp is.

10. Andrew Cannon – Resident of Wareham

I'm not a very good speaker in public, but would like to know why you need statements in advance, obviously to weigh the debate in your favour, surely a public meeting should be open to floor, but I'm sure the decision has already been done, 2nd and most important why waste that amount of money on the crossing, exactly how many accidents have there ever been on this particular crossing? Compared to accidents with fatalities on the north causeway, where just some simple lighting would save life's

11. Nick Fagan – Chairman of Wareham Town Trust

I wish to speak at the Committee to object to the proposal for the ramps for the following summary reasons:

- 1:12 gradient ramps not in compliance with DfT's Design Standards for Accessible Railway Stations, which specify that such ramps should be no steeper than 1:20
- 1:12 ramps would drastically reduce accessibility between the two sides of the town for ambulant disabled people and those in wheelchairs, meaning that there would be a breach of the Equality Act, which would affect not only residents but rail passengers
- Such a breach would be actionable in law and make any grant of planning permission for such ramps likely to be quashed under Judicial Review, as per our legal opinion from Sasha White QC
- The ramps would cause harm to the listed railway bridge and the setting of the listed station and signal box and, since there would be no public benefits arising from the proposal, the application must be refused in accordance with relevant policy in the development plan and NPPF

12. Charles Miller – Resident of Wareham

When railways cut public access operators had to provide LEVEL crossings

Our LEVEL crossing was NOT closed when the motor-traffic overpass was built.

To escape liability, privatised operators claim that LEVEL crossings are 'dangerous', but safe LEVEL CROSSING operate worldwide.

Operators who cannot operate a LEVEL crossing safely should NOT run railways.

The real focus is on how DCC came to take over our crossing and invest in an unwanted ugly structure. If DCC does not ensure safe crossing responsibility rests with the railway company, an investigation must begin.

DCC's Holton Heath Incinerator was abandoned following such an investigation.

13. Robin Humphries – Resident of Wareham

Points I wish to raise at the meeting on 14th June 2018

- The Duties of Local authorities to represent their voters
- The Most Dangerous Crossing
- The stopping up of the Crossing, cause and effect
- The Alternatives, the Rammed Bridge, using the A351 road bridge over Network rail tracks, keeping the level crossing in a modified form
- Cyclists usage of the Rammed Bridge and alternatives
- Mobility Scooters, walking disabled and young mothers
- The steepness of the ramps
- The Grade 2 listing and the violation of this footbridge
- The street scene
- The Equality Act 2010 and UN Convention
- Train passengers off loading at the transport exchange point
- Conclusions

14. Linda Kenyon – Resident of Wareham

On behalf of the Neighbourhood Plan Steering Group and the North Wareham Action Group I would like to make the following points.

The construction of an unsightly ramp will do nothing to enhance the appearance of an area which has been identified as an ideal area for re-generation providing much needed affordable housing and infrastructure services.

The addition of a further quarter mile walk into the town will undoubtedly lead to residents north of the crossing being deterred from this trip. In an area largely populated by elderly residents the need to use a vehicle will undoubtedly lead to people visiting Poole or Dorchester to complete their shopping needs.

The construction of this ramp will have the direct effect of cutting the town in two and disadvantaging the majority of residents in Wareham. I strongly urge the County Council to refuse this application given the adverse effects to the town and its residents.

15. Kate and Rob Brailsford – Residents of Wareham

We will not be able to attend the meeting on Thursday but wanted to register our opposition to the proposed ramped bridge to replace the level crossing in Wareham. We think this would be very detrimental to the future of Wareham as it would form an unnecessary barrier and cause the town to be split into two parts.

While Network Rail (or whoever) cites safety as the reason for the proposed change it is almost certainly financial. The railway crossing is often manned by a man in a cabin but surely some automatic crossing would be possible. We feel that a ramped bridge could prove even more dangerous with pedestrians vying with cyclists, mobility scooters and skateboarders.

While we are not able to speak at the meeting we would like to make you aware of our objections.

