

## Rebuttal of Chiltern Railways document CRCL/INQ/29

1. On 23 November I received a copy of CRCL/INQ/29 titled "NOTE TO THE INSPECTOR ON TRAPGROUND ALLOTMENTS ASSOCIATION CAR PARKING". It contains several inaccuracies, which I would like to draw to the attention of the inspector.
2. To identify those inaccuracies I shall refer to the paragraph numbers used in CRCL/INQ/29.
3. In para 2.1 CRCL state that *'It is unlikely that there will be any disabled allotment users who previously walked or cycled across the railway that would be physically unable to access the allotments through the alternative access over the bridge, due to the nature of the physical requirements of both working an allotment and crossing a working railway.'*

This is untrue. Although I personally know fewer than a fifth of the allotment membership, I do know of two people who are physically able to cross the level crossing safely, and garden successfully, but are unable to access the allotments via the bridge, because of its height and steepness. CRCL have no plan to lessen the steepness, only to increase it by adding rests.

4. It is not only necessary to access the allotments, but it is also necessary to carry materials back and forth, for example produce such as pumpkins or potatoes. There are plenty of members of the allotment association who, while able to access the allotments over the bridge unencumbered, will have great difficulty in carrying supplies over the bridge.
5. In para 2.1 CRCL state that they propose *'to make a car parking provision within the Trap Ground Allotments for any such disabled users'*. In section 3 of CRCL/INQ/29 they show a diagram with two proposed parking spaces. The piece of land they suggest is the piece of land that is used for deliveries and where we place a skip for the removal of rubbish.

I am not in favour of this suggestion because:

- the land in question is used for other purposes;
- the allotment association tries to limit allotment traffic across Port Meadow (and has been successful to date in doing so, according to the recent evidence of Alison and Stephen Cobb, document OBJ314/1 paragraph 9.1.2) so as not to violate the Special Area of Conservation;
- any increase in vehicular traffic across Port Meadow is likely to be unacceptable to the general public who use Port Meadow.

In any case, the allotment holders who will have most the difficulty accessing the allotments over the bridge tend not to drive. This element of the proposed mitigation (parking to the west of the railway) is therefore useless to those it is most meant to serve.

6. In para 2.3 CRCL state *'To date discussions between Chiltern Railways and Trap Ground Allotments Association in relation to car access and parking have not progressed as the Trap Ground Allotments Association has failed to confirm that wants (sic) this car access or parking on the west side of the railway.'*

The truth is that the reason discussions relating to car parking west of the railway have not progressed is that there have been no proposals from CRCL to consider. All the discussions we have held about parking have been for car parking to the east of the railway, which is where we currently park and where we think it makes sense for us to continue to park. The discussions between CRCL and the Trap Ground Allotment Association (the TGAA) with respect to parking on the west side of the railway comprise:

- i. In the TWA draft order Public Rights of Way Report CRCL stated *'In addition, Chiltern Railways is also seeking to obtain rights for allotment holders over the existing track across Port Meadow from the car park at Walton Well Road.'*
- ii. In my letter of objection to the scheme I pointed out that CRCL's proposals were sketchy,

in part because of the lack of detail on this point. I also pointed out that this element of their proposal was unlikely to be acceptable because: it increased traffic across the Special Area of Conservation which is Port Meadow; there was no provision for car parking.

iii. At a meeting in June 2010 with CRCL and Ardent Management I asked for more details of what CRCL had in mind. They told me they anticipated a small number, perhaps six, of the least able allotment holders being given keys to Port Meadow so they could drive across. This clearly did not address the issues of increased vehicular traffic and lack of car parking, nor the fact that the plot-holders with most difficulty in accessing the allotments via the bridge tend to be people who are also no longer able to drive. It also had the disadvantage of introducing a need to manage keys and keyholders, to control the access. I expressed scepticism as to the workability of this arrangement.

iv. On 23 November out of the blue I was emailed, in response to I know not what, CRCL/INQ/29 proposing a grand total of two parking spaces to be provided as partial mitigation for the loss of access over the railway.

