

THE NETWORK RAIL  
(ESSEX AND OTHERS  
LEVEL CROSSING REDUCTION)  
ORDER

Robert Hutley

Rebuttal of proof of evidence

of

Nigel Billinglesey

Obj 085

E48 Wheatsheaf.

It is claimed

#### 8.20.1

‘A summary of the main areas of objection is set out below

- . The objector expresses concern regarding the consultation process.
- . The objectors are concerned regarding the privacy of their land and impact on value.’

Areas of objection are;

1. Consultation process
2. Privacy and loss of amenity
3. Existing equestrian use
4. Safety of access onto Church Road and diversion along Station Road.
5. Security of property
6. Loss of value.

Any concerns raised have been summarily dismissed by Network Rail without consultation.

#### 80.20.2

‘Network Rail note that you were consulted in person by our agent, Sam Baize on Thursday 07 July 2016. Sam noted that you were not supportive of the proposal for the new footpath running up behind Maypole House and School House and that you also considered the diversion across the Road bridge and along the narrow lane to be very dangerous.’

This visit was an informal 10 minute walk along the railway Line, without prior notice. It was not made clear that this was a serious proposal. There was no follow up of any kind. It was reasonable therefore to assume that no further action was being taken by Network Rail regarding our property, particularly given the obvious unsuitability of the proposal.

‘Network Rail also further consulted on the final design freeze proposals via a letter sent to you on 10 February 2017.’

This letter contained no ‘design freeze proposals’ no maps, plans or details of any kind. Furthermore, it was stated;

‘If your land is affected by a TWAO order you will receive formal notices in March. No notices were received in March.

There was no reason for us to assume that our land would be subject to any order.

Notices were received on 06.05.2017 together with a cover letter dated 31.03.2017.

‘The footpath network is the responsibility of the highway authority and they are not prepared to allow the route to be simply extinguished when the crossing is formally closed. Network Rail is under an obligation under the Transport and Works Act 1992 to provide an alternative route unless it can satisfy the Secretary of State that no alternative route is required. This has resulted in finding a solution to continue to offer connectivity for the footpath network. Our proposal facilitates walks to and from Wrabness Village and the station. We are reducing the amount of on road walking for users heading east-west, and the proposed alternative footpath still allows circular and recreational walking in and around Wrabness’

The proposal does not provide an alternative route for users of the existing footpath. It replaces a north-south route with an east-west route which is not required and hugely increases on road walking for current users. It does not offer connectivity for the footpath network.

There are already 3 alternative routes from south west Wrabness to the station 2 off road and 1 along Wheatsheaf Lane/Church Road. A 4<sup>th</sup> route is not required. No on road walking would be reduced by the proposal.

There are already at least 8 circular walks accessible from Wheatsheaf Lane/Church road. The proposed route brings no public benefit.

‘We note your concerns with the safety of pedestrians as your land is frequented by equestrian use with your permission. Network Rail perceives that this is common with any bridleway and there is no reason why equestrian use and pedestrian use can’t be combined. Also, the existing footpath already runs through part of this same field.’

The existing footpath is not used by horse riders. They use a wider track in the adjacent field, separated by a hedge.

As previously stated, if the order is made equestrian users will no longer be permitted to use the field. Horses will be ridden on Wheatsheaf Lane/Church Road which is an extremely popular walking route in Wrabness.

All road users will face increased risk and a valuable amenity to the public will be lost.