

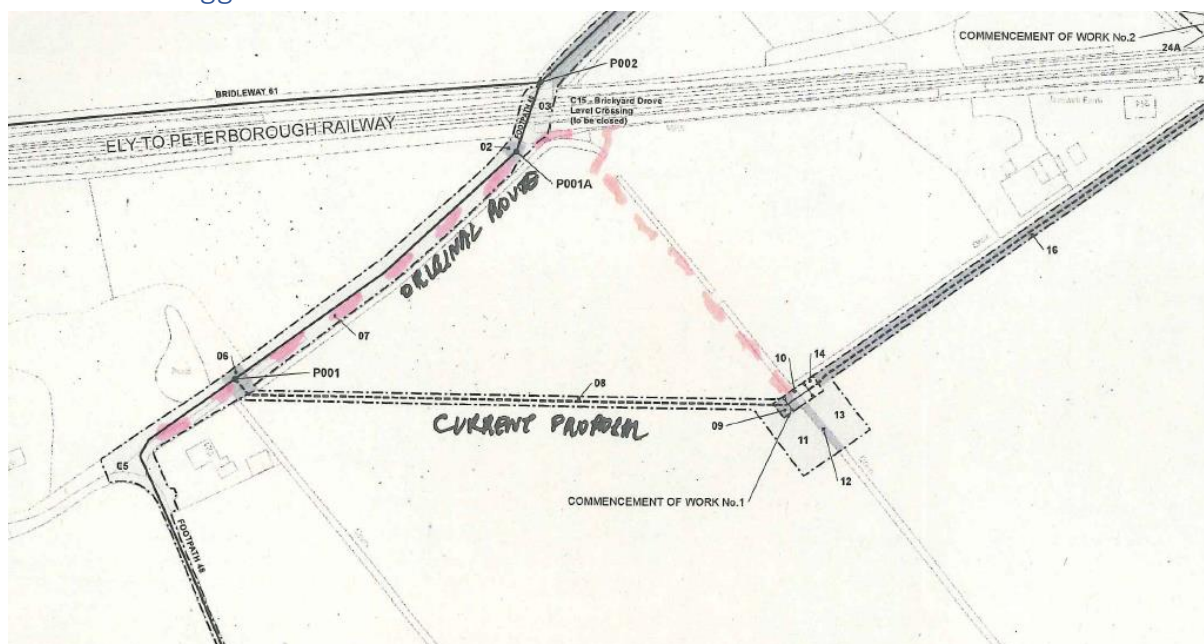
Tab. 7 Objectors Alternatives

Cambridgeshire Objection Alternatives

PLEASE NOTE – THIS DOCUMENT **DOES NOT** INCLUDE SUGGESTIONS BY OBJECTORS FOR FOOTBRIDGES, WARNING LIGHTS, AUTOMATIC GATES ETC.

Objection 06 / The Whittlesey Charity / C15 / Brickyard Drove

Alternative suggested



Response to alternative

The alternative proposed is a return to a previous consultation plan. The route was changed following an ecological survey which identified potential badger activity along the 'original route' indicated in the image above. Badgers are a protected species as they are subject to persecution, and Natural England are concerned when people are in proximity to a badger sett. A main sett cannot be closed without first providing an alternative, which are lacking in the local vicinity. In addition to ecology matters the sett also presents a potential health and safety issue due to the sett entrance/exit size being a trip and ankle injury hazard.

I consider that the diversion route as set out in the TWAO submission plans is a more suitable and deliverable proposal.

Statement of Case 3 / Cambridgeshire County Council / C11 / Furlong Drove

Alternative suggested

- 7.13 CCC would prefer the crossing to be formalised with a Traffic Regulation Order ('TRO') to retain connectivity for all NMUs and motorcyclists. The crossing could be realigned to make it perpendicular and thus safer to cross.
- 7.14 If the SoSDfT decides against CCC's position, CCC considers that it would be reasonable for BOAT 33 to remain at that status to the north of the railway, and for proposed bridleway link to be upgraded to BOAT to retain connectivity for motorcyclists, with or without a Traffic Regulation Order ('TRO') over this section. In order to retain connectivity and avoid the creation of a cul-de-sac on the southern side, CCC in earlier consultations requested a link from the southern section to run west and join with BOATs 34 and 35, but NR considered this was not possible. CCC requests that this be reconsidered.

Response to alternative

The level crossing, while designated as a BOAT, is not accessible by any vehicles wider than a trail bike due to narrow approaches and gates. As stated by CCC, a TRO would simply formalise this position with no restrictions put in place. It is noted that both equestrians and trail riders would be expected to dismount at the current level crossing.

The alternative routes to the east and west, Main Drove and BOAT 34 respectively, are accessible options and maintain north south linkages. The ATC data undertaken on Main Drove (see Appendix A of this Proof) showed that this road has a low traffic flows, and also offers good forward visibility and wide verges. Any users of Furlong Drove level crossing are already using the local highway network to connect between PROW routes.

The creation of a new BOAT (upgrade from public footpath to the north of the railway) over third party land and in close proximity to a private dwelling is not considered justified given the convenient and safe alternative routes.

With regards to the southern section of BOAT 33 which is to be retained, I note that this is required for landowner access. In addition, it provides the same chance for horses to gallop as available currently, as it is not possible to gallop over the level crossing at present. For equestrian users who wish to travel from south-north, the new bridleway link between O Furlong Drove and BOAT 34 provides an off-road route.

I consider the proposal as submitted with the Order is appropriate for the types and quantities of users of the surrounding PROW network.

Statement of Case 3 / Cambridgeshire County Council / C16 & C17 / Prickwillow 1 & Prickwillow 2

Alternative suggested

- 7.17 Therefore, whilst CCC does not object to the closure and diversion of public rights via steps, it does **object** to the proposal on grounds of unreasonable increase in maintenance burden on the HA, and requests that the Order makes provision for a maintenance ramp with private rights of access to be built as near as possible to the steps on the northern side.

Response to alternative

The points made are not accepted. Cambridgeshire County Council does not have any rights to take maintenance vehicles across these two level crossings. Therefore such maintenance activities on the embankment will take place as currently undertaken.

Any maintenance liabilities arising from the construction of the steps can be dealt with via the payment of a commuted sum.

I consider that the proposals are suitable and there is no requirement for additional infrastructure in the form of a maintenance ramp.

Statement of Case 3 / Cambridgeshire County Council / C26 & C27 / Poplar Drove & Willow Row Drove

Alternative suggested

- 7.28 CCC welcomes the work that NR have undertaken with CCC to date to agree a solution for C26 Poplar Drove and C27 Willow Row Drove crossings and rights of way. is aware that the Trail Riders Fellowship ('TRF'), an acknowledged user group, object to the closure of BOAT 30, as it provides them with access to an extensive byway network, which would be lost.
- 7.29 CCC acknowledges that there is no reason why these users should be so singled out, particularly as access for motorcyclists is being retain at the adjacent C26 Poplar Drove crossing. CCC therefore considers it reasonable to request that the BOAT simply be diverted over the line of the proposed bridleway link, with a Traffic Regulation Order ('TRO') made, prohibiting 4x4 vehicles from using it. The TRO would ensure that maintenance liability for CCC could be controlled, and that unauthorised access to adjoining farmland could be prevented. The TRF confirmed to CCC that this would mitigate their concerns sufficiently to withdraw their objection. CCC wrote to NR with this proposal on 21st March 2017, and would welcome further discussion with NR to agree the solution. In the meantime, CCC **objects** to this proposal and requests that the proposal is modified as set out above.

Response to alternative

Connectivity with the wider BOAT network is maintained as TRF members can access BOAT 32, BOAT 31 and the western continuation of BOAT 30, via Poplar Drove level crossing (C26). Such users will be coming from / to Ten Mile Bank with the diversion distance minimal for those on a trail bike.

At the interim teleconference held on the 28th September 2016 (shown in Appendix E of this Proof) Cambridgeshire County Council proposed the bridleway link along the eastern side of the railway between the two crossings, which is presented in the TWAO submission.

I consider, given there are acceptable alternatives to access the existing byway network, the imposition of a new BOAT over third party land is not justified.

