

The Network Rail (Copmanthorpe No.2 Level Crossing) (Land Acquisition and Closure) Order

TRANSPORT AND WORKS ACT 1992

Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006

THE NETWORK RAIL (COPMANTHORPE NO.2 LEVEL CROSSING) (LAND ACQUISITION AND CLOSURE) ORDER

DOCUMENT NR06: CONSULTATION REPORT

Rule 10(2)(d)

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Table 1 - Summary of the public and statutory stakeholder consultation **Error! Bookmark not defined.**

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- 1.1.1 Network Rail Infrastructure Limited (Network Rail) has applied under section 1 of the Transport and Works Act 1992 for a Transport and Works Act Order (“TWAO”) known as the Order. The purpose of the Order is to extinguish the existing Copmanthorpe No.2 Level Crossing (“the Crossing”), extinguish an existing footpath currently running over the Copmanthorpe No.2 Level Crossing and create a new public right of way for the purposes of diverting that existing public footpath via a new stepped footbridge (“the Project”).
- 1.1.2 The proposed Order would authorise Network Rail to acquire land and to temporarily acquire and temporarily use land for the purposes of the construction of the new stepped footbridge and the creation of a new public right of way.
- 1.1.3 The Order will not authorise the construction of any works or any other development. The new stepped footbridge is permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 and by the notice of prior approval granted by City of York on 24th November 2022 under the Town and Country Planning (General Permitted Development) Order 1995.

1.2 Purpose of this Report

- 1.2.1 This Report is submitted in accordance with Rule 10(2)(d) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (“the Application Rules”). In accordance with Rule 10(2)(d) of the Application Rules this Report summarises the consultation process undertaken by Network Rail during scheme development in preparation for the application for the proposed the Order.
- 1.2.2 The body of this Report summaries the consultations that have been undertaken by Network Rail on the proposed Order. In addition this Report contains various appendices which supports the main body of the Report. The Appendices to this Report present detail as follows.
- **Appendix 1-** Consultation with Schedule 5 bodies;
 - **Appendix 2-** Consultation with Schedule 6 bodies;
 - **Appendix 3-** List of stakeholder and public consultees;
 - **Appendix 4-** Consultation material at the virtual public consultation room;
 - **Appendix 5-** Public consultation invitation flyer and postal response form;

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- **Appendix 6**-Public consultation comments and responses;
- **Appendix 7**- Phase 1 stakeholder (statutory) comments and responses;
- **Appendix 8**- Phase 1a stakeholder (statutory) comments and responses;
- **Appendix 9**- Stakeholder (landowner) consultation responses; and
- **Appendix 10**- Feedback from the stakeholder (statutory) consultees during iterative consultation.

1.3 The Transpennine Route Upgrade Programme

- 1.3.1 The Order application forms part of the wider programme of works, known as the Transpennine Route Upgrade (TRU) which is a series of major rail investment programmes in the North of England between Manchester, Huddersfield, Leeds and York. The objective of TRU is to improve journey times and capacity between key destinations on the Transpennine route and improve overall reliability and resilience, as well as providing environmental benefits including contributing to the full electrification of the Transpennine route, supporting the Government's commitment to reduce carbon emissions and the Department for Transport's requirement to close all level crossings on the route.
- 1.3.2 TRU is a phased programme of works to upgrade rail infrastructure across the route between Manchester and York. It addresses the existing overcrowding and congestion on the route attributable to the limited capacity and dated infrastructure and supports economic growth, and "levelling up" opportunities across the north of England. The existing route carries a mix of fast express trains, local stopping services and freight trains but has not seen significant investment for many years.
- 1.3.3 In addition to TRU, Network Rail is carrying out a nationwide programme to consider level crossing safety issues and has advanced the closure of many level crossings, together with their replacement by safer alternatives. The electrification of the line and increase in speed and frequency of services on the line to be delivered by the TRU is expected to increase the risk to both level crossing users and passengers, therefore the Project will provide a safer way of access for all current level crossing users.
- 1.3.4 The Project will contribute to the collective aims of the TRU projects between Manchester, Huddersfield, Leeds and York, namely increasing service capacity and offering journey time benefits through the delivery of the closure of the Crossing and allowing level crossing users a safer way of passage over the railway by using the new stepped footbridge.

The Network Rail (Copmanthorpe No.2 Level Crossing) (Land Acquisition and Closure) Order**Document NR06 – Consultation Report***March 2023***2. APPROACH TO CONSULTATION****2.1 Consultation Strategy**

2.1.1 Network Rail is committed to early and thorough consultation with stakeholders (statutory and landowners) and the public. Before drawing up the detailed plans for the Project, Network Rail wanted to provide consultees with an opportunity to provide feedback on the proposals. This enables any key areas of concern about the plans to be identified at an early stage, and to inform design development. Where feasible, Network Rail continues to use the feedback from this element of the consultation process to influence the design as it develops.

2.1.2 As set out in **Error! Reference source not found.** below, a single-phase approach to consultation was implemented, allowing Network Rail to gather feedback on the proposals. Consultation took place between August and October 2021, and also in January 2023 and the feedback helped inform the detail of the proposals.

2.1.3 In January 2023, Network Rail wrote to four organisations who are listed in Schedule 5 of the Application Rules (see Appendix 1) as these organisations had not been consulted in September 2021. This is referred to in the Report as Phase 1a stakeholder (statutory) consultation.

2.1.4 Once consultation began in August 2021 it was iterative. Network Rail's intention was to work with all parties during the development of the Project and to address potential objections to the Project proposals, where possible.

2.1.5 To make sure that as many people as possible engaged in the consultation, Network Rail put in place a series of feedback mechanisms such as online questionnaires, hard copy feedback forms, email and a 24-hour helpline.

2.1.6 The responses to stakeholder (statutory and landowner) and public consultation have been considered and, where possible, have helped to shape the detail of the Project. Network Rail has provided feedback on consultation responses by appropriate means, including provision of further information to stakeholders, at meetings with individual stakeholders and correspondence. Such feedback will continue during the Order application process.

2.2 Consultation undertaken in accordance with the Application Rules

2.2.1 Network Rail has engaged with both the public (public consultation) and statutory consultees (termed stakeholder (statutory) consultation for the

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purposes of this Report), as required by Rule 10(2)(d) of the Application Rules.

2.2.2 Due to the fact that the Project proposals involve the compulsory acquisition of land and the rights over land, early consultation included engagement with the owners and a tenant of land potentially impacted by the Project (termed stakeholder (landowner) consultation for the purposes of this Report).

2.2.3 Stakeholder (statutory) consultation includes engagement with the organisations listed in Schedule 5 and Schedule 6 of the Application Rules (see Appendix 1 and 2), the relevant local authorities (City of York and Copmanthorpe Parish Council) and any owner, lessees, tenant or occupier of land potentially impacted by the Project (listed in the Book of Reference which supports the Order application). Appendices 1 and 2 to this Report list the stakeholder bodies in the context of any potential impact of the Project proposals. Appendix 3 provides a list of stakeholder consultees excluding those listed in the Book of Reference as well as consultees within the community.

2.3 Summary of consultation activity

2.3.1 Consultation took place at a key stage during the development and design of the proposals and has provided opportunities for interested parties to feedback comments while those proposals were evolving. Below is a summary of the consultation activities carried out to support the application for the Order.

