

**Background Document Q**

<b>Directorate: City Development</b>	<b>Service area: Parks &amp; Countryside</b>
<b>Lead person: Claire Tregembo</b>	<b>Contact number: 0113 2375269</b>

**1. Title: Extinguishment of Morley Footpath No. 37 Over the Railway Line and the Creation of a Footpath Alongside the Railway Line**

Is this a:

**Strategy / Policy**
 **Service / Function**
 **Other**

**If other, please specify**

**2. Please provide a brief description of what you are screening**

**An application by Network Rail for a diversion of Morley Public Footpath No. 34 to enable the closure of a footpath level crossing and a section of cross field footpath leading to it**

<b>3. Relevance to equality, diversity, cohesion and integration</b>		
<b>Questions</b>	<b>Yes</b>	<b>No</b>
Is there an existing or likely differential impact for the different equality characteristics?	✓	
Have there been or likely to be any public concerns about the policy or proposal?	✓	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		✓
Could the proposal affect our workforce or employment practices?		✓
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>		✓

**4. Considering the impact on equality, diversity, cohesion and integration**

**• How have you considered equality, diversity, cohesion and integration?**

Network Rail applied for a Diversion Order under S. 119 of the Highways Act 1980 to divert a public footpath in the interests of the landowner. The Diversion Order is to be considered in accordance with the Highways Act 1980. Policies and the Statement of

Action set out within the Rights of Way Improvement Plan, which considered the needs of all users and potential users of public rights of way, will be taken into consideration.

Local residents from Churwell and Morley Area, public rights of way users and the landowners/ occupiers are likely to be affected by the proposal.

Consultation has taken place with local residents who contacted Leeds City Council about a temporary closure on a nearby crossing, public rights of way user groups, statutory undertakers and consultees, ward members Leeds Local Access Forum and Network Rail and other affected landowners. Meetings have also been held with users, the police, ward members and Network Rail.

- **Key findings**

The proposal is likely to affect all members of the local community who use Morley Footpath No. 34 and recreational users from further away. However, it is more likely to have an impact on those who are less able to walk longer distance as alternative route would be 216 metres longer than the existing route and those who are less steady on their feet.

A diversion would involve the removal of part of Morley Footpath No. 37 and a new route along an existing Public Footpath, a section of permissive footpath and a short stretch of new footpath. As part of the diversion proposal Network Rail have agreed to improve the surface of the permissive path and also to surface the new section of footpath to provide a crushed stone surface. The existing section of footpath to be closed is a cross field footpath and the existing footpath that would be used instead is a bulkhead footpath which is not subject to ploughing and cropping. Therefore, the new route provided would be easier to use, particularly for those who are less steady on their feet as it would not involve crossing a ploughed or cropped field and the new and improved sections of footpath would be a firm, level surface. The better surfacing is considered to outweigh the small increase in the overall length of footpath.

The new route would involve crossing the railway line on a bridge which has a couple of steps up to it. The existing railway crossing is a level crossing but has a step up and down onto the boardwalk crossing, has to cross two railway lines and a steep slope down on one side. Therefore, the difference between the level crossing and the bridge are slight in terms of easy of use. However, the bridge is safer as visibility is better and users are expected to cross the level crossing quickly, there is not the same need to cross quickly on the bridge.

- **Actions**

The main objection to the diversion application was to the loss of the cross field footpath. Network Rail have agreed to extinguish only the level crossing and the retention of the cross field footpath under Section 118A of the Highways Act 1980 under safety grounds and to fund the cost of a Creation Order for the existing and new non-definitive footpaths on the eastern side of the railway line. This will provide an alternative route to the level crossing but leave the existing cross field footpath.

**5. If you are *not* already considering the impact on equality, diversity, cohesion and integration you *will need to carry out an impact assessment*.**

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

### 6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Bob Buckenham	Public Rights of Way Manager	31/06/2016

### 7. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

Please send a copy to the Equality Team for publishing

<b>Date screening completed</b>	
<b>Date sent to Equality Team</b>	
<b>Date published</b> (To be completed by the Equality Team)	