16. Maxine Humphries – Resident of Wareham

Below is a summary of the points I wish to make:

- My Objection to the Ramped Bridge proposal
- A divided Town, the Town old and new will be cut off from each other, to the detriment of both.
- This monstrosity is quite out of character and degrades the street scene
- Protection of a grade 2 listed structure
- The overwhelming opinion of the local population is for automated barriers controlled by Network Rail signalling system
- The right of way issue - it should never have been relinquished
- The solution so wanted by the local population - A cohesive society bound together as one unit, not divided by this monstrous Ramped Bridge.

17. Ralph Holmes – Resident of Wareham

Network Rail has already closed well over 1000 level crossings in the last ten years. They seem determined to close as many crossings as they can. They are unable to give me any examples of public foot crossings they rate as low or medium risk in the whole of Wessex on double track electrified line and I await information from them about other double track lines.

The solution for Wareham should be much the same as at Poole High Street. Both are pedestrianised crossings. Gates similar to Poole could be installed or a smaller version designed.

18. Karin Forbes – Resident of Wareham

The plans for this bridge have been rejected by the district council, the local MP and the community of Wareham. The Office of Rail and Road have confirmed that alternative solutions to a bridge would be acceptable to them. Only Network Rail are insisting that a bridge is the only option they will accept. In a

democracy the views of the majority should outweigh the desires of the management team of a barely accountable corporation.

19. Harold Forbes – Resident of Wareham

The proposed bridge represents a barrier that is similar in height and gradient to the Saxon walls that residents currently have to surmount when accessing the town from the north. Network Rail have claimed that pedestrian level crossings are a Victorian throwback but it would appear that DCC wants to take Wareham even further back in time.

20. Judith Price – Resident of Wareham

Since 1839 the Rail Company has been responsible for constructing and maintaining a safe crossing. In [December 1978](#) a Lease was signed between [British Railways Board](#) and DCC for the building of a road bridge over the railway.

In 1973 DCC had already placed an advertisement in the London and Western Gazettes' removing all Public Rights of Access over the railway line. DCC compounded their error by leasing the crossing from Network Rail and thus becoming responsible for safety.

The Ombudsman who is inundated with complaints has declined pursuing this one because as yet no one has suffered.

Ms. Knox, by coming here today you have carried out the promise you made in your inaugural speech post Grenville to listen to the people. Please support the crossing and not the unlawful ramps.

21. John Neimer – Resident of Wareham

Further to our telephone conversation; I would like to speak at the meeting to the effect that with local government finances in their present parlous state (only last evening the BBC national news reported from a retirement home in Bridport that the county might have to ration support for elderly and infirm citizens) that the money earmarked for the proposed bridge could be much better spent on something the people of the county really needs.

22. David Peel – Resident of Wareham

The elderly and infirm will not be able to use the ramps with the gradient proposed. The ramp users are not able to attend this meeting (technically in Wareham) because it is not accessible on foot by them, or by public transport and is miles from the ramp site. Those forced users will be the mothers with possibly multiple small children on 'bikes, scooters and/or in pushchairs, and the disabled on mobility vehicles or in wheelchairs, plus skateboarders and rollerbladers. How will this mix safely use, pass-by or overtake? The ramps are to be bi-directional, but not double width!

23. Cllr Malcolm Russell – speaking as a local resident

No Motion appeared in Wareham Town Council's minutes from 1970 to 1980 for stopping-up.

If this 'Regulatory Committee' agrees with Wareham residents, DCC can 'Call-in' this by passing same question to 'Audit and Governance'.

Originally Wareham Station had road level crossing gates

The bridleway was used for years before the Railway.

Any chance of any accident users would wish some sort of arrangement.

An ORR document of 2010 states that 'the feelings of the local community must be taken into account and full use of technology be made'. An AHBC level crossing as per ORR's website is the answer.

24. Cllr Carol Turner – Mayor of Wareham Town Council

I have known and used this crossing since I was a child when I used it daily to go to school, visit friends and walk into the town centre. In all my experience of this crossing I have known it to be safe and convenient and a vital link between the two halves of our town. It was never the intention to extinguish the pedestrian rights of way when the flyover was built and vehicular rights over the railway crossing were extinguished. Many would be unable to use the proposed ramped bridge which is far too steep at 1:12.

25. Cllr David Budd – Purbeck District Council

The proposal ramps to the footbridge would fundamentally change the look of the area and would result in substantial harm to the character and appearance of the area sufficient to lead to a refusal of planning permission.

