

DRAFT ✓
MINUTE

Stewart, Jim

From: Anne Pinkerton [apinkerton@googlemail.com]
Sent: 14 December 2009 17:22
To: sue.johnston@orr.gsi.gov.uk
Cc: Ron.McAulay@networkrail.co.uk; Stewart, Jim; graeme.malcolm@weslothian.gov.uk
Subject: Kirknewton Level Crossing Community Council Meeting Minutes

Dear Visiting experts,

Minutes for approval

These are the draft minutes for the meeting of last Tuesday. I believe them to be fair. Please tell me if they accord with your memory of the discussion and mark points if they are wrong in your view. Again thank you for your time last week.

Kirknewton Community Council
Minutes
Tuesday 8th December 2009

Present and Apologies

Anne Pinkerton – Chair
Kirknewton Community Council Vice Chair Alex Linkston
Network Rail
Hugh Hunter-Gordon
Chair Kirknewton Community Council (Part) Wiltrud Farrell
Kirknewton Community Council
John Thomas
Kirknewton Community Council Treasurer Derrick Emms
Kirknewton Community Council
Stewart McKenna
Kirknewton Community Council
Brian Harding
Kirknewton Community Council
Victor Garrad
Kirknewton Community Council
Caroline Garrad
Kirknewton Community Council
June McDonald
Kirknewton Community Council
Archibald Harvey
Kirknewton Residents Association
Bryan Morgan
Kirknewton Resident
Liv Morgan
Kirknewton Resident
Rob Whealing
Kirknewton Resident
Kirsty McKeown
Kirknewton Resident
Joan MacKenzie
Kirknewton Resident & Headmistress Kirknewton Primary School

21/12/2009

Councillor Carl John
Councillor Dave King
Angela Constance
MSP Livingston
Peter Robertson
West Lothian Police
Jim Stewart
West Lothian Council, Roads Engineer
Graeme Malcolm
Transportation Manager
West Lothian Council
Ron McAulay
Director Scotland
Network Rail
Sue Johnston
Office of Rail Regulator
Alan Scott
First Scot Rail
Lisa Morton
Powerdown Officer,
Kirknewton Community Development Trust

Item 1 – Replacement of the Level Crossing at Kirknewton Station

AP opened the meeting.

This was an exploratory meeting intended to allow members of the local community and other stakeholders the opportunity to listen and contribute to an open discussion of this issue.

AP summarized the consultation with the local community to date and information received they had received. Following the STAG consultation with the local community in 2007, West Lothian Council produced a report outlining the conclusions of this consultation. This stated that the preferred scheme for replacing the level crossing was a road underpass, [a pedestrian underpass,] with a pedestrian footbridge with disabled lift, to provide a platform crossing for rail passengers. Kirknewton Community Council and members of the local community understood that this was the scheme that was being adopted and taken forward. Work to replace the level crossing at Kirknewton Station was among the major works scheduled for 2009. However, no work was undertaken during 2009.

It came to the attention of Kirknewton Community Council through a local farmer, Mr Miller, who is involved in discussions with Network Rail over land required for the scheme, that the line of the proposed road crossing and pedestrian underpass had changed and that there was now no pedestrian bridge included in the scheme. The local community do not know what is now proposed and would like details of the new proposed scheme. Everyone agrees that the current level crossing is dangerous and is eager that any further injury or loss of life should be prevented.

AP identified three important issues regarding replacement of the level crossing:

The station at the moment, has no crossing system for rail passengers who currently cross using the level crossing. A safe passenger crossing is needed

The current vehicle crossing i.e. the level crossing is dangerous. There has already been one fatality. A safe vehicle crossing is needed

The vibrancy and viability of Kirknewton as a community must be retained.

The meeting was opened to discussion.

21/12/2009

RM apologized for the fact that the local community had not been kept up to date with developments. Network Rail had wanted to conclude negotiations with Mr Miller concerning the acquisition of land required for the proposed scheme, before presenting detailed proposals to the community. However, since Mr Miller has now discussed the new proposals with Kirknewton Community Council it was no longer necessary to exercise degree of discretion over new proposals put forward by Network Rail and alternative proposals put forward by Mr Miller. The plans being discussed at the moment were neither the easiest nor the cheapest from Network Rail's point of view. However RM understood that closing the road would limit access to the village and would also impact on emergency access for fire, police and ambulance services.

RM presented plans showing Network Rail's original proposal to Mr Miller of a road underpass and pedestrian underpass scheme, their new proposed scheme and an alternative outline proposal produced for Mr Miller by WSP. JS provided further detail on road standards. The maps and diagrams were pinned up for inspection

Network Rail's original scheme involved a new curved section of road constructed to the south west of the current level crossing. It also featured a pedestrian underpass to the south west of the current level crossing. The side of the level crossing opposite Kirknewton Station. There was no pedestrian bridge featured in these proposals.