Table 1 - Summary of the public and statutory stakeholder consultation

Date	Consultation activity
August 2021	Stakeholder (landowner) consultation
September – October 2021	Phase 1 public consultation
September – October 2021	Phase 1 stakeholder (statutory) consultation
January 2023	Phase 1a stakeholder (statutory) consultation
January 2023	Public information event

2.4 Stakeholder (landowner) consultation – Phase 1

2.4.1 The sections below outline the consultation that took place with stakeholder (landowners) between August 2021 and October 2021.

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- 2.4.2 The purpose of this consultation was to explain to landowners the potential impacts the Project may have on their land.
- 2.4.3 Through the consultation Network Rail worked to minimise impacts on rights and land interests, where possible. The feedback was also used to feed into the design development process, wherever practical, in order to meet the affected parties' needs and minimise objections.
- 2.4.4 As part of the of consultation, two options were presented to the landowners by letter and at face-to-face meetings. The options were:
- Option A – a stepped new footbridge at Yorkfield Lane. This option would close the existing Copmanthorpe No. 2 Level Crossing and replace it with a new stepped footbridge at the end of Yorkfield Lane.
 - Option B – Temple Lane diversion. This option would close the existing Copmanthorpe No. 2 Level Crossing and divert all users via the existing railway bridge on Temple Lane at the southern end of the Copmanthorpe village.
- 2.4.5 For the key themes from the feedback in Phase 1 stakeholder (landowner) consultation, please refer to section 3 of this Report.

2.5 Stakeholder (statutory) Consultation – Phase 1

- 2.5.1 Consultation with stakeholders (statutory) took place between September and October 2021.
- 2.5.2 Stakeholder (statutory) consultees were sent an email, inviting them to view the online virtual consultation room (see Appendix 4), created by Network Rail, which displayed the Options A and B as set out in section 2.4.4 above.
- 2.5.3 Consultees were given six weeks to provide feedback.
- 2.5.4 Those consultees who had not provided feedback after three weeks from being sent the email as set out in section 2.5.2 above, were contacted and reminded to provide feedback, if they wanted to.
- 2.5.5 Details of the statutory stakeholder bodies consulted are listed in Appendices 1 and 2. The issues raised by those consultees during the Phase 1 stakeholder (statutory) consultation and Network Rail's position in respect of those issues are set out in the table at Appendix 7.

The Network Rail (Copmanthorpe No.2 Level Crossing) (Land Acquisition and Closure) Order**Document NR06 – Consultation Report***March 2023***2.6 Stakeholder (statutory) Consultation – Phase 1a**

- 2.6.1 In January 2023, Network Rail wrote to four organisations who are listed in Schedule 5 of the Application Rules (see Appendix 1) as these organisations had not been consulted with in September 2021 (the Phase 1a stakeholder (statutory) consultation).
- 2.6.2 Network Rail sent a letter by email to the following four organisations:
- British Driving Society;
 - Royal Mail;
 - Transport Focus; and
 - Office Road and Rail.
- 2.6.3 The letter included details of Option A (being the preferred Option being progressed by Network Rail), a new stepped footbridge at Yorkfield Lane which has been granted prior approval by the City of York Council, and the associated powers which are included in the Order. Enclosed with the letter was a plan of the Project and a photograph of a stepped footbridge similar to which is proposed at Yorkfield Lane.
- 2.6.4 Consultees were offered to give feedback on the Project proposals and were also offered a meeting.
- 2.6.5 Consultees were given 16 days to provide feedback.
- 2.6.6 Feedback from the Phase 1a Stakeholder (statutory) Consultation is set out in table at Appendix 8.

2.7 Public Consultation – Phase 1

- 2.7.1 Public consultation is a crucial part of the planning process for any major new infrastructure project on the railway, giving lineside neighbours and stakeholders the opportunity to view our proposals in detail and any raise concerns they may have. However, continued concerns around social distancing meant that a busy face-to-face event was not a practical or attractive option for members of the public.
- 2.7.2 Network Rail created a virtual consultation, with all consultation materials hosted in a bespoke virtual consultation room. The virtual consultation room was available 24 hours a day for the duration of the consultation. It was designed to replicate the experience of a public exhibition, delivering the same engagement and transparency as a face-to-face forum or meeting. An image of the virtual consultation room can be found in Appendix 4.

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- 2.7.3 Public consultation took place between 6 September and 1 October 2021.
- 2.7.4 The materials displayed in the virtual room included:
- seven digital display boards containing Project information, benefits, the two options being proposed to be taken forward, discounted options, and next steps;
 - a 'Have Your Say' questionnaire to submit feedback; and
 - a facility to email a question or comment.
- 2.7.5 Copies of the consultation materials produced and used at the public consultation event can be found at Appendix 4.
- 2.7.6 In order to inform the local community and widely promote the public consultation, the following means were employed.
- An A5 invitation and information flyer and postage-paid feedback form was sent to 1400 households throughout Copmanthorpe Village (see Appendix 5).
 - Tweets about the public consultation were posted from the @theGNRP Twitter account (Network Rail's account for the Great North Rail Project) and shared from the @NetworkRailLDS account (Network Rail's account for Leeds City Station).
 - Information on the Project and the public consultation was made available on the Network Rail website: www.networkrail.co.uk/copmanthorpelx
- 2.7.7 Copies of the promotional materials for the public consultation can be found at Appendix 5.
- 2.7.8 Promotional materials also stated that information on the public consultation could be received by calling Network Rail's 24-hour helpline for those unable to access the online resources.
- 2.7.9 In order to capture feedback, Network Rail gave a range of ways for the public to feedback during the consultation process, which included:
- online – via a feedback form in the virtual consultation room;
 - post – via the postage-paid feedback form delivered to residents;
 - email – via TranspennineEngagement@networkrail.co.uk; and
 - phone – by calling Network Rail's 24-hour helpline.
- 2.7.10 Feedback received during the public consultation is set out at Appendix 6.

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2.8 Public Information Event

- 2.8.1 The public were also invited to a public information event at Copmanthorpe Methodist Church on 23 January 2023. This gave the public a final opportunity to ask Network Rail any questions about the Project before submission of the Order. No feedback was requested by Network Rail at the information event.
- 2.8.2 In order to inform the local community and promote the public information event, an invitation letter was sent to 1400 households throughout Copmanthorpe Village.
- 2.8.3 62 people attended the public information event, including members of the public, councillors and parish councillors.

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3.1.1 This section of the Report outlines the high-level themes that emerged as a result of stakeholder and public consultation. A breakdown of the comments received and Network Rail's response to the issues are given at Appendices 6 to 10.

3.2 Stakeholder (landowner) Phase 1

3.2.1 During Phase 1 stakeholder (landowner) consultation, Options A and B were presented to landowners and a tenant.

3.2.2 The feedback from a landowner was considered by Network Rail, and as a result of it, an access route was redesigned so that it is now located to the more southerly side of a landowner's field which will keep the Project away from a potential developer's anticipated plans.

3.2.3 For a breakdown of the comments received during Phase 1 stakeholder (landowner) consultation and Network Rail's responses, please see Appendix 9.

3.3 Stakeholder (statutory) Consultation – Phase 1

3.3.1 As part of the stakeholder (statutory) consultation, a total of five responses regarding the proposed Order were received from organisations within the six-week deadline.

3.3.2 The following themes emerged as key considerations:

- Support for Option A rather than Option B;
- A ramped footbridge would be a 'nice' alternative to a new stepped footbridge, but understood the land acquisition impacts and the higher costs of a ramped structure compared to a new stepped footbridge; and
- Preference for a ramped or new stepped footbridge at an alternative location – Copmanthorpe Sports and Recreation Centre.