Statement of Case 4 (& Objection 015) / F C Palmer & Sons / C02 & C33 & C34 / Nairns & Jack O'Tells (Adam's Crossing) & Fysons

Alternative suggested

8.0 ALTERNATIVE OPTION FOR REDUCING ACCIDENT POTENTIAL WHILST MITIGATING IMPACT OF CLOSURE ON FARMING BUSINESS

- 8.1 F C Palmer & Sons fully understand the reason why Network Rail wishes to close these level crossings and would be prepared to agree to Network Rail closing C34 – Fysons and C02 – Nairns provided that Network Rail fully automates the level crossing at C33 – Jack O'Tells (Adam's Crossing) and keeps it open for use by farm traffic.
- 8.2 It cannot be reasonable to rule out the automation of the level crossing at C33 Jack O'Tells (Adam's Crossing) on the grounds of cost when the impact on F C Palmer & Sons' business and the impact on the local highway network will considerably outweigh the cost of automation of the level crossing.
- 8.3 If the level crossing at Jack O'Tells (Adam's Crossing) is kept open, then the closure of C33 – Fysons will only affect the 240 acres to the north of New Farm and the closure of C02 – Nairns will only affect the 340 acres of land situated to the north of Little Farm. The closure of C33 – Fysons will involve an additional travel time of approximately 14 minutes and the closure of C02 – Nairns will involve additional travel time of approximately 10 minutes.
- 8.4 Based on the cropping detailed above, it is estimated that it will take F C Palmer & Sons an additional 311 hours to service the 240 acres north of New Farm if Fysons Crossing is closed. It will also take an additional 315 hours to service the 340 acres to the north of Little Farm if Nairns Crossing is closed. Therefore, provided that Jack O'Tells (Adam's Crossing) is kept open, then the cost to F C Palmer & Sons' business of the closure of C33 – Fysons and C02 – Nairns will be in the region of £25,000 per annum.

Response to alternative

This alternative is part of an ongoing discussion with Network Rail. Network Rail have committed to keeping one of either C02 Nairns or C33 Jack O'Tells open with improved safety features.

I consider that this undertaking by Network Rail overcomes the objections raised by the landowner.

Statement of Case 7 / Martin White / C14 / Eastrea Cross Drove

Alternative suggested

I attach my letter to you of April 2017 in which I objected to the proposal for this crossing. In addition to this, I question why is it necessary to create a new footpath as there already is a footpath which runs up Cross Drove to Lake Drove and on to Wype Road. Only one person was recorded using the existing footpath during the three day survey therefore the cost of creating the new footpath and taking land out of arable production is not necessary when there already is another perfectly useable footpath to the north.

No new footpath should be created as it is not proven to be necessary but if there are exceptional reasons as to why the new footpath has to be created then it should be located on the land that lies between the railway line and IDB drain and not on the field side of the drain.

Response to alternative

The alternative proposed by the objector would represent a straightforward extinguishment with no new provision, and is unlikely to have been supported by the local Highway Authority. In addition, I note that such a diversion route would increase distances and force walkers north who may want to head south towards the Hereward Way and river walks.

In terms of utilising the embankment between the drainage ditches I would note that although the track between the drains looks suitable from the Wype Road end, the site visit undertaken by Mott MacDonald engineers indicated far less certainty about the suitability for a new PRow at the eastern end, with what appears to be some drainage infrastructure in place. Routing the footpath along this section of land between the two drains may cause issue with the IDB's future maintenance as they usually spread the arisings from the ditch clearances onto the adjacent land and this would affect the footpath surface

Both rounds of consultation plans showed the footpath in the field edge and we received no comments regarding this matter.

I note that it is not unusual to have a have a footpath along a field boundary. The quantity of arable land being reduced would be minimal, and compensation can be discussed with the landowner as appropriate.

With all the above factors, I consider the current footpath alignment to be more suitable than the suggested alternative.

Statement of Case 9 (& Objection 055) / Robert Dale / C14 / Eastrea Cross Drove

Alternative suggested

I have one field directly affected by this proposal. The proposed new right of way will run along the southern boundary of my field. I question why is it necessary to create a new footpath as there already is a footpath which runs up Cross Drove to Lake Drove and on to Wype Road. Only one person was recorded using the existing footpath during the three day survey therefore the cost of creating the new footpath and taking land out of arable production is not necessary when there already is another perfectly useable footpath to the north.

No new footpath should be created as it is not proven to be necessary but if there are exceptional reasons as to why the new footpath has to be created then it should be located on the land that lies between the railway line and IDB drain and not on the field side of the drain.