In Network Rail's revised scheme the curve of the new section of road had been reduced. This reduced the land take required from Mr Miller's farm. This had been done following discussion with Mr Miller in order try to safe guard the viability of Mr Miller's farm.

JS stated that the proposed new section of road in the revised scheme conformed to the minimum standards required for a distributor route. He stated that he wished to ensure that the road was of a sufficient standard to ensure that it did not become a future accident black spot.

The alternative scheme produced by WSP for Mr Miller further reduced the curve of the new section of road and the necessary land take from Mr Miller's farm.

RM stated that Network Rail did not favour this scheme because the longer span of the rail bridge crossing the road underpass would of the significantly increase the costs. The proposed section of new road in Mr Miller's scheme did not confirm to the minimum standards required for a distributor route but to less rigorous standard designed for residential streets.

RM pointed out that the outline drawing of this scheme did not include land necessary for the cut and road margins. He stated that taking this into account the land take in this scheme was similar to that of Network Rails revised scheme.

From general discussion

Questions and concerns raised by local residents Network Rail's proposed scheme and responses from Network Rail and West Lothian Council:

Local residents question why the preferred solution that emerged from the STAG consultation, a road underpass, **** and a pedestrian bridge with lifts, had not been taken forward.

West Lothian Council and Network Rail responded that the STAG consultation was design to elicit outline ideas and that alterations to the scheme had resulted from the process to testing the feasibility of the various options.

GM questioned whether the original report written by West Lothian Council had specifically mentioned a pedestrian bridge with lifts. A copy of this documents was produced and it was found that a pedestrian bridge with lifts had been specifically mentioned. October 2007

BH asked what the estimated duration for construction of Network Rail's proposed scheme was?

Would there be road and rail closures during construction and if so how long would these be?

GM responded that construction time would be approximately one year. Road closures would be minimal and of short duration as most construction would take place off road. Rail closures would also be short and carried out at off peak times to minimize disruption to rail services.

LM Would the new road lay out involve putting a round about at the junction of Laden Road, Milrig Road and the proposed new road? Local residents were concerned that this junction was already dangerous and could become more dangerous if the new road was added to this junction.

JS responded that the new junction would be a staggered T junction. This would provide a safe road layout without the need for a roundabout.

LM If West Lothian Council were eventually unable to reach an agreement with Mr Miller over the purchase of his land for the proposed scheme and sought a Compulsory Purchase Order would this delay the replacement of the level crossing?

GM stated that this would not be the case since West Lothian Council could initiate proceedings to acquire a Compulsory Purchase Order in parallel with negotiations with Mr Miller for a voluntary purchase.

Local residents felt strongly that the viability of Mr Miller's farm should be safe guarded.

RM responded that Network rail was also keen to safe guard Mr Miller's farm. However, having sought expert advice Network Rail disagreed with Mr Miller that their new proposed scheme with reduced land take would render his farm no longer viable.

Local residents questioned the designation of the road as a distributor route. They thought it should be classified a village street rather. If the road were classified as a village street would Mr Miller's alternative scheme not be of an adequate road standard.

JS responded that the distributor route standard was the minimum he was happy to endorse to ensure safety and adequate function of this route in view of its requirement to accommodate buses and emergency vehicles.

Local residents were unhappy about the position of the underpass so far from the platforms and the lack of a pedestrian bridge at the station. This would increase length of the route for pedestrians, and rail passengers changing platforms or walking to and from the station car park. They were concerned that the increased length of the platform interchange "The trail" would discourage use of the railway. They were also concerned that members of the public would continue to be tempted to nip across the track.

CG recounted several specific incidents she had witnessed as a regular rail commuter.

SJ and AS responded that members of the public would be prosecuted for trespassing on the track and that the track would be fenced off. However, local residents were not convinced that this is enforceable and or a sufficient deterrent.

Local residents questioned why the underpass could not be located at the station under the platforms rather than on the other side of the current level crossing.

RM responded that this was not possible due to practical engineering constraints because of the depth of underpass necessary and land the length of the ramps for disabled access.

Local residents were concerned for the personal safety of rail passengers and members of the public using the underpass at night, especially lone females.

Network Rail and First Scot Rail pointed out that CCTV would be installed and that trouble makers could be address via a remote speaker system some local residents did not feel that this would be an effective means of ensuring personal safety. They pointed out that it would take local police or British Transport Police stationed in Edinburgh some time to arrive on the scene of an incident. The police may therefore not be able to respond in time to prevent incidents from taking place.

Local residents questioned why the passenger pedestrian bridge that was specifically mentioned in the West Lothian Council Report of 2007 was no longer part of the scheme. They pointed to the fact there had been a passenger bridge at the station until electrification in 1992 and questioned why this had never been replaced. They were strongly in favour of a pedestrian bridge being included in addition to the pedestrian underpass as this would provide rail pedestrians and rail passengers with a short convenient routes across the railway.

SM Asked was a passenger bridge costed in the original proposal in West Lothian Council's 2007 report?)

