



Rt Hon Grant Shapps MP  
Secretary of State for Transport

(by email)

20th July 2020

Dear Mr Shapps

### **Queensbury Tunnel**

We greatly welcome your decision to fund the further development of a business case into the proposed reopening of Queensbury Tunnel as part of an ambitious active travel link between Bradford and Calderdale. You are right to recognise the structure's potential to deliver "economic and leisure benefits" as "an iconic element of the region's landscape". Importantly, the greenway could also become a commuter route in the longer term, as well as helping to address health and environmental concerns in the communities it passes through.

However, we must take issue with one aspect of the DfT's response to our letter of 25th June 2020. In it, your Policy Advisor describes the tunnel as being in "a dangerous state, posing serious risks to life and property". This is unequivocally wrong. Whilst the tunnel continues to suffer low-level deterioration due to a lack of maintenance and around 20% of it is in poor condition, it continues to present no meaningful short-term threat to people or property.

Two partial collapses have already occurred - in 2013 and 2014 - but, six years later, there is still no sign that either of them is prompting a catastrophic unravelling of the tunnel's lining - the implausible "worst scenario" conceived by Highways England as the basis for its tunnel management strategy. Strong and emotive language is persistently used to describe the structure's condition - presumably to vindicate the steps being taken towards abandonment - but this is nothing short of irresponsible scaremongering.

I have attached an exchange of six letters from 2018 through which one of Queensbury's former Councillors tried to obtain "clear documentary evidence" from Highways England that "the condition of Queensbury Tunnel is now so poor that immediate action needs to be taken in order to protect the community", as HE had suggested in a press statement.

In response, the Councillor received six pages of bold but vague assertions from the Historical Railways Estate's former team leader, but no technical assessments as to the risks posed by the tunnel's condition, the likelihood of them occurring or their potential impact. Why? Because there are no such assessments; claims of public endangerment are largely an unsubstantiated consequence of Highways England's risk-averse culture.



Our goal has never been to prevent the tunnel's abandonment come what may; abandonment is a legitimate asset management option. However, it should be regarded as a last resort, not the first choice, as the tunnel has demonstrable strategic value and abandonment represents an investment of public money from which no broad benefit would be derived.

Only by gathering robust evidence can an informed decision be made as to the most appropriate way forward. The provision of £500K towards a "technical study on the options for reopening the tunnel" offers another opportunity to gather that evidence. But it should be recognised that Highways England has already conducted one such study, in 2016, resulting in a £35.4 million repair costing which was acknowledged in the Department for Transport's own review as having been contrived "to demonstrate that reopening was too expensive and that abandonment should be pursued." On the other hand, AECOM's more detailed study - undertaken for Bradford Council in 2018 - found that the tunnel could be repaired for £6.9 million, less than 20% of HE's figure.

Your Policy Advisor indicates a desire "to build a consensus around the findings" of the new study. We share that aspiration. But how could we take at face value a study conducted by a team that has already sought to scupper the tunnel's reopening and continues to misrepresent the implications of its condition?

If our Society is invited to contribute to the study as "a local stakeholder" - and we clearly should be given that we represent the views of several thousand people - we commit to doing so in a collaborative and constructive manner. But consensus will only prove possible if Highways England takes a positive approach to the task it has been set - developing proportionate and cost-effective solutions to increase the likelihood of a beneficial outcome.

Highways England has to rebuild trust with a large community of deeply-invested people who see the structure both as an embedded part of local history and a regenerative catalyst for their future well-being. HE cannot remain disengaged, determined only to impose its unjustified will from a distance; neither can it continue to exaggerate the risks associated with the tunnel. An appropriate start would be for it to offer a clear explanation as to the nature and consequences of the works started in the tunnel last week.

We would welcome your assurance that the new study will not be pursued as a once-and-for-all chance to make the definitive case for abandonment.