The development will undoubtedly have a significant impact on the setting of the Grade II listed Railway Station and the character of the surrounding area harming the historic context of the railway station which gives rise to a strong presumption against permission being granted, this being a statutory presumption.

Purbeck District Council has refused planning permission for sound planning reasons, Dorset County Council should do likewise.

Wareham has fought for the best part of 10 years to keep the existing level crossing – why?

- To maintain a level crossing which can be used by all
- To maintain a convenient route between the north and south of the town and maintain social cohesion and a vibrant town centre
- And because there has been a crossing for 170 years without anyone being killed using it.

A Network Rail spokesman was quoted on the ITV Meridian News on Sunday saying, "Footpath level crossings that bring people into direct contact with train tracks have no place on the modern railway, that is why we are committed to closing them".

According to Network Rails website 'Level Crossing Results' for 2017/18 five trains struck pedestrians on crossings, it did not state if they resulted in fatalities. Compare this number with some 400 pedestrian deaths per year on the roads, but people are not being prevented from crossing the road.

Life is not without risk; the railway however has hyped the risk out of all proportion with their contrived risk assessments.

The proposed ramps will have risks, unauthorised use by skateboarders has been highlighted.

Compared with Wareham pedestrians using Wool level crossing are at far greater risk, not from being hit by a train but by vehicles with which they must share the crossing.

Wareham wants a gated or barrier controlled level crossing which can be operated remotely, as I understand East Holme and Wool are.

I have been told that this arrangement for a pedestrian level crossing is not 'Type Approved', well there must be many similar situations throughout the country – so get on and get it approved and built and save Wareham from the monstrosity and misery of the proposed ramped crossing.

26. Michael Tomlinson MP (letter to be read by Cllr Mike Wiggins)

MICHAEL TOMLINSON MP



HOUSE OF COMMONS
LONDON SW1A 0AA

Debbie Ward
Chief Executive
Dorset County Council
County Hall
Colliton Park
Dorchester
Dorset
DT1 1XJ

11th
June 2018

Dear

Debbie - Panel Members

Further to my letter to you from March, I write again to convey concerns raised with me about the future of Wareham level crossing.

I have made the case on numerous occasions, both to Dorset County Council and to Network Rail, that these proposals and preceding proposals do not have the support of the local community. There is a sense of deep frustration within Wareham that the strong voice of the community is being dismissed and as Member of Parliament for this area, I urge you to listen to the community on this matter.

The concerns raised with me are based on legitimate fears that these proposals will divide the town in two. These are concerns that I share. No acceptable solution has been put forward that does not negatively impact on the least mobile residents within our community. Wareham is a very strong community and the residents are campaigning strongly to keep the town together. I support them fully in this aim.

As I stated in my previous letter, the level of concern within the community extends well beyond that of a regular planning application and I note again the views of the District Council when they considered the future of the level crossing previously, and rejected these proposals.

I have previously chaired a meeting of local residents, which hundreds of people attended to show their concern. Further, I have offered to host key stakeholders to try again to look for a new and more acceptable solution. Rather than proceed with an option that has no support from the local community, I would ask that Dorset County Council and Network Rail reconsider my offer. Together we can surely use our collective expertise to find a solution that matches the hopes of Wareham residents.

Yours sincerely

Michael Tomlinson MP

Member of Parliament for Mid Dorset and North Poole

michael.tomlinson.mp@parliament.uk

020 7219 5844

www.michaeltomlinson.org.uk

26. Simon Gledhill – Dorset Highways (Applicant)

The primary objective of the proposal is to create a permanent and safe pedestrian highway network at Wareham Railway Station for all users of the current limited access permissive crossing.

The crossing has been determined as dangerous by both Network Rail and the Office for Rail and Road due to several near miss events. The County Council has a responsibility to reduce risk associated with the crossing as far as reasonably practicable.

Separating pedestrians and trains is the only way to eliminate risk entirely. The proposed ramp design achieves the separation and maintains step free access to Wareham Town Centre.

27. Stewart Firth – Network Rail

Network Rail is in support of Dorset County Council's initiative to erect ramps to the bridge at Wareham station, to facilitate closure of the footpath level crossing.