3.3.3 All feedback was reviewed and considered by Network Rail and, where feasible, influenced the design going forward. For a breakdown of the comments received during Phase 1 stakeholder (statutory) consultation and Network Rail's responses, please see Appendix 7.

3.4 Public Consultation – Phase 1

3.4.1 In total 1,100 unique users viewed the virtual consultation room, with 351 responses to the survey.

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3.4.2 Consultees were asked if they supported the plans for the closure of Copmanthorpe Level Crossing, with an alternative crossing solution provided.

- 67% agreed/strongly agreed with the closure and replacement.
- The biggest reason given was on safety grounds, with many noting that they felt unsafe using the crossing themselves.
- Those disagreeing/strongly disagreeing (21%) were split between those considering the crossing to be safe and those not supporting the inconvenience of a longer diversion.

3.4.3 Consultees were asked of the two alternative options presented, did they have a preference and why.

- Option A – the stepped footbridge at York Field Lane - was favoured by 63% (198 people).
- The Top 3 reasons were the shorter diversion, a more convenient crossing point for them and maintaining a second crossing point in the village.
- Option B – the Temple Lane diversion - was favoured by 12% of respondents (38 people).
- The Top 3 reasons were making existing bridge's narrow footway safer, a more accessible option and a more convenient crossing point for them.
- Despite reasons being given for alternative options being discounted,
 - 18 respondents stated they would still prefer an option at the current crossing location
 - 51 respondents said they would prefer an option at the Recreation Ground.

3.4.4 Consultees were asked how often they currently used the existing Copmanthorpe Level Crossing.

- Frequently - more than once a week - 107 (34%)
- Rarely - less than once a week - 95 (30%)
- Seasonally - 61 (20%)
- Never - 49 (16%)

3.4.5 All feedback was reviewed and considered by the Network Rail project team and where feasible, influenced the design going forward. How Network Rail too account of the public consultation feedback can be found at Appendix 6.

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- 4.1.1 Between August 2021 and October 2021, Network Rail undertook a robust programme of stakeholder and public consultation on its proposals for the Project.
- 4.1.2 Consultees included the public, those organisations listed within Schedule 5 and 6 of the Application Rules (see Appendices 1 and 2), and any owner and tenant of land potentially impacted by the Project (listed in the Book of Reference that supports the Order application).
- 4.1.3 One phase of consultation was undertaken with stakeholder (landowners) and one phase was undertaken with both stakeholder (statutory) and public consultees.
- 4.1.4 In January 2023, Network Rail shared its Project proposals and invited feedback with four organisations listed within Schedule 5 and 6 of the Application Rules (see Appendices 1 and 2) who had not been previously consulted in August- October 2021.
- 4.1.5 Since first consulting with stakeholders in August 2021, many of the discussions with organisations and individuals has been iterative, with regular updates via Teams and site meetings. This approach will continue for the duration of the Project.
- 4.1.6 Consultation has been important in helping identify potential issues at an early stage of the Project's development. It has enabled Network Rail to collate as much feedback as possible as the design of the Project has been progressed. The comments submitted have been considered, and where possible, taken into account.
- 4.1.7 Network Rail recognises that a Project of this nature will inevitably have an impact on the area surrounding the proposed development sites. As such engagement with both stakeholders and the community will continue as the Project develops.

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Appendix 1 – Schedule 5 Consultees

The table below lists those to be served with a copy of the application and documents.

	Authority sought for:	Documents to be served on:	Proposed recipients	Project development and design consultation
1.	Works affecting the foreshore below mean high water spring tides, or tidal waters, or the bed of, or the subsoil beneath tidal waters.	<p>The Crown Estate Commissioners; the Trinity House; the Environment Agency; the Secretary of State for Environment, Food and Rural Affairs; the Secretary of State for Transport (marked “for the attention of Maritime and Coastguard Agency”); and, for works –</p> <p>(a) in or adjacent to Wales, the National Assembly for Wales;</p> <p>(b) in or adjacent to the counties of Devon and Cornwall and the Isles of Scilly, the Duchy of Cornwall; and</p> <p>(c) in or adjacent to the counties of Cumbria, Lancashire, Merseyside and Cheshire, the Duchy of Lancaster.</p>	Not applicable	Not applicable
2.	Works affecting the banks or the bed of, or the subsoil beneath, a river.	The Environment Agency and any relevant operator.	Not applicable	Not applicable
3.	Works affecting the banks or the bed of, or the subsoil beneath, an inland waterway comprised in the undertaking of the British Waterways Board or any reservoirs, feeders, sluices, locks,	Canal & River Trust; the Inland Waterways Association the National Association of Boat Owners and the Environment Agency.	Not applicable	Not applicable

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	Authority sought for:	Documents to be served on:	Proposed recipients	Project development and design consultation
	lifts, drains and other works comprised in or serving the undertaking.			
4.	Works affecting the banks or the bed of, or the subsoil beneath, a canal or inland navigation not comprised in the undertaking of the British Waterways Board or any of the reservoirs, feeders, sluices, locks, lifts, drains and other works comprised in or serving such canal or inland navigation.	Any relevant operator, the Environment Agency, the Inland Waterways Association and the National Association of Boat Owners.	Not applicable	Not applicable
5.	Works causing or likely to cause an obstruction to the passage of fish in a river.	The Environment Agency and, for works – (a) in England, the Secretary of State for Environment, Food and Rural Affairs; and (b) in Wales, the National Assembly for Wales	Not applicable	Not applicable
6.	Works involving tunnelling or excavation deeper than 3 metres below the surface of the land, other than for piling or making soil test.	The Environment Agency	Not applicable	Not applicable
7.	Works affecting an area under the control of a harbour authority as defined in section 57(1) of the Harbours Act 1964	The relevant harbour authority and the relevant navigation authority (if different).	Not applicable	Not applicable

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	Authority sought for:	Documents to be served on:	Proposed recipients	Project development and design consultation
8.	Works affecting a site protected under section 1 of the Protection of Wrecks Act 1973	For works – (a) in or adjacent to England, the Secretary of State for Culture, Media and Sport; and (b) in or adjacent to Wales, the National Assembly for Wales	Not applicable	Not applicable
9.	Works affecting, or involving the stopping-up or diversion of, a street or affecting a proposed highway.	The relevant highway authority or, where the street is not a highway maintainable at public expense, the street managers.	Consult with: City of York Council	The City of York Council was formally consulted at Phase 1 stakeholder (statutory) consultation. Meetings have taken place with City of York Council as the design of the Project has developed.
10.	The stopping up or diversion of a footpath, a bridleway or a cycle track.	Every parish or community council in whose area the relevant way or track is, or is proposed to be, situated, the Auto-Cycle Union, the British Horse Society, the Byways and Bridleways Trust, the Open Spaces Society, the Ramblers' Association, the British Driving Society and the Cyclists Touring Club; and for works – (a) in the counties of Cheshire, Derbyshire, Greater Manchester, Lancashire, Merseyside, South Yorkshire, Staffordshire and West Yorkshire, the Peak and Northern Footpaths Society, and (b) in the county of Bedfordshire, the borough of Luton and within the district of Mid Bedfordshire the parishes of Harlington and Shillington, and within the district of South Bedfordshire the parishes of Barton le Clay, Caddington and Slip End, Dunstable, Eaton Bray, Houghton Regis,	Consult with: Copmanthorpe Parish Council Auto-Cycle Union The British Horse Society Byways and Bridleways Trust Open Spaces Society The Ramblers British Driving Society Cycling UK	Auto-Cycle Union The British Horse Society Byways and Bridleways Trust Open Spaces Society The Ramblers Cycling UK were formally consulted at Phase 1 stakeholder (statutory) consultation. Meetings have taken place with Copmanthorpe Parish Council as the design of the Project has developed.