Response to alternative

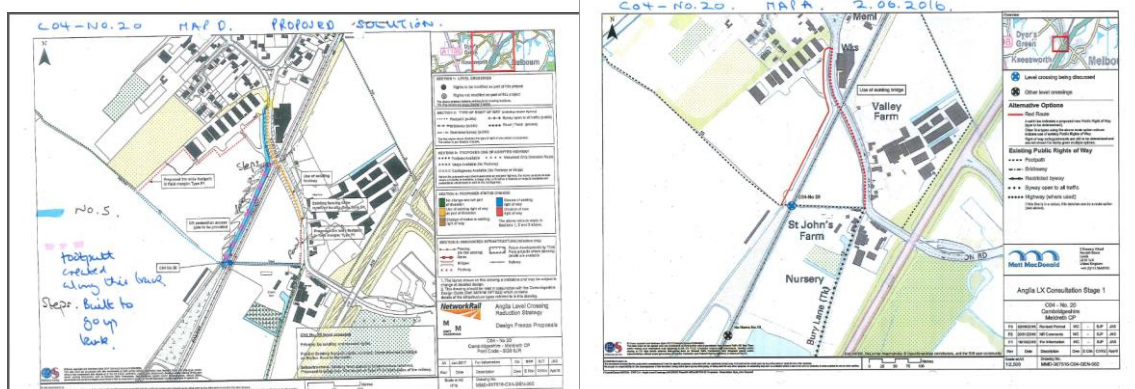
See Statement of Case 7

Statement of Case 10 / NFU (on behalf of landowner) / C04 / No. 20

Alternative suggested

Solution

Mr Burlton would like to propose that the footpath is diverted back along the existing track as highlighted on the original map A and is diverted up some steps to the existing footway. This then avoids creating a bio security risk around the poultry unit and avoids the new footpath having to cross over two vehicle access points. Further it avoids creating a new right of way across private land which is not necessary. Please see map D at Appendix 4.



Response to alternative

I note that Cambridgeshire County Council objected to the proposals at round 1 on the basis that there was a loss of amenity in walking along a concrete agricultural track on the western side of the railway. In addition, the landowner advised that this track was unsuitable for pedestrian use, due to frequent heavy machinery.

I understand that Network Rail, in their response letter dated 19 October 2017, has offered further meetings and discussions with the landowner to look slight amendments to the new footpath alignment and access arrangements.

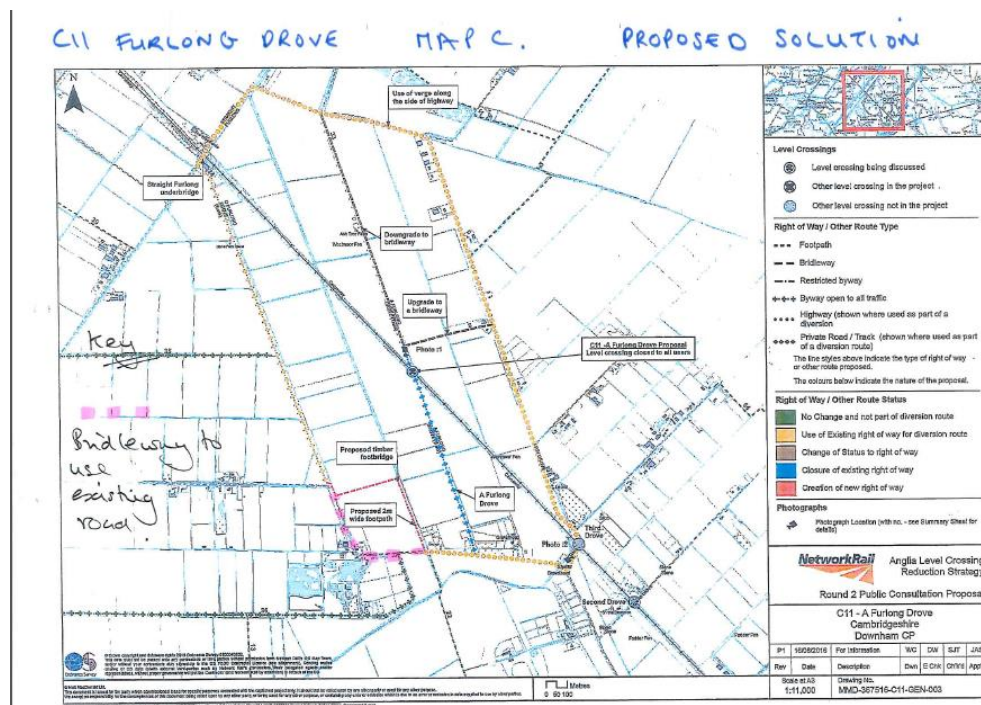
With these factors in mind, I consider that the proposed plan of an in-field PROW, is a more appropriate mitigation for the extinguishment of a section of footpath 10 and the closure of the level crossing.

