

Open Report on behalf of Richard Wills, Executive Director for Environment and Economy

Report to:	Highways and Transport Scrutiny Committee
Date:	09 March 2015
Subject:	Temporary Closure of Level Crossings by Network Rail

Summary:

Following a request at a previous meeting of the Committee, this report sets out the legal framework and procedures for the temporary closure of Level Crossings by Network Rail to undertake maintenance or improvement works.

Actions Required:

The Committee is invited to consider and comment on the report.

1. Background

- 1.1 The law applying to level crossings is vast, complex and has evolved over the last 160 years. Currently laws primarily relating to railways and health and safety also apply.
- 1.2 Network Rail is responsible for the operation, maintenance and renewal of all level crossings on its network and must ensure that crossings work correctly and are safe to use. Under the Health and Safety at Work Act 1974, they have a duty to secure the health, safety and welfare of employees, as well as protecting the general public against risks arising out of work activities.
- 1.3 The County Council are responsible for the maintenance of any public highways on the approach to crossings. Local authorities may also have a duty on specific crossings via an Order made by the Secretary of State for Transport under the Level Crossings Act 1983, usually associated with the provision of appropriate signage.
- 1.4 During 2014, approximately 500 temporary closures were dealt with, the vast majority of which were short term for 1-2 days although some longer term closures were also processed owing to the current upgrading of the Joint Line to take freight traffic from the East Coast Mainline.

- 1.5 The procedure currently used for dealing with temporary level crossings closures is as follows:
- (a) Network Rail (through Centurion Traffic Management Services) send a circular detailing the works, etc., to the Traffic Orders Section.
 - (b) The circular is passed to the relevant Divisional Highways Office for their observations and recording on the Road Space Booking system. If a conflict with other roadworks or closures is highlighted on the affected road or diversion route, then this is discussed with Centurion to reach a compromise. However, Network Rail has the right to close a level crossing irrespective of any comments or objections by the County Council.
 - (c) If the closure is agreed, a circular letter is sent by the Traffic Orders Section to various affected organisations such as District and Parish Councils, Emergency Services and Bus Companies as soon as practicable. Local County Councillors are also sent the details for their information via email.
 - (d) Centurion Traffic Management Services are informed of the Council's agreement and are sent a standard circular detailing the alternative route for affected traffic and highlighting the requirement to erect advanced notice signs at least one week before the closure is implemented. They are also required to sign the closure and alternative route in accordance with the Statutory Regulations.
 - (e) Emergency closure requests are dealt with by directly contacting the Emergency Services only owing to the urgency of the works.
 - (f) Following completion of the works, Network Rail is charged a fee for processing the request (£175 for closures up to five days or £500 for closures over five days).
 - (g) All closures are recorded on the roadworks.org/Elgin website (approximately three months prior to the closure for planned works) when the relevant streetworks notices are submitted to the County Council so future and closures are available for the public to view.
- 1.6 The Council does not process a Temporary Traffic Restriction Order or advertise the closure in local newspapers (as with other types of closures/roadworks) since the works are carried out under Network Rail's powers to close crossings for maintenance/improvement.

2. Conclusion

- 2.1 It is recommended that the existing protocol for dealing with Temporary Level Crossing Closures as set out above is noted.

3. Consultation

a) Policy Proofing Actions Required

n/a

4. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report

This report was written by David Clark, who can be contacted on 01522 553066 or david.clark@lincolnshire.gov.uk

This page is intentionally left blank