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	Authority sought for:	Documents to be served on:	Proposed recipients	Project development and design consultation
		<p>Hyde, Kensworth, Streatley, Studham, Sundon, Toddington, Totternhoe and Whipsnade, the Chiltern Society; and</p> <p>(c) in the County of Buckinghamshire, in the districts of Chiltern, Wycombe and South Bucks, and within the district of Aylesbury Vale the parishes of Aston Clinton, Buckland, Drayton Beauchamp, Edlesborough, Northall and Dagnall, Halton, Ivinghoe, Marsworth, Pitstone, Wendover and Weston Turville, the Chiltern Society; and</p> <p>(d) in the county of Hertfordshire, in the districts of Dacorum and Three Rivers, and within the district of North Hertfordshire the parishes of Hexton, Hitchin, Ickleford, Ippolitts, King's Walden, Langleigh, Lilley, Offley, Pirton, Preston and St Apul's Walden, the Chiltern Society; and</p> <p>(e) in the county of Oxfordshire, the district of South Oxfordshire, the Chiltern Society; and</p> <p>(f) in Wales, the Welsh Trail Riders' Association.</p>		<p>British Driving Society was formally consulted at Phase 1a stakeholder (statutory) consultation</p>
11.	The construction of a transport system involving the placing of equipment in or over a road.	The relevant street authority and, where the works are to be carried out in Greater London, Transport for London.	Not applicable	Not applicable
12.	Works affecting land in, on or over which is installed the apparatus,	The relevant statutory undertaker.	Royal Mail	Royal Mail was formally consulted at Phase 1a

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	Authority sought for:	Documents to be served on:	Proposed recipients	Project development and design consultation
	equipment or street furniture of a statutory undertaker.			stakeholder (statutory) consultation.
13.	Works in an area of coal working notified to the planning authority by the British Coal Corporation or the Coal Authority.	The Coal Authority.	Not applicable	Not applicable
14.	Works affecting– (i) a building listed under Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990; (ii) an ancient monument scheduled under the Ancient Monuments and Archaeological Areas Act 1979; or (iii) any archaeological site.	For works – (a) in or adjacent to England, the Historic England; and (b) in or adjacent to Wales, the National Assembly for Wales and the Royal Commission on Ancient and Historical Monuments in Wales.	Not applicable	Not applicable
15.	Works affecting: (i) a conservation area designated under Part 2 of the Planning (Listed Buildings and Conservation Areas) Act 1990; or (ii) an area of archaeological importance designated under section 33 of the Ancient Monuments and Archaeological Areas Act 1979.	15. (i) and (ii). For works – (a) in England, the Historic England; and (b) in Wales, the National Assembly for Wales.	Not applicable	Not applicable
16.	Works affecting a garden or other land of historic interest registered pursuant to section 8C of the	16. For works – (a) in England, the Historic England; and (b) in Wales, the National Assembly for Wales	Not applicable	Not applicable

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	Authority sought for:	Documents to be served on:	Proposed recipients	Project development and design consultation
	Historic Buildings and Ancient Monuments Act 1953.			
17.	Works affecting; (i) a site of special scientific interest of which notification has been given or has effect as if given under the Wildlife and Countryside Act 1981; (ii) an area within 2 kilometres of such a site of special scientific interest and of which notification has been given to the local planning authority; or (iii) land declared to be a national nature reserve under section 35 of the Wildlife and Countryside Act 1981; or a marine nature reserve designated under section 36 of that Act.	For works – (a) in or adjacent to England, Natural England; and (b) in or adjacent to Wales, the Countryside Council for Wales	Not applicable	Not applicable
18.	Works affecting a National Park or an Area of Outstanding Natural Beauty.	For works- (a) in England, the Countryside Agency; and (b) in Wales, the Countryside Council for Wales	Not applicable	Not applicable
19.	Works which are either: (i) within 3 kilometres of Windsor Castle, Windsor Great Park or Windsor Home Park; or (ii) within 800 metres of any other royal palace or royal park and	The Secretary of State for Culture, Media and Sport.	Not applicable	Not applicable

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	which are likely to affect the amenity or security of that palace or park.			
20.	Works which are within 250 metres of land which: (i) is, or has been within 30 years immediately prior to the date of the application, been used for the deposit of refuse or waste; or (ii) has been notified to the local planning authority by the waste regulation or disposal authority for the relevant area.	The Environment Agency.	Not applicable	Not applicable
21.	The carrying out of an operation requiring hazardous substances consent under the Planning (Hazardous Substances) Act 1990	The hazardous substances authority as defined in that Act and the Health and Safety Executive.	Not applicable	Not applicable
22.	Works not in accordance with a development plan and which either - (i) involve the loss of not less than 20 hectares of agricultural land of grades 1, 2 and 3a (in aggregate); or (ii) taken with the other associated works cumulatively involve the loss of not less than 20 hectares of such land.	For works – (a) in England, the Secretary of State for Environment, Food and Rural Affairs; and (b) in Wales, the National Assembly for Wales.	Not applicable.	Not applicable

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23.	(i) Works which would affect the operation of any existing railway passenger or tramway services provided under statutory powers; or (ii) the construction of a new railway for the provision of public passenger transport, or of a new tramway.	Passenger Focus or the London Transport Users Committee as the case may require.	Transport Focus (previously Passenger Focus)	Transport Focus (previously Passenger Focus) was formally consulted at Phase 1a Stakeholder (Statutory) consultation.
24.	Works to construct, alter or demolish a transport system or to carry out works ancillary to its operation or works consequential upon its abandonment or demolition.	Office of Road and Rail	Consult with: Office of Road and Rail	Office of Road and Rail was formally consulted at Phase 1a Stakeholder (Statutory) consultation.
25.	Works to construct new railways to which any regulatory provisions in the Railways Act 1993 would apply or provisions to amend existing powers in relation to railways subject to such regulation.	Office of Road and Rail	Not applicable	Not applicable
26.	The right of a person providing transport services to use a transport system belonging to another.	The operator of the relevant transport system.	Not applicable	Not applicable
27.	Works affecting land in which there is a Crown interest	The appropriate authority for the land within the meaning of section 25(3).	Not applicable	Not applicable
28.	Works to be carried out in Greater London.	The Mayor of London	Not applicable	Not applicable

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The table below lists those to be served with notice of the application.