Yours sincerely



**Graeme Bickerdike**

Queensbury Tunnel Society

[REDACTED]

**Councillor Andrew Senior**

[REDACTED]

**Queensbury**

**Bradford, BD13** [REDACTED]

**Tel:** [REDACTED] **(Res)**

**E-Mail:** [REDACTED]

**Monday 25<sup>th</sup> June 2018**

Dear Mr [REDACTED]

We are writing to you about the statement made by a Highways England spokesperson in this morning's Bradford Telegraph & Argus. In essence, the statement suggests that the condition of Queensbury Tunnel is now so poor that immediate action needs to be taken in order to protect the community.

Could we ask you please to provide us with clear documentary evidence to support this statement. We believe it has the potential to cause great concern to those who live above the tunnel and particularly near the shafts.

We look forward to hearing from you at your earliest convenience.

Regards

Yours sincerely

[REDACTED]

**COUNCILLOR ANDREW SENIOR  
ALSO SENT ON BEHALF OF  
COUNCILLOR ROBERT HARGREAVES  
COUNCILLOR LYNDA CROMIE**



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Your ref:

Councillor Andrew Senior

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26<sup>th</sup> June 2018

Dear Councillor Senior

### **Queensbury Tunnel**

I am writing in response to your letter dated 25<sup>th</sup> June 2018 on behalf of yourself and fellow councillors in respect of Queensbury Tunnel (the Tunnel).

The Tunnel is managed by Highways England on behalf of the Secretary of State for Transport as part of the Historical Railways Estate (HRE). Of over 3200 former railway structures which have been in our stewardship since September 2013, the Tunnel has throughout that period presented the highest risk ranking in respect of public safety. It must be noted that the risks and consequences of a significant failure within the tunnel materialising around the locations of the shafts at ground level are matters for which Highways England is directly and solely liable.

Based upon that continued high risk ranking and the knowledge that the condition of the Tunnel is deteriorating, with areas of known collapse, it is clearly incumbent on Highways England to act upon that knowledge in order to ensure public safety. That position is fully endorsed by the Department for Transport (DfT).

Highways England's decision to permanently close the Tunnel on public safety grounds, whilst it remains our responsibility, was made over three years ago. Our programme date of the summer of 2018 for the commencement of proposed safety works, subject to securing the necessary planning permissions, has been openly shared with all interested parties since early 2016. That includes senior officials at Bradford Council to whom we have agreed to pay £150,000 to fund their surveys. These were due to be completed in advance of the works. It is surprising if the decision to close the Tunnel, the reasons for doing so and our proposed start of works date are not already known to local councillors and the community given the level and frequency of communications.

If you wish I can provide copies of relevant inspections and reports of the Tunnel's condition. However, these have already been widely shared with Bradford Council and the Queensbury Tunnel Society. We have complied with every request for information.

As the custodians of the Tunnel and being directly and solely responsible for the risks prevented by the worsening condition we stand by our recent statements.

Those statements are factually correct and based upon our professional interpretation of the evidence that we hold and which we have shared with other parties. So the statements accurately reflect our long held position. They were also a response to a direct local media enquiry in which we are clearly bound to be honest and truthful. As a local councillor you would no doubt be unhappy if Highways England were to understate the level of risk as we see it or be less than truthful.

The statement in your letter, which starts with the phrase "In essence...", is respectfully your interpretation of our statement. As such, Highways England cannot reasonably be asked to provide evidence or justification for your interpretation of the statement.

Subject to securing planning permission and in the continued absence of any commitment by another statutory body to take ownership of the Tunnel, Highways England plan to commence the proposed safety works in September of this year.

Yours sincerely



Historical Railways Estate

Email: 

[REDACTED]

**Councillor Andrew Senior**

[REDACTED]

**Queensbury**

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**Friday 29th June 2018**

Dear Mr [REDACTED]

Thank you for your prompt reply to our letter of 25th June. We appreciate your helpful explanation of the current position but it was not really what we were looking for.

We understand that there are two collapses in the tunnel which are more than 100 metres from the nearest shafts. Those shafts are in fair condition and the tunnel lining below them is also in fair condition. We do not think it is necessary for us to see the inspection reports. What we would like is your professional interpretation of the evidence. Why do the conditions described above cause Highways England to conclude, according to the statement made by your spokesperson, that "action now needs to be taken...in order to protect the community"?