7. It is disingenuous of CRCL to imply that lack of agreement on this matter is because TGAA has failed to confirm that (it) wants this access. CRCL have not, until their document CRCL/INQ/29, explained what this element of their scheme comprises.

8. In para 2.4 CRCL say '*Because the Trap Ground Allotments Association has not engaged in any detail over the provision of this car parking, the proposal shown on the attached plan [E094/69] is Chiltern Railway's proposal of what is considered appropriate*'.

This is a disgraceful misrepresentation of the situation. TGAA has not received any proposal from CRCL about which it is possible to negotiate, until CRCL began to negotiate via the inquiry by submitting inquiry document CRCL/INQ/29. TGAA remains ready to negotiate with CRCL as soon as they bring forward a reasonable proposal for mitigation which:

i. mitigates the loss of access to the allotments of the most less abled users (non-drivers) which closure of the crossing will entail;

ii. addresses the concerns of users of Port Meadow about increased vehicular traffic;

iii. addresses the issue of car parking (using the space we use for deliveries and skips to provide two parking spaces for the entire allotment garden is clearly inadequate).

9. The truth is that the proposed '*rights for allotment holders over the existing track across Port Meadow from the car park at Walton Well Road*.' is an impracticable suggestion which does not improve the situation from what exists today, does not address the loss of access to the allotments for the least able plot-holders, and which antagonises other users of Port Meadow. CRCL are in this matter attempting to present themselves as willing to obtain mitigation for the allotment holders, while presenting the TGAA as intransigent and unwilling to negotiate. We remain willing to negotiate over any practicable suggestion which CRCL might make. We are yet to be convinced that increased vehicular traffic across Port Meadow has any part to play in such mitigation. Meanwhile we think it would be better if CRCL attempted to negotiate directly with us, rather than via the inquiry, if they are able to propose anything practical.

10. Since CRCL wish to cast doubt about TGAA's willingness to negotiate, it is perhaps worth recording that, despite the many meetings which have been held between TGAA, CRCL and Ardent Management, very little which TGAA has proposed has been accepted by CRCL. In practice CRCL have done their negotiation over the mitigation works for the Aristotle Lane crossing with Natural England and the Environment Agency. They have kept us informed to some extent about the progress of their discussions, but they haven't really listened to us. If Natural England objected to something, then it didn't matter what our opinions or desires were. There are only two suggestions of ours which CRCL have adopted, and they are: an improved layout of the car parking to the east of the railway; the staircase access from the proposed new car park up to the bridge level on the east side.

11. We have made suggestions for a reinstated crossing with a refuge that CRCL's engineer Mr Barker says is both possible and practical, although Mr Nelson says there are no exceptional circumstances which would allow this to be built. We have inquired as to the possibility of an underpass rather than

bridged access, but we are told this is impossible. We have offered alternative proposals for parking on the east side of the railway, which have not been accepted. We have made alternative proposals for ramped access from the bridge into the allotments which would have eliminated or ameliorated Natural England's concerns about a ramp blocking access for the cattle to graze the whole of the meadow. These also have not been accepted. I think it is clear that the TGAA have been willing and active participants in negotiations, and it is unfair of CRCL to attempt to portray us as unwilling to negotiate.

12. It appears from para 2.1 that CRCL are unable to appreciate the exceptional circumstances of the Aristotle Lane crossing. These exceptional circumstances include:
  - i. the need for a relatively large population of people of varying physical abilities to have convenient level access to the allotments for the purpose of transporting crops and other goods;
  - ii. mitigation works to provide alternative access to the allotments necessarily requires doing something on or to the special area of conservation which is Port Meadow.
13. The inquiry has heard evidence from people both fit and in good health, and with some level of disability. All have said that they would be greatly disadvantaged if it were necessary to go over the high bridge to access the allotments. The allotment holders who have such disabilities as severe arthritis, multiple sclerosis or who have had hip and knee replacement surgery (there are examples of all of these amongst the allotments holders), are able to use the existing crossing safely. They would necessarily be able to use the as safe or safer hypothetical crossing across CRCL's new track. Unfortunately they would in most cases be unable to use CRCL's proposed alternatives of access via the bridge, or by driving across Port Meadow.
14. In order to assist CRCL to understand the impact that replacing the level crossing access with bridged access will have on the allotment holders, I include an Appendix: the implications of losing the level crossing for a typical allotment user. The calculations are based on Chiltern figures for distances and walking times, and demonstrate why there are exceptional requirements for a level crossing at Aristotle Lane.
15. On the assumptions I have made, a typical errand for a typical user delivering supplies to the allotment will take;
  - i. over the current crossing 18 minutes and 47 seconds;
  - ii. over the bridge 68 minutes and 12 seconds;
  - iii. and for a woman, a total of 93 minutes and 2 seconds.