	Authority sought for:	Documents to be served on:	Proposed recipients:	Project development and design consultation
1.	Works affecting the foreshore below mean high water spring tides, tidal waters or the bed of, or subsoil beneath, tidal waters (except where the land affected by the works falls within category 17 of Schedule 5).	For works – (a) in or adjacent to England, Natural England; and (b) in or adjacent to Wales, the Countryside Council for Wales.	Not applicable	Not applicable
2.	Works affecting the banks or the bed of, or the subsoil beneath a river.	The Crown Estate Commissioners; and (except where the land affected falls within category 17 of Schedule 5) for works – (a) in England, Natural England; and (b) in Wales, the Countryside Council for Wales	Not applicable	Not applicable
3.	Works affecting the banks or the bed of, or the subsoil beneath, an inland waterway, a canal or inland navigation, or any of the reservoirs, feeders, sluices, locks, lifts, drains and other works comprised in or serving that inland waterway, canal or inland navigation.	Any organisation (other than the Inland Waterways Association and the National Association of Boat Owners) upon which the Secretary of State has required the applicant to serve notice, as appearing to the Secretary of State to represent a substantial number of persons using the inland waterway, canal or inland navigation in question; and (except where the land affected falls within category 17 of Schedule 5) for works – (a) in England, Natural England; and (b) in Wales, the Countryside Council for Wales.	Not applicable	Not applicable
4.	Works affecting an area under the control of a harbour authority as	The navigation authority for any adjoining waterway (if different from the navigation authority for the harbour	Not applicable	Not applicable

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	Authority sought for:	Documents to be served on:	Proposed recipients:	Project development and design consultation
	defined in section 57(1) of the Harbours Act 1964.	area) and the conservancy authority for any adjoining waterway.		
5.	Works which would, or would apart from the making of the order, require a consent to the discharge of water into waters or onto land under Chapter 2 of Part 3 of the Water Resources Act 1991.	The Environment Agency.	Not applicable	Not applicable
6.	Works likely to affect the volume or character of traffic entering or leaving – (i) a special road, a trunk road; or (ii) any other classified road.	(i) For works - (a) in England, the Secretary of State for Transport (marked “for the attention of the Highways Agency”); and (b) in Wales, the National Assembly for Wales. (ii) The relevant highway authority.	Not applicable	Not applicable
7.	The construction of a transport system involving the placing of equipment in or over a road (except a level crossing).	Owners and occupiers of all buildings which have a frontage on, or a private means of access which first meets the road at, the part of the road in or over which equipment is to be placed, other than those on whom a notice has been served pursuant to rule 15(1).	Not applicable	Not applicable
8.	Works affecting any land on which there is a theatre as defined in section 5 of the Theatres Trust Act 1976 (interpretation)	The Theatres Trust.	Not applicable	Not applicable
9.	The modification, exclusion, amendment, repeal or revocation of a provision of an Act of Parliament or statutory instrument conferring protection or benefit upon any	The person upon whom such protection or benefit is conferred, or the person currently entitled to that protection or benefit.	Not applicable	Not applicable

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	Authority sought for:	Documents to be served on:	Proposed recipients:	Project development and design consultation
	person (whether in his capacity as the owner of designated land or otherwise) specifically named therein.			
10.	The compulsory purchase of ecclesiastical property (as defined in section 12(a) of the Acquisition of Land Act 1981).	The Church Commissioners	Not applicable	Not applicable
11.	Works in Greater London or a metropolitan county.	The relevant Fire and Rescue Authority within the meaning of Part 1 of the Fire and Rescue Services Act 2004 and the relevant Police Authority within the meaning of Part 1 of the Police Act 1996.	Not applicable	Not applicable
12.	The right to monitor, survey or investigate land (including any right to make trial holes in land).	Every owner or occupier of the land, other than an owner or occupier named in the book of reference as having a right or interest in or over that land.	Any owner or occupier of the land other than owner or occupier named in the book of reference as having a right or interest in or over that land.	Phase 1 public consultation was widely publicised, and through this consultation, the impacts of the Project were explained. Engagement with the public will continue throughout the duration of the construction period.
13.	Works or traffic management measures that would affect services provided by a universal service provider in connection with the provision of a universal postal service and relating to the delivery or collection of letters.	Every universal service provider affected.	Consult with: Royal Mail	Royal Mail was formally consulted at Phase 1a stakeholder (statutory) consultation.

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	Authority sought for:	Documents to be served on:	Proposed recipients:	Project development and design consultation
14.	Works in an area of coal working notified to the planning authority by the British Coal Corporation or the Coal Authority	The holder of the current licence under section 36(ii) of the Coal Industry Nationalisation Act 1946 (savings as to certain coal) or under Part 2 of the Coal Industry Act 1994 (licensing of coal mining operations)	Not applicable	Not applicable
15.	Works for which an environmental impact assessment is required.	For works – (a) in England, the Design Council; and (b) in Wales, the Design Commissioner for Wales	Not applicable	Not applicable
16.	The compulsory acquisition of land, or the right to use land, or the carrying out of protective works to buildings.	Any person, other than a person who is named in the book of reference described in rule 12(8), whom the applicant thinks is likely to be entitled to make a claim for compensation under section 10 of the Compulsory Purchase Act 1965 if the order is made and the powers in question are exercised, so far as he is known to the applicant after making diligent enquiry.	Any person who is likely to have a claim under section 10 of the Compulsory Purchase Act 1965.	Not applicable

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Appendix 3 – List of consultees – Stakeholder and Public

Stakeholder (statutory) Consultees

- City of York Council
- Copmanthorpe Parish Council
- Office of Road and Rail
- Royal Mail
- Transport Focus
- British Horse Society
- Environment Agency
- Auto-Cycle Union
- Byways and Bridleways Trust
- Open Spaces Society
- The Ramblers
- British Driving Society
- Cycling UK

Public Consultees

- Members of the local community and wider public
- City of York Councillors
- Bishopthorpe Parish Council
- Julian Sturdy, MP for York Outer

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Appendix 4 – Consultation materials: virtual public consultation room and display boards

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NetworkRail

Copmanthorpe Level
Crossing Consultation

1. Overview of Level Crossing

York to Church Fenton Improvement Scheme

We're working to upgrade the route between York and Church Fenton to provide a more reliable and resilient railway for passengers. This work is in preparation for the Transpennine Route Upgrade (TRU), which will provide more capacity and faster journeys between Manchester Victoria and York, via Leeds and Huddersfield.

Copmanthorpe Level Crossing

Copmanthorpe level crossing is a public right of way that crosses four lines of electrified railway. Our proposals as part of TRU include increasing the line speed (the speed at which trains can run) on the section of track next to Copmanthorpe village. As a potential user of the level crossing and/or lineside neighbour, we would like to get your views on the closure of the crossing and alternative crossing options.





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NetworkRail



Copmanthorpe Level Crossing Consultation



2. Level Crossing Safety

Making Your Crossing Safer

Network Rail is responsible for maintaining the railway network, and this includes making it as safe as possible for passengers and the public.

As we are proposing to increase the speed that trains currently run on the track next to Copmanthorpe village, we want to close Copmanthorpe level crossing to replace it with a safer, alternative way to cross the railway.

Level crossings can pose a serious risk to members of the public; therefore, we want to reduce the risk of an accident and create a safer way for the public to cross.

As a potential user of the level crossing and/or lineside neighbour, we would like to get your views on the closure of the crossing and our two proposed alternative options. This will help us to identify the best possible solution, while minimising disruption.



AN AERIAL VIEW OF THE CURRENT LEVEL CROSSING, LOOKING SOUTH



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Copmanthorpe Level Crossing Consultation

3. Design and Engineering

Design and Engineering

As part of the Transpennine Route Upgrade (TRU), we plan to deliver improvements to the railway for passengers, while working closely with the local community to provide the best and safest solutions for you. Where possible, our approach to design and engineering maximises every opportunity to use land within the existing railway corridor.