We agree that Highways England must reply honestly to any media enquiry, and you are correct in believing that we would be unhappy if the risks were understated. We would also be unhappy if the risks were overstated because of the unnecessary concern that could cause to the people who live above the tunnel. Only this morning, for the first time in its five year existence, the Tunnel Society had an email from a couple worried that their property might be at risk and asking for reassurances. If Highways England has caused that concern without reasonable grounds, we would regard that as totally unacceptable.

We look forward to receiving documentation from you at your earliest convenience.

Regards

Yours sincerely

[REDACTED]

**COUNCILLOR ANDREW SENIOR  
ALSO SENT ON BEHALF OF  
COUNCILLOR ROBERT HARGREAVES**



City of Bradford  
Metropolitan District Council



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2<sup>nd</sup> July 2018

Dear Councillor Senior

### **Queensbury Tunnel**

I am writing in response to your further letter dated 29<sup>th</sup> June 2018 on behalf of yourself and Councillor Hargreaves in respect of Queensbury Tunnel (the Tunnel).

As I mentioned in my previous letter dated 26<sup>th</sup> June 2018 the Tunnel is managed by Highways England on behalf of the Secretary of State for Transport as part of the Historical Railways Estate (HRE). The HRE consists of over 3200 former railway structures that came into the stewardship of Highways England in September 2013. In managing the HRE, Highways England ranks the condition of each structure in order to prioritise maintenance and reduce any risks to public safety. That is to be expected of any organisation managing such estates on behalf of the Government.

Since September 2013, the Tunnel has presented the highest risk ranking in respect of public safety. I must reiterate that the risks and consequences of a significant failure within the tunnel materialising around the locations of the ventilation shafts and at ground level are matters for which Highways England is solely liable. That being the position, all decisions around the timing and nature of works to any structure within the HRE, are matters for Highways England.

It is openly accepted that the condition of the tunnel represents a risk to the community, mainly in respect of the ventilation shafts. As ever with such situations, there are potential differences in interpretation, even by similarly qualified professionals, around the level of risk and the scale and timing of consequences. Without deliberately exposing the lining of the Tunnel to further damage it is impossible to state the exact scale or timing of consequences to the ventilation shafts. Clearly that would not be sensible. That being the case, Highways England needs to manage the situation based upon the worst scenario as we carry all liabilities. So the clarity and definition that you seek is, I suspect, simply not available. The Department for Transport (DfT), as the owner of the Tunnel, are content with our interpretation and support our decision to close the Tunnel on grounds of safety.

Should you or any other interested parties have further concerns about aspects of the proposed closure works then I suggest that the imminent planning application process is the most obvious open and transparent vehicle for raising those concerns.

The decision to close the Tunnel in order to protect public safety was made by Highways England in the summer of 2014 and has been a matter of public record since that point. Since then the design of the closure scheme has been underway and these matters often take 3-4 years to come to the point where the works can commence. Issues that affect that process often include, but are not limited to, location, condition, ecology, access, planning permission, heritage, funding and procurement.

Currently, Highways England has reached the planning application stage and is seeking tenders for the works with a view to commencing the works in September 2018.

At all times, Highways England has been clear that this process would always proceed in parallel but not be prejudicial to any considerations about a transfer of the Tunnel in order to see it potentially reopened, in advance of our works. More than sufficient time has been allowed for a transfer to be considered and a request from Bradford Council for £150,000 for independent studies was agreed by Highways England in December 2016. There remains no indication if a transfer would be positively considered.

Given that the poor condition of Tunnel needs addressing, the closure scheme having gone through a protracted but wholly necessary design process and that there is still no decision from Bradford Council to take transfer of the Tunnel, our statement that "action now needs to be taken" is wholly correct within that context.