Statement of Case 10 / NFU (on behalf of landowner) / C11 / Furlong Drove

Alternative suggested

The Solution

The solution is to divert the right of way along the road further. It is a very quiet road and safety is not an issue. Please see the map C at Appendix 5.



Response to alternative

The use of the existing road at this location was proposed at round 1 of consultation.

The provision of the off-road bridleway, within this field rather than adjacent to it, resulted from consultation with the public and local highway authority and their concerns about the angle of the bend on the road and lack of verges which the highway authority considered gave rise to sighting limitations. This was discussed with Cambridgeshire County Council at workshops on the 2nd and 25th August 2016, following the outcome of the public consultation. The infield option avoids this sharp bend.

I consider that the off-road bridleway is a more suitable route and appropriate given the off-road nature of the approaches to the current level crossing.

Statement of Case 10 / NFU (on behalf of landowner) / C14 / Eastrea Cross Drove

Alternative suggested

The Solution

Is it necessary to create a new footpath as highlighted on the map A dated 16th August 2016 as there is already a footpath which runs up Cross Drove to Lake Drove and on to Wype Road. Only one person was recorded using the existing footpath during the three day survey therefore the cost of creating the new footpath and taking land out of arable production is not necessary when there already is another perfectly useable footpath to the north.

No new footpath should be created as it is not proven to be necessary but if there are exceptional reasons as to why the new footpath has to be created then it should be located on the land that lies between the railway line and IDB drain and not on the field side of the drain.

Response to alternative

See statement of case 7

Statement of Case 10 / NFU (on behalf of landowner) / C26 & C27 / Poplar Drove / Willow Row

Alternative suggested

The Solution

The main solution is that C27 Willow Crossing retains registered private user crossing rights, therefore enabling landowners/farmers to register to use the crossing.

In regard to C26 Poplar Drove Crossing and C27 Willow Crossing, it is imperative that the width of the crossing access is maintained for agricultural vehicles. The notice on the gate at C26 Poplar Drove is stating that the width of the access will be decreased to 1.5 m. If this action is carried out it will not be possible to use the crossing with agricultural vehicles.

Response to alternative

Those current agricultural users of C27 Willow Row will be diverted to C26 Poplar Drove as authorised users.

At C26 Poplar Drove the current width and gate will be maintained for authorised vehicles. The control vehicular access across the railway the vehicular gate will be locked with only authorised users (to be agreed with Network Rail) having a key / combination). Adjacent to the locked vehicular gate will be a bridleway type gate allowing pedestrian, equestrian, cyclists and trail rider use.

I consider that the proposed solution is appropriate at this location and details of the gates will be determined at the detailed design stage.

Statement of Case 11 (& Objection 026) / The Ramblers Association / C01 / Chittering

Alternative suggested

- 11.1 This is an objection because the alternative routes are unacceptably longer and in the end the proposal does not remove the necessity to cross the line.
- 11.2 A good circular walk is made possible from Waterbeach, along the Fen Rivers Way and back to the west of the railway. It is the existence of at least one of the crossings proposed for closure that makes this circular walk possible. If a linking footpath could be created in mitigation for the closure between Chittering crossing and Jack O'Tell crossing (as shown in blue on the map provided by NR), we would not object. A circular route could then be used.
- 11.3 At least one of the two crossings to be closed should be retained. With gates, boarding between the rails, and warning lights, one of them could be kept in use. The railway here is straight, providing a long view.

Response to alternative

A new footpath is to be provided on the western side of the railway, linking to the existing footpath crossing at C33 Jack O'Tells which is to remain open as part of the proposals. This will allow the circular walk which is described.

I consider that the suggestion is provided in the current proposals.

Statement of Case 13 (& Objection 025) / William and Henry Hurrell / C07 / No. 37 Harston

Alternative suggested

4 Proposed Alternative

4.1 Our proposal is for the footpath to be located on the extensive public highway verge east of London Road until Shelford Road. This will meet the requirements of the local residents as raised by them in the consultation by preventing the need for steps and avoiding the need to cross London Road. Camilla Rhodes of Cambridgeshire County Council has advised that the public already has a right of way along the verge providing full access if people wish to reach Shelford Road, thus preventing the need to cross a dangerous road. This proposal mitigates the need for excessive land acquisition.