We have two options for an alternative crossing:

Option A Stepped Footbridge at York Field Lane



This option would close the existing level crossing and replace it with a stepped footbridge at the end of York Field Lane. We propose to install a two-metre-wide footbridge with two-metre-wide staircases.

Option B Temple Lane Diversion



This option would close the existing level crossing and divert all users via the existing railway bridge on Temple Lane at the southern end of Copmanthorpe village. This would require either a re-deck of the current bridge, or an additional walkway to be added to the north of the bridge.



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Copmanthorpe Level Crossing Consultation

Have Your Say

You can share your views on the closure of the crossing and our two proposed alternative options by filling out our online survey:
www.networkrail.co.uk/CopmanthorpeLX

You may have also received our feedback form, which you can return via freepost.



Comments can be submitted between Monday 6 September and Friday 15 October 2021.

Next Steps

Following the consultation process, we will consider all the feedback received and aim to conclude on a preferred option, and on the consents and approvals to deliver the scheme, in the first quarter of 2022.

We will then go back to the community to provide further information and consult on our preferred option, including information on the consenting process and timescales.

For further information, visit:
www.networkrail.co.uk/CopmanthorpeLX
 or email: TranspennineEngagement@networkrail.co.uk


You can also call Network Rail's 24-Hour National Helpline: 03457 11 41 41



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 Copmanthorpe Level Crossing Consultation
  **OPTION B**

Temple Lane Diversion

This option would close the current level crossing and divert all users via the existing railway bridge on Temple Lane at the southern end of Copmanthorpe village, with a new footpath built to the east of the railway.



Design and Engineering

In order to achieve this diversion, enhancements would be made to the existing Temple Lane bridge over the railway to provide a footpath on the north side of the bridge. This would require either a re-deck of the current bridge, or an additional walkway to be added to the north of the bridge. A new footpath to the east of railway would also be built to connect the route to the current crossing location.

Construction

To build a footpath to the current Temple Lane Bridge, the existing bridge would require work to facilitate the reconfiguration.

Both temporary road closures and railway closures would be needed to carry out some of the work to the bridge, including installing foundations, alterations to existing bridge and installation of the footbridge. We will keep both the local community and passengers updated regarding closures to the road or railway and this will be communicated well in advance to the work taking place.

To facilitate this work, a temporary construction compound will be needed. The compound will include essential welfare facilities for staff and a place to store plant and materials. The details of the compound will be developed and shared with the community if this option is taken forward.

Work may also generate noise and dust; however, measures will be put in place to minimise any impact to the community. Any work due to be carried out will be communicated regularly through letters and community events.

We anticipate the length of time we will be in construction is up to six months.



Public Right of Way

The proposed diversion would be 1.33km on the west side of the crossing to Temple Lane Bridge, then 1.01km back to the existing crossing on the east side. This is a diversion of approximately 2.34km.

Environment

In order to build a footpath on the east side of the railway, some land would be required.

The re-deck or additional walkway added to the north of the bridge will be bespoke to fit in with the surroundings and sympathetic to the current Temple Lane bridge. Lighting over the bridge walkway will be considered.

To configure the bridge to include a new walkway, vegetation removal may be required in the area.



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OPTION A

Stepped Footbridge at York Field Lane

This option would close the current level crossing and replace it with a stepped footbridge at the end of York Field Lane, approximately 350 metres north along the railway from the existing crossing location.

Design and Engineering

We propose to install a two-metre-wide footbridge with a two-metre-wide staircase. The footbridge will be high enough to allow the overhead electrified lines to safely pass underneath.



Public Right of Way

The proposed footbridge would be a 420 metre diversion of the public right of way on the west side of the crossing, then 310 metres back to the existing crossing on the east side. This is a diversion of around 730 metres.

Environment

Land would be required to construct the footbridge and to provide a footpath on the east side of the railway to divert back to the current crossing location. Construction of the footpath would mean some vegetation would need removing prior to building.

Due to the height and width of the footbridge, it is anticipated that there will be a noticeable change to the local view. However, existing trees in the area may act as a natural barrier between the residential houses and the proposed location.

Construction

Due to the ground conditions in the area, we would need to carry out some piling work during construction for the foundations of the footbridge. While some of the construction work will take place on site, the main bridge structure would be lifted in place in sections over the railway.

In order to build the footbridge, a temporary construction compound will be needed. The compound will include essential welfare facilities for staff and a place to store plant and materials. The details of the compound will be developed and shared with the community if this option is taken forward.

Work may also generate noise and dust; however, measures will be put in place to minimise any impact to the community. Any work due to be carried out will be communicated regularly through letters and community events.

We anticipate the length of time to construct the stepped footbridge would be up to six months.



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Copmanthorpe Level Crossing Consultation

Crossing Options Not Taken Forward

We have considered several other options for an alternative crossing, ranging from closure to enhancement. Below explains why these options have not been taken forward.

Footbridge at the current crossing location

- A footbridge at the current location was considered but this was not taken forward, mainly due to the visual impact this would have on nearby residents.

Footbridge at the recreation ground

- Both a stepped footbridge and a ramped footbridge were considered in this location.
- Recreation ground land would be required to build either bridge option, which would decrease the usable size of the recreation area for the community.
- A footbridge at this location would be visually intrusive for nearby residents.
- A long construction period of up to eight months would restrict recreation ground use for a prolonged period.

Ramped Footbridge at York Field Lane

- A ramped footbridge option was also considered in this location but was not considered suitable as it would be visually intrusive for nearby residents and it would require additional land.
- A ramped bridge would be a very large structure with a large footprint and 175m ramps on both sides of the railway, with consequent impacts on the landscape, views and nearby residents.
- Construction of a ramped bridge would also take up to eight months.

Subway/underpass

- This solution was considered at both the recreation ground and the existing level crossing location.
- A dedicated pumping station may be needed to prevent flooding, but during extreme rainfall flooding may occur anyway, leading to closure of the route, possible structural damage and risk to users' safety.
- Railway verge vegetation would need to be permanently cleared and construction would involve the removal of large quantities of material and the use of lots of concrete. Construction would require a large compound and would be disruptive for 3-6 months. If the subway was at the existing crossing location, construction access would be restrictive and noise levels for nearby residents may be unacceptable.
- The footprint of the subway would require additional land take, which if at the recreation ground would also decrease the usable size of the recreation area for the community.



EXAMPLE OF A RAMPED FOOTBRIDGE



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Appendix 6 – Public consultation: comments and responses

The table below summarises feedback received from the public consultation. The feedback includes comments submitted via the public consultation feedback form.

Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
1	Impact on connectivity - diversion length, convenience and enjoyment	Feedback received:		<p>Option A enables Network Rail to divert the public right of way via the shortest and safest alternative.</p> <p>As part of the option selection process, which considered consultation feedback, Option B was discounted in favour of Option A. Option A forms part of the Order development, except for the new stepped footbridge which has prior approval consent from the City of York Council.</p>
		• Inconvenience of a long diversion (Option B)	13	
		• Proposed footbridge at York Field Lane (Option A) thought to be a shorter diversion	7	
		• Proposed bridge enhancement at Temple Lane option (Option B) diversion thought to be too long	44	
		• Proposed bridge enhancement at Temple Lane option (Option B) closer to the resident's home	2	
2	Safety - summary of issues raised (positive re. impact of closure on safety)	Feedback received:		<p>As part of the TRU programme of work, there will be an increase in both speed and frequency of rail services which will increase the safety risk to the users of the Crossing. In addition, there is a current safety risk at the Crossing. By closing the Crossing and diverting the existing footpath which runs over the Crossing via a new stepped footbridge, Crossing users will no longer have to wait to cross the railway and will be able to safely access the countryside using the new stepped footbridge to cross the railway. Option A enables Network Rail to divert the public right of way via the shortest and safest alternative.</p>
		• Safety concerns about using the existing crossing	125	
		• A bridge would be safer than the existing crossing.	13	
		• Proposed bridge enhancement at Temple Lane option (Option B) would make the existing narrow Temple Lane bridge safer	9	

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Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
3	Safety - summary of issues raised (negative re. impact of closure on safety)	Feedback received:		As part of the TRU programme of work, there will be an increase in both speed and frequency of rail services which will increase the safety risk to the users of the Crossing. In addition, there is a current safety risk at the Crossing. There have been 12 incidents at the Crossing over the last 10 years, including two near misses and two fatalities. The Crossing is classed as high risk – All Level Crossings Risk Model (ALCRM) B2. Collective risk is presented as a simplified ranking 1 to 13. 1 is the highest, 12 is the lowest and 13 is 'zero' risk. Risk per traverse is also presented as a simplified ranking A to M. A is the highest, L is the lowest and M is 'zero' risk. All level crossings carry risk, and they are the largest single contributors to train accidents and risk on the railway network.
		<ul style="list-style-type: none">• Danger risks have been overstated• It is only about trains being able to run faster, not safety	19	
4	Construction issues (disruption, noise, mess, etc.)	Feedback received:		Network Rail's principal contractor ("the contractor") will comply with Network Rail's Contract Requirements Environment which are designed to make sure that the contractor acts in accordance with Network Rail's Environmental Policy Statement and also contributes to meeting Network Rail's environmental obligations and commitments. Network Rail will produce an Environmental and Social Management plan which will set out how construction impacts are managed and identify ways of mitigating them.
		<ul style="list-style-type: none">• Concerns about general disruption	3	
		<ul style="list-style-type: none">• The construction of the proposed footbridge at Yorkfield Lane (Option A) will cause less disruption to the village	11	

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Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
				Network Rail is committed to engaging with the local community during the construction works and when necessary, will engage with the City of York's Environmental Health Officer.
5	Cost	Feedback received:		<p>The Project has been funded and approved thus far by the Department for Transport (DfT) and Her Majesty's Treasury. There are continuing funding requirements, and the Project has to continue to demonstrate value for money for the taxpayer. With all governance gateways so far having been passed, it is shown that the Project is an efficient use of taxpayers' money.</p> <p>The enhancements to the existing Temple Lane bridge option (Option B) would lead to a longer diversion, reduce the number of crossing points across the railway line in the village from two to one, with the remaining option being at the southern edge of the village. Option A will maintain two crossing points across the line.</p>
		• Proposed footbridge at York Field Lane (Option A) is more cost effective	9	
		• Proposed bridge enhancement at Temple Lane option (Option B) thought to be cheaper	3	
		• Questioning the justification of the cost	1	
6	Landscape & visual impact and Green Belt	Feedback received:		<p>The new stepped footbridge will be compliant to current design standards and specifications; however, Network Rail acknowledges that due to its height and width there will be a visual impact on the local community. Mitigation measures to minimise these impacts, such as material finishes, new planting and screening, will be identified as required.</p>
		• Footbridges are not visually intrusive	1	
		• Proposed bridge enhancement at Temple Lane option (Option B) would be less visually intrusive than a new footbridge	2	
7	Accessibility (ie ease of use for those with	Feedback received:		The diversion of the public right of way for Option A would be 420 metres on the west side of the

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Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
	reduced mobility, including those with pushchairs, walking sticks, wheelchairs, cycles etc)	<ul style="list-style-type: none"> Concerns about a long diversion (for Option A and Option B) Proposed bridge enhancement at Temple Lane (Option B) felt to be more accessible, improving accessibility for disabled people and people with pushchairs Option A is not suitable for pushchairs Concerns about the removal of the ability for bicycles to cross and the severing of the Ebor Way Asking for bicycle provision on the bridge 	2	Crossing, with 310 metres back to the Crossing on the east side. This is a diversion of approximately 730 metres.
			4	
			4	The diversion of the public right of way for Option B would be 1.33km on the west side of the Crossing to Temple Lane bridge, then 1.01km back to the Crossing on the east side. This is a diversion of approximately 2.34km.
			14	
		<ul style="list-style-type: none"> Concerns about a long diversion Proposed bridge enhancement at Temple Lane option (Option B) felt to be more accessible improving accessibility for disabled people and people with pushchairs. 	2	The enhancements to the existing Temple Lane bridge option (Option B) would lead to a longer diversion, reduce the number of crossing points across the railway line in the village from two to one, with the remaining option being at the southern edge of the village. Option A will maintain two crossing points across the line.
		<ul style="list-style-type: none"> Concerns about safety of existing narrow Temple Lane bridge 	4	
		<ul style="list-style-type: none"> Proposed footbridge at York Field Lane (Option A) not suitable for pushchairs 	1	Prior approval to build the new stepped footbridge has been granted by the City of York Council and does not form part of the Order.
			4	Powers sought in the Order to divert the existing public footpath over a new stepped footbridge means that the Ebor Way will not be severed.
9	Respondents suggesting alternative options	Feedback received:		Network Rail considered the option of a new stepped footbridge at the current Crossing

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Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
		<ul style="list-style-type: none"> • Option at the current crossing location • Option at the Recreation Ground • Against an option at the recreation ground 	<p>18</p> <p>51</p> <p>4</p>	<p>location. However the option was not taken forward because of the visual impact a new stepped footbridge would have on local residents and the amount of land required to build the structure.</p> <p>Network Rail considered a stepped footbridge and a ramped footbridge at the Copmanthorpe recreation ground. This option was not taken forward for the following reasons:</p> <ul style="list-style-type: none"> • Recreation ground land would be required to build either bridge option, which would decrease the usable size of the recreation area for the community. • Both options would be visually intrusive to nearby residents at this location. • A ramped footbridge would be a very large structure with a large footprint and 175m ramps on both sides of the railway, with impacts on both the landscape and the local community • A construction period of up to eight months to build both options would restrict access and use of the recreation ground <p>Network Rail considered a subway/underpass at both the recreation ground and the Crossing location. These options were not taken forward for the following reasons:</p>

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Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
				<ul style="list-style-type: none"> • A dedicated pumping station may be needed to prevent flooding, but during extreme rainfall, flooding may occur, leading to the closure of the route, possible structural damage and risk to users' safety. • Railway verge vegetation would need to be permanently cleared and construction would involve the removal of large quantities of material and the use of large quantities of concrete. • Construction would require a large compound and would be disruptive for 3 to 6 months. If the subway was at the Crossing location, construction access would be restrictive and noise levels for nearby residents may be unacceptable. • The footprint of the subway would require land take at the recreation ground which would decrease the size of the recreation area for the community
10	Impact on development land & business	Feedback received: <ul style="list-style-type: none"> • Proposed new housing development at Yorkfield Lane 	9	Network Rail is aware of the proposed new housing development through consultation and engagement with the existing landowner.
11	Impact on agricultural land / operations:	Feedback received: <ul style="list-style-type: none"> • Concerns about Proposed bridge enhancement at Temple Lane option (Option B) route conflicting with large farm machinery 	3	As part of the option selection process, which considered consultation feedback, Option B was discounted in favour of Option A. Option A forms part of the Order development, except for the new stepped footbridge which has prior approval consent from the City of York Council.
12		Feedback received:		

