



Mike Magee
By email: request-669423-d15ca5c0@whatdotheyknow.com

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1 July 2020

Dear Mr Magee

Information request
Reference number: FOI2020/00653

Thank you for your email of 7 June 2020, in which you requested the following information:

"There is a footbridge between Osney Lane east and Osney Lane west that is currently in a state of some disrepair. It is has been established that it is in dire need of repair for the safety of pedestrians. Photos available. Can I ask:

- 1. Does Network Rail plan to repair the footbridge in the near future?*
- 2. Does Network Rail plan to close the footbridge in the near future because of the dangers to pedestrians?*
- 3. Is the footbridge a right of way, given that Osney Lane east and Osney Lane west are obviously connected?*
- 4. If the bridge is not a right of way, can you tell me when this was established as a fact, given the railways were obviously built in the 19th centuries."*

I have processed your request under the Environmental Information Regulations 2004 (EIR) as the information requested is environmental according to the definition in regulation 2(c)¹ of the EIR (which refers to measures and activities affecting or likely to affect elements of the environment).

¹ Please note section 39 of the Freedom of Information Act 2000 (FOIA) exempts environmental information from the FOIA but requires us to consider it under the EIR.

I can confirm that we hold the information you have requested. In the interest of clarity, I will answer each part of your request in turn below.

1. Does Network Rail plan to repair the footbridge in the near future?

I have consulted with a colleagues within the structures team and I can confirm that a full detailed structural examination of this footbridge was undertaken in November 2019. The results of that examination highlighted that the timber bracing to the piers is in poor condition. This has prompted a work item to be raised, in order to produce a modern equivalent bracing mechanism, to reinstate the functionality. Our Structures Asset Management team continue to routinely monitor for any signs of movement.

The surface and condition of the staircase treads were satisfactory. We do recognise that these can deteriorate but there are additional supports beneath. The deck to the footbridge has previously been replaced in 2009 and remains in good condition. The newer deck has substantially altered the fixity at the top of the piers from the original structure, which has significantly altered the requirements for the cross bracing in the pier legs.

2. Does Network Rail plan to close the footbridge in the near future because of the dangers to pedestrians?

Based on our examinations and findings, I can confirm that, at present the footbridge is considered safe and shall remain open.

In the longer term, it is recognised that this structure does have a significant interface with any future remodelling of the track layout, based on the proposed redevelopment of Oxford station. In regard to this, we continue to assess both the current need of the asset and how any works are appropriate for the future, given that a replacement structure may well be needed due to changes in span or height.

3. Is the footbridge a right of way, given that Osney Lane east and Osney Lane west are obviously connected?

I can confirm that this particular footbridge is a Network Rail owned structure, it does not hold any public rights and so is not a public right of way.

4. If the bridge is not a right of way, can you tell me when this was established as a fact, given the railways were obviously built in the 19th centuries.

The railway was constructed circa 1845 and Osney Lane was a public road which was authorised to be crossed on the level. However, under the Great Western Railway (Further Powers) Act 1866 the railway company was authorised to replace the road with a footbridge, significantly stating for the use of passengers - therefore suggesting that its use may now be protected from a public right of way claim by Section 57 of the British

Transport Commission Act 1949, and to stop up public rights where the road crossed the railway. The footbridge may have been constructed circa 1885.

I hope the information within this response is helpful. If you have any enquiries about this response, please contact me in the first instance at FOI@networkrail.co.uk or on 01908 782405. Details of your appeal rights are below.

Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely
Najea Begum
Information Officer

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Appeal rights

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of Freedom of Information at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at FOI@networkrail.co.uk. Your request must be submitted within 40 working days of receipt of this letter.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF