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**For the Attn. Angela Foster
Transport and Works Act Orders Unit
Department of Transport
Zone 1/14
Great Minster House
33 Horseferry Road
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Copy to Winckworth Sherwood LLP,
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Reference TWa/17/app/05/OBJ/3

Statement of Case

Dear Angela

Many thanks for your letter dated 25 May 2017. It is my intention to attend the inquiry and make representation with regards to the proposed closure of the Potters crossing (E19) which I use regularly.

One area of concern is that the proposed alternative route for the footpath is not suitable in its present state as although this route is designated as a footpath on old maps it runs close to Rivenhall Brook and on the occasions when I have tried to walk this way it has been waterlogged. Even now after two months without rain it is impassable. To reopen the designated pathway will require substantial engineering works (wooden platforms etc) and substantial costs to Network Rail.

Another point of contention is that the route across the Railway line Potters (E19) used by many dog walkers including myself on a daily basis is stated to be unsafe.

I would like to have an opportunity to challenge this assumption which I believe is based on a flawed software model used for the risk assessment! The flaw in this software is that it does not take into account straight line visibility at the point of the crossing. The risks associated with the crossing are calculated to be D4 which is well below the high risk levels of a B and C. I believe the only incident to have occurred at the crossing was the death of a Mr Terry Butler Aged 72 in 2012. He was not a local man or a dog walker and all the evidence points to a suicide or act related to mental health issues. Suicides will still be possible even if the crossing is closed as people can easily step over the fences along the railway line.

The other aspect of the diversion is that the alternative route goes under the Railway Bridge in Oak Road. Walking under this bridge is less safe (in my opinion) than the railway crossing since it has a single file priority system for vehicles with inadequate visibility and no traffic light system. This causes many Cars to fail to stop and give right of way leading to many accidents that put pedestrians walking under the bridge particularly with dogs at significant risk of injury. Accidents occur under this bridge every three to four weeks.

The Potters crossing was shown to have on average 12-15 users a day all of whom are local people who know the workings of the crossing well. For example we all know that when the signal lights which are visible from the crossing are green extra vigilance is needed as the lights will only be green when the road crossing at Kelvedon is open and therefore a train is authorised to enter that section.

Currently the crossing has been closed since early March for work which has not started yet much to my annoyance and that of other users, the rail replacement work was supposed to be completed and the crossing restored by the end of April 2017. A consequence of this closure is that people who use the crossing regularly are using it even though it has been left in an unsafe condition.

Furthermore the crossing was upgraded with LED lighting marking the way across early this year. What a waste of public money to upgrade a crossing and then to close it. I as a tax payer find this totally unacceptable.

Please feel free to contact me on the phone number below to discuss my objections as I am retired I am readily available for consultation.

Yours Sincerely

Peter Hope