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Item	Theme	Issue raised by consultee	Number of mentions from consultees	Network Rail's position
	Purpose for using existing crossing	<ul style="list-style-type: none"> • Walking/running/exercise • Dog walking • Reaching shops, pubs and businesses • To watch trains • Part of long-distance paths / cycle route / horse routes 	180 31 15 5 8	Option A enables Network Rail to divert the public right of way via the shortest and safest alternative, so that current users' activities are affected as little as possible.
13	Destination reached by existing crossing	Feedback received: <ul style="list-style-type: none"> • Bishopthorpe • Acaster Malbis and Naburn 	128 4	Option A enables Network Rail to divert the public right of way via the shortest and safest alternative, so that destinations accessed by the current level crossing and adjoining footpaths will still be able to be reached.
14	Reason for not using existing crossing	Feedback received: <ul style="list-style-type: none"> • Safety fears • Lack of accessibility (incl. condition of footpath) 	33 5	By closing the Crossing and diverting the existing footpath which runs over the Crossing via a new stepped footbridge, Crossing users will no longer have to wait to cross the railway and will be able to safely access the countryside using the new stepped footbridge to cross the railway.

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Appendix 7 – Phase 1 stakeholder (statutory) – Comments and responses

Item	Theme	Issues raised by consultee	Network Rail's position
1	Footbridge – Option A	<p>Consultee: The British Horse Society</p> <p>Option A is an acceptable location for a ramped footbridge giving access to all users including people with disabilities.</p> <p>Consultee: The Ramblers</p> <p>The Ramblers accept that a new stepped footbridge with a couple of rest points is adequate for existing users.</p> <p>A ramped footbridge would be nice to have, but the size of it would dominate Yorkfield Lane and possibly double the cost.</p>	<p>Network Rail noted the feedback from the consultees. Prior approval to build the new stepped footbridge has been granted by the City of York Council and therefore the new stepped footbridge does not form part of the Order.</p> <p>A ramped footbridge would be a very large structure with a large footprint and 175m ramps on both sides of the railway, which impacts on both the landscape and the local community. In addition, a ramped footbridge would require significantly more land take to facilitate.</p>
2	Footbridge – Option A	<p>Consultee: City of York Council</p> <p>The Council agrees that the location of the bridge is the best location but favours a ramped bridge at this location.</p>	<p>Network Rail noted this feedback. As part of the option selection process, which considered consultation feedback, Option B was discounted in favour of Option A. Option A forms part of the Order development, except for the new stepped footbridge which has prior approval consent from the City of York Council.</p>
3	Temple Lane diversion – Option B	<p>Consultee: The British Horse Society</p> <p>This option has the potential to create a longer route which is desirable. The British Horse Society would welcome this proposal only if the footpaths are upgraded to a bridleway, providing a greater number of people the opportunity to access the countryside.</p> <p>Consultee: The City of York Council</p>	<p>Network Rail noted this feedback. As part of the option selection process, which considered consultation feedback, Option B was discounted in favour of Option A. Option A forms part of the Order development, except for the new stepped footbridge which has prior approval consent from the City of York Council.</p>

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Item	Theme	Issues raised by consultee	Network Rail's position
		Due to the vastly increase length of the diversion route, the Council would not support this option.	
4	Street furniture	Consultees: The Ramblers and Copmanthorpe Parish Council Provision of benches along the new diversion route for public use.	Network Rail does not own the public right of way and therefore would not be responsible to provide and maintain street furniture along the diversion route.

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Item	Theme	Issues raised by consultee	Network Rail's position
1	General	Consultee: Royal Mail The Project is unlikely to cause Royal Mail operations any significant disruption.	Network Rail noted the feedback from Royal Mail.
2	General	Consultee: Office of Road and Rail (ORR) The ORR has no comment on the Project proposals.	Network Rail noted the feedback from the ORR.

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Item	Theme	Issue raised by consultee	Network Rail's position
1	Footbridge – Option A	Consultee: one landowner Supports the new stepped footbridge	The landowner's feedback was noted.
2	Selling of land to potential buyer	Consultee: one landowner Opposed to the new stepped footbridge (Option A) due to the potential sale of land and the effects the Project may have on the sale and the potential buyer's plans.	Network Rail noted the feedback from the landowner. Prior approval to build the new stepped footbridge has been granted by the City of York Council and therefore does not form part of the Order.
2	Access to temporary compound	Consultee: one landowner The proposed access route to the temporary compound would impact on the anticipated plans of a potential buyer of landowner's land	As a result of the feedback from the landowner, the design of the access route was altered so that it is now located to the more southerly side of the landowner's field which will keep the works away from the potential buyer's anticipated plans.
4	Opposition to Option B	Consultee: one landowner and one tenant Opposed to Option B as the new footpath would encroach on the land occupied by the tenant.	Network Rail noted this feedback. As part of the option selection process, which considered consultation feedback, Option B was discounted in favour of Option A. Option A forms part of the Order development, except for the new stepped footbridge which has prior approval consent from the City of York Council.

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Appendix 10 – Feedback from Stakeholder (statutory) consultees during iterative consultation

Item	Theme	Issue raised by consultee	Network Rail's position
1	Location of the new stepped footbridge	Consultee: Copmanthorpe Parish Council (“the Parish Council”) The Parish Council states that the location of the new stepped footbridge is the most appropriate location when considering the length of the public right of way diversion and the amount of land required for the footbridge.	As part of the option selection process, which considered consultation feedback, Option B was discounted in favour of Option A. Option A forms part of the Order development, except for the new stepped footbridge which has prior approval consent from the City of York Council.
2	New stepped footbridge	Consultee: Copmanthorpe Parish Council The Parish Council does not agree that a footbridge is the most appropriate option and that a ramped footbridge would be more suitable.	Network Rail noted the feedback from the consultees. Prior approval to build the new stepped footbridge has been granted by the City of York Council and does not form part of the Order.
3	Prior approval for new stepped footbridge	Consultee: Copmanthorpe Parish Council The Parish Council believes the City of York failed to consider adequately the points raised by the Parish Council and the objections to the siting and design of the new stepped footbridge.	Network Rail noted the feedback from the consultees. Prior approval to build the new stepped footbridge has been granted by the City of York Council and does not form part of the Order.
4	Public right of way	Consultee: Copmanthorpe Parish Council The Parish Council asked why the public rights of way cannot be relocated further north towards the A64.	The public rights of way cannot be relocated further north because the diversion of the public rights of way would be a longer diversion than is acceptable. It would also affect the proposed housing development at Yorkfield Lane due to the service facilities which are intended to be installed adjacent to the railway.
5	National Planning Policy Framework (NPPF)	Consultee: Copmanthorpe Parish Council In relation to the design and location of the new stepped footbridge, the Parish Council believes the City of York failed to consider the current NPPF Framework.	The Order is only seeking powers to extinguish the existing Copmanthorpe No.2 level crossing and footpath running over the crossing and divert the existing footpath via a new stepped footbridge, therefore the NPPF is not applicable to the Order process as Network Rail is not seeking Deemed Planning Permission. Prior approval

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Item	Theme	Issue raised by consultee	Network Rail's position
			has already been granted by the City of York Council for the new stepped footbridge.