The crossing is no longer a public right of way and remains a means of access as a result of a lease between BRB and DCC, negotiated in the 1970's. Over time, the arrangements at the crossing have become untenable, culminating in the ORR threatening enforcement notice.

Manning level crossings is not a sustainable long term solution. It is not suitably reliable to mitigate risk nor is the continuous, high cost sustainable.

Local Member Statements

Cllr Beryl Ezzard

As the DCC Cllr for Wareham, I have been involved with campaigning to keep the pedestrian level crossing at Wareham Station, for ten years. Two years ago, I signed the SAVE OUR LEVEL CROSSING Petition which was presented to Dorset County Council in 2016 with more than 3,000 signatories. I therefore oppose most strongly, this application for the following reasons:

The community and I, are as determined and dedicated as ever to keep, or develop with partners, a solution that enables a LEVEL CROSSING to satisfy the Office for Rail & Road requirement for Health & Safety regulations. I support the Purbeck District Council's decision to refuse the Listed Building Consent; the station's Victorian buildings including the bridge, is only one of two Grade 11 Listed Stations in Dorset. I reject the DCC Officer's recommendations for the Council's proposed Planning Application for building a ramped crossing with 1:12 gradient.

Please consider very carefully the following issues when debating the Crossing, on how the outcome will affect the residents living on the north side of the railway.

1. The ramped bridge is unacceptable to most of the Wareham Community: almost 50% of residents in Wareham signed the Petition. There will be a crucial loss of economy for retail businesses in Wareham, as it will encourage folk, living on the north side of Wareham to using their cars to go Poole instead. Extra usage of cars will cause more congestion on the A351 thro' Sandford – this gives out the wrong message!
2. We have 29% of residents over 65's in Wareham with almost 10% over 85, some who are active, however, the ramped bridge will be a step too far; 5% will be very challenged as the report states:” undetermined impact” to enable them, if at all, to attempt the ramped bridge. Therefore, their independence, health and wellbeing will certainly be curtailed!
3. Passengers using public buses, when catching the train for London with luggage, will have to cross once to collect tickets at the Ticket Office or Machines on Platform 2 (downline), then take the bridge to the (up line) Platform 1 for London etc. will have a long weary walk!
4. The length of ramped bridge will almost double the time, effort and distance to walk into Wareham for schools, visiting the Doctor; Banks, Post Office, Library, Local Councils, Cinema, Café's and Pubs from the northside of town.
5. The Risk Factor, for Health & Safety reasons is rated high, Why? when in 130 years there has never been a fatality on this crossing? Or serious injuries? The evidence does not stack up – not convincing: gauged to be E4 by NR is listed 610th of 6,300 level crossings in the UK that NR monitor. So, there are 609 deemed more dangerous! NR have in other areas, been swayed by the local community, satisfying a local need by keeping their level crossing. why not ours?
6. For the many cyclists this will effectively stop up the “Sika Trail”; Wareham to Wareham Forest; forcing cyclists to use the flyover A351, towards Sandford – hazardous - potentially slowing traffic and negotiating heavy Clay Lorries coming from Trigon Quarry to Furzebrook Imerys Depot.

I challenge DCC/NR to prove that there is categorically NO alternative to their resolve to put in a ramped crossing with the 1:12 gradient.

I am not convinced that all possible alternatives have been researched? Pedestrian Crossings that swing up as a bridge have been noted on other UK railways? Also rails fitted with activators that send signals

to crossings to close? The electronic communication with Basingstoke Signalling system should but does not communicate with the Crossing Attendants, so their knowledge is still haphazard! There has been a failing to foresee a Plan "B" all along, which has left Wareham's community in limbo without a satisfactory outcome for over 9 years. I believe DCC/NR/ORR have a duty of care to the local community to develop a more pro-active partnership in resolving this; exploring cutting edge/state of the art technology used elsewhere the world. **This has never been just a railway crossing, it is the lifeblood of WAREHAM** which connects half of its residents to the Saxon Market Town. The massive support there is for keeping the pedestrian level crossing is not going away anytime soon, and we will campaign on, to prevent this unsightly unsatisfactory proposal.

Regulatory Committee Members support the locals of Wareham in their need to keep the level crossing at Wareham Station. This is a very emotive, serious issue, please consider carefully....and request a deferment for more information, if not entirely sure if all options have been explored. Thank you.