## Appendix: the implications of losing the level crossing for a typical allotment user.

Mr J is a typical allotment holder, living about half a mile from the allotments, and with a plot near the centre of the allotment gardens, close to point B of Figure 2 of Appendix B to CRCL/R/OBJ236. He is a normal, active, fit allotment holder with no special disabilities.

On this occasion he has used his kitchen and garden waste to make compost at home, and wishes to deliver it to his plot. Given Mr Straker's desire to consider the whole journey, we will go with him from his home. His journey is as follows:

Item	Time required via the crossing	Time required via the bridge
Drive to the allotments	3 minutes	3 minutes
Walk to plot to collect wheelbarrow	169 metres = 2 minutes 49 seconds	376 metres = 6 minutes 16 seconds
Return to car park	2 minutes 49 seconds	376 metres plus 120 metres to go down the ramp and half way back = 596 Metres = 9 minutes 56 seconds
Cross with all three sacks to plot	$169 \times 1.5 = 4$ minutes 14 seconds	N/A – cannot manage three sacks over the bridge
Cross with two sacks to the plot	N/A	$596 \times 1.5 = 14$ minutes 54 seconds
Return to car park	N/A	9 minutes 56 seconds
Cross with remaining sack to plot	N/A	14 minutes 54 seconds
Return to car park	2 minutes 49 seconds	6 minutes 16 seconds
Total crossing delay due to trains occupying the crossing	6 seconds	N/A
Drive home	3 minutes	3 minutes
<b>TOTAL TIME</b>	<b>18 minutes 47 seconds</b>	<b>68 minutes 12 seconds</b>

Assumptions:

1. Mr J is risk averse and drives at an average speed of 10 mph, in an area with a speed limit of 20 mph. This allows time to be held up at the Aristotle Lane traffic lights.
2. Walking distances are taken from Figure 2 of Appendix B to CRCL/R/OBJ236.
3. Unencumbered or with an empty wheelbarrow Mr J walks at 1 metre per second.

Encumbered he walks at 1 metre per 1.5 seconds (source: Mr A Nelson referring to input to the ALCRM model).

4. The crossing is occupied by a train less than 3 percent of the time, therefore for approximately one journey in 30, there is a need to wait an additional 45 seconds for a train to pass, i.e. a crossing delay of 1.5 seconds on average.
5. Mr J can walk up and down the staircase from the car park to the bridge when he does not have a wheelbarrow in next to no time (0 seconds). With a wheelbarrow he has to walk the additional 120 metres down the ramp and half way back to the mid point of the proposed car park.
6. Mr J, being fit and active, can manage three heavy bags of compost in his wheelbarrow on the level. Going up a steep slope, such as the remodelled access over the bridge, he can manage only two.

Mrs K also lives approximately half a mile from the allotments, and also has a plot near the centre of the allotments. Being a lady she is not quite so strong as Mr J. She can only manage one sack at a time over the bridge. Therefore the total time for her to deliver three sacks of compost from her home to her plot is the same as Mr J, plus 24 minutes and 50 seconds (an additional return trip of 9 minutes 56 seconds plus 14 minutes 54 seconds). Her total journey time door to door via the bridge is 93 minutes and 2 seconds. She dreams of the days before Evergreen 2, when she used to be able to use the crossing and do it all in under twenty minutes.