The further point that you raise is about public reaction to our recent statements. We must all be clear that recent statements from Highways England were, in each case, a direct result of enquiries from local media. Those enquiries were themselves a direct result of the publication of press releases about the Tunnel by Judith Cummings MP initially and then by yourself and other Councillors. It is incumbent on Highways England to be truthful, accurate, measured and timely in relation to making such statements. I would respectfully suggest that concerns from local residents were to be reasonably expected once the matter was launched into the local media in this way.

If you continue to feel that recent statements by Highways England in respect of the Tunnel are not truthful, accurate or sufficiently measured then you have the right to make a formal complaint. For more detail please use the link below:

<https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

Yours sincerely



  
Historical Railways Estate



**Councillor Andrew Senior**



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**Friday 29th June 2018**

Dear Mr

Thank you for your latest reply. Unfortunately you still don't seem to have addressed the matter in hand.

Have your engineers or consultants produced a report interpreting the tunnel's condition (the different failures that might happen, the likelihood of them happening, possible timescales)? Have you put equipment in the tunnel to record any changes? Have you looked in detail at the shafts to identify any signs of failure? If the answer is no, please just say so. If the answer is yes, please provide the reports.

What written evidence have you given to the DFT so they support your decision to close the tunnel?

You say "It is openly accepted that the condition of the tunnel represents a risk to the community". Surely what is important is the level of that risk. There have been houses close to the shafts for decades. The shafts are still in Fair condition four years after the last collapse. It is only reasonable to assume the worst case scenario if evidence suggests there is a chance of it happening. Where is that evidence? If risk is not assessed realistically there is the potential for taxpayers to pay a very hefty bill for work that is not necessary.

We look forward to receiving documentation from you at your earliest convenience.

Regards

Yours sincerely



**Cllr ANDREW SENIOR  
ALSO SENT ON BEHALF OF  
Cllr ROBERT HARGREAVES & Cllr LYNDA CROMIE**



City of Bradford  
Metropolitan District Council



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12<sup>th</sup> July 2018

Dear Councillor Senior

### **Queensbury Tunnel**

I am writing in response to your further letter dated 29<sup>th</sup> June 2018 (although our files have this correspondence dated as 6<sup>th</sup> July 2018) on behalf of yourself and fellow councillors in respect of Queensbury Tunnel (the Tunnel).

I can only reiterate what I have said in my previous responses on the matter. Highways England is entrusted by the Secretary of State for Transport to manage the Historical Railways Estate (HRE) under the HRE Protocol. The primary objective of the protocol being to “..seek to reduce the liabilities for the Secretary of State in terms of individual structure safety.”.

Based upon that objective and the fact that the Tunnel has, since September 2013, presented the highest risk ranking in respect of public safety out of the 3200 structures that make up the HRE, Highways England has to act to reduce that risk. That is a position which DfT accepts both in respect of the Tunnel and our safe and effective management of the HRE since September 2013.

DfT does not ask for or receive evidence for decisions that Highways England makes in respect of the HRE as we carry all the liabilities and risks around those decisions.

If you have any concerns about the content of the Protocol or the manner in which Highways England is delivering its responsibilities under the Protocol then you must raise those with DfT.

I can confirm that there is no equipment placed within the tunnel to monitor its condition. Attached are the latest condition issues within the Tunnel. This has been shared with all interested parties.

Once again you have raised the issue of the level of risk and the potential scale of consequences. As I have stated previously, the only absolute answer would be to purposefully collapse the Tunnel lining and basically see what happens. Clearly that is not something that we would propose. Therefore the matter remains a point of

contention and whilst the Tunnel remains the responsibility of Highways England we maintain our long-held position on the matter.

Should you and fellow Councillors remain unconvinced by Highways England's long-held position, or believe that the matter should be handled differently, then the offer of a transfer of ownership of the Tunnel to Bradford Council remains open for you to take.

The matter of our approach and methodology for the proposed closure works will shortly be the subject of a formal planning application. I now strongly suggest that any further issues or concerns you and fellow Councillors may have on those issues are channelled through that process so that everything is done in an open and transparent manner.

Yours sincerely

[Redacted signature]

[Redacted name]

Historical Railways Estate

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