GM responded that costs had now increased considerably from the original estimate of £6 million. Does the proposed Network Rail scheme provide adequate road access to cope with increased traffic and rail passengers that may result if/when the Calder Wood development goes ahead? Has land been set aside for the proposed park and ride scheme at Kirknewton Station for the Calder Wood development?

Was West Lothian Council/Network Rail unwilling to assign land around Kirknewton Station for the construction of a pedestrian bridge because the land was being safe guarded for the proposed park and ride scheme?

RM confirmed that the Network Rail's proposed scheme would be able to cope with the increased road and rail traffic from the Calder Wood development and that land had been set aside for the park and ride scheme.

RM reiterated that there was insufficient land available around Kirknewton Station to accommodate the construction of a pedestrian bridge with ramps without encroaching on residential properties and that it would have a significant negative visual impact.

RM stated Network Rails reasons for not favouring a passenger bridge:

A new pedestrian bridge would have to be fully DDA compliant. As a result it would require ramps for disable access. This would entail too great a land take around the station, that would involve encroaching into residents' gardens

It would would have an significant negative visual impact for those living near the station.

The bridge would have to be taller than is usual because the electric over head cables are higher over the level crossing, increasing land take and visual impact. The pedestrian bridge would have to be put in place before the level crossing was taken away so it would not be possible to avoid building a taller bridge in order to clear the higher overhead lines.

It would have to be open 24 hours and day and seven days a week because it would be a public access route and not just a route for rail passengers changing platforms.

Lifts could not therefore be to used. Lifts used in an unmanned station where immediate round the clock assistance could not be provided in case of someone becoming stuck in a lift. Edinburgh Park was the only example of an unmanned station with a pedestrian bridge with lifts instead of a ramp.

This had been allowed because the neighbouring housing development paid for round the clock on call lift engineers. Lockerbie Station has a recently constructed pedestrian bridge with lifts but this is a manned station. It was joked that lift engineers might get to Kirlnewton faster than railway Police in the event of an incident.

It was suggested that there could be a time lock on the lifts so that they were closed after the last train at night and reactivated before the first morning train.

Local residents had unresolved questions and concerns at the end of the meeting:

(RW) Could the new road not be used as a public access route for pedestrians so that a pedestrian bridge would only have to be open during the hours that the station was open?

(CG) Would the proposed park and ride not have a greater visual impact than a pedestrian bridge with ramps?

(SM) Could the developers of the Calder Wood development be required to contribute to the upgrading of Kirknewton Station and could this not be used as a source of funding to provide a pedestrian bridge in addition to a pedestrian underpass?

Local residents remained concerned that the a pedestrian underpass would put rail passengers and pedestrians' personal safety at risk, especially lone females and that CCTV, a station speaker system would be inadequate deterrents and that the response times of local and British Transport Police would be too long to prevent incidents from occurring.

Local residents remained concerned that the length of passengers pedestrian route entailed by the new pedestrian under pass scheme would be inconvenient and people would be tempted to nip across the track.

Local residents remained in favour of a pedestrian bridge with lifts in addition to a pedestrian underpass for use as the right of way of the new road route for pedestrian access to East Calder Concerns remained regarding reducing land take from Mr Miller's farm to ensure the farm's future viability.

There was a request for more detailed illustration of the visual impact of and land take necessary for a pedestrian bridge with ramps. A computer generated model and more detailed drawings were requested.

RM pointed out that Network Rail had not opted for the cheapest solution to replacement of the level crossing i.e. closure of the road or putting full barriers on the level crossing, but had tried to find a solution that took into account the concerns and interests of Mr Miller and the local community. Network Rail had invested considerable time and money in thorough investigation into the feasibility of various options, producing a detailed proposal and in 18 months of negotiations with Mr Miller to find a way forward that would reduce land take from his farm, ensure its future viability and result in a voluntary purchase of the necessary land. He stated that Network Rail would be unwilling to invest in a computer generated model of a pedestrian bridge with ramps to show the impact this would have on the local area and the land take required as this was expensive and had already been ruled out as a solution via thorough assessment of the various options available. He stated that Network Rail was willing to engage in further dialogue with the community and with Mr Miller to find the best way forward.

AC stated that further dialogue was needed. All parties would like the current level crossing replaced with a safer alternative. There was probably no practical solution that would be perfect for everyone, but she was hopeful that a compromise could be reached which would balance the interests of all stakeholders as fairly as possible.

AP summed up the meeting. No one within the local community wants the replacement of the level crossing to be delayed nor do they want to see any further accidents. The local community wishes to be included in future discussions rather than being informed of decisions once they have been made. Local people would like a solution that provides passengers with a quick, convenient platform to platform route that would encourage use of Kirknewton Station as a transport route into the future.

AP proposed a vote of thanks for everyone who had taken the time to attend the meeting. This was generally agreed.

Date of Next Meeting – 18.45 Tuesday 13th January 2010 – Kirknewton Village Hall

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