4.2 The Network Rail project team response to the District Councillor for Harston and Hauxton states that after consultation and a road safety audit, new 'Hoggin' (consolidated stone and sub strata) style footpaths will be installed. If this is the case, there is no need to increase substantially (estimate of double) the costs by installing a footpath and compulsorily acquiring rights and interests over our clients' land.

Response to alternative

This option was explored at the round 1 and round 2 proposals.

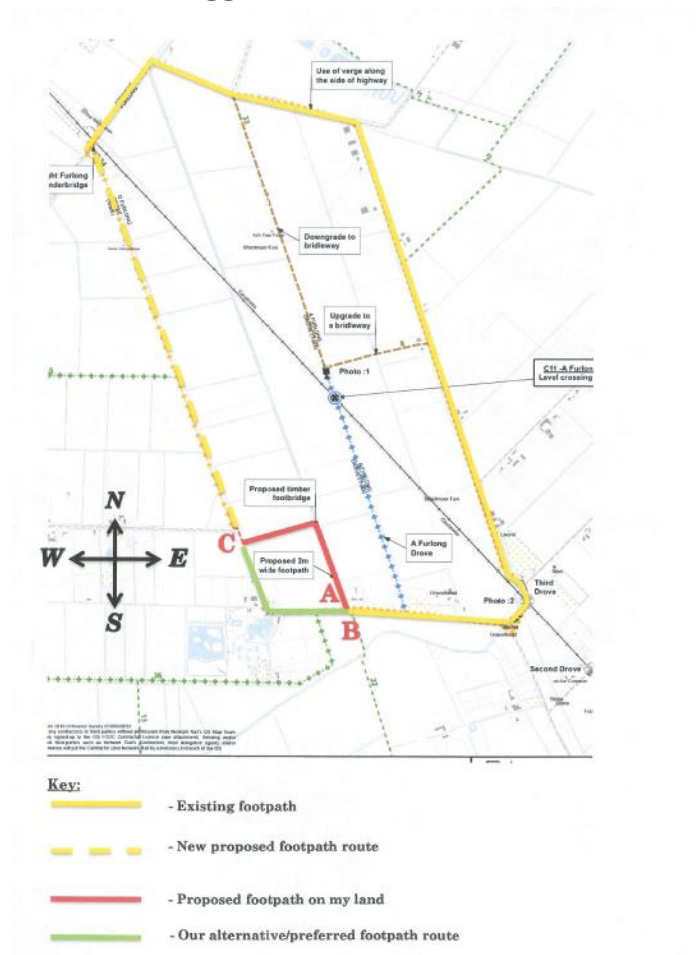
Following discussions with Cambridgeshire County Council after round 2 of consultation, it was decided that field margin paths should be created where possible, along London Road. Please see Appendix E of this Proof. The narrowing verge on the southern approach to the bridge was deemed unsuitable for use. Similarly on the north side of the railway, London Road was seen to have an insufficient width of verge, so a field margin PROW was introduced.

I note that in Appendix A of my proof, ATC 54 that was undertaken on London Road, showed there is relatively high traffic flow at this location.

I consider that the combination of field margin PROW and verge walking is more suitable than the alternative proposed.

Statement of Case 14 (& Objection 019) / Zac Martin / C11 / Furlong Drove

Alternative suggested



Response to alternative

See statement of case 10

Alternative Option to Proposed Footpath

15. We would suggest the existing footpath be diverted north east along Chiswick End to Whitecroft Road, which leads to Station Road. Chiswick End is a public highway. In order to facilitate this, the public footpath which crosses my clients land held under title number CB109457 should be stopped up at Chiswick End.

Response to alternative

This option has not been considered at any of the rounds of consultation and represents a straight extinguishment of approximately 640m of public footpath and diversion length of 400m.

I note that Cambridgeshire County Council objected to the proposals at round 1 on the basis that there was a loss of amenity in walking along a concrete agricultural track on the western side of the railway. With this in mind, I consider that to divert users on the route proposed above, would also be a loss of amenity, as it would be entirely on existing roads. In addition, there is no footway along the length of Chiswick End.

I consider that the creation of the new in-field PROW, is a more appropriate mitigation for the extinguishment of a section of footpath 10 and the closure of the level crossing.