057/176

21st May 2018

Ref: Regarding Rother Valley Railway (Bodiam to Robertsbridge Junction) Order

Secretary of State for Transport
c/o Transport & Works Act Orders Unit
Department for Transport
1/18 Great Minster House
33 Horseferry Road
London SW1P 4DR

RECEIVED ON
24 MAY 2018
PRIVATE OFFICE

Dear Sir,

I make the following observations on and objections to the proposed RVR scheme referenced above. A number of them are based on items taken from Government or Government Agencies' publications.

1. I have lived in the Parish of Salehurst and Robertsbridge for forty years. The proposed extension and an accompanying platform halt will be approximately from my house.

2. That I am not alone in objecting is evidenced by a joint statement of objection (dated 21/11/14, copy attached) by Greg Clark, then MP for Tunbridge Wells, now Secretary of State for Business, Energy and Industrial Strategy, and Amber Rudd, then MP for Hastings, lately Home Secretary, now again MP for Hastings.

3. Running a light railway is not a basic constitutional right. It has to be established as to whether the public interest is best served by granting such an Order. There are many light railway heritage lines, but not many, if any, with the difficulties presented by RVR. Namely, three level crossings, one across the only northward exit from the village, one crossing the main A21 road from Tonbridge to Hastings, another across the busy B2244 at Udiam from Hawkhurst to Hastings/Rye.

4. Some members of the public support the RVR proposals. But a degree of support by some does not constitute agreement by all, or even a majority, to support something not perceived as a public need. The issue has even been taken up by the national press, notably the Daily Mail.

5. The land owners over which RVR is proposing to run the railway are unwilling to sell. One of them has farmed the land for over a century, the other since the end of WW2. This latter land has significant and rare elements of biodiversity.

6. Rother VR therefore is proposing to resort to compulsory purchase via the Transport & Works Act. Government policy states, "A compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Parliament has always taken the view that land should only be taken compulsorily where there is clear evidence that the public benefit will outweigh the private loss. The Human Rights Act reinforces that basic requirement."

   I strongly submit that the above extract from a government document dealing specifically with compulsory purchase indicates that an attempt by RVR to obtain a compulsory purchase order via a Transport and Works Act should be refused.

7. The Office of Rail Regulation as long ago as December 2011 stated, "Except in exceptional circumstances the ORR does not support the creation of any new level crossings of any type."

8. Finally, it would appear that a small, very wealthy group have spent many millions of pounds without, one hopes, any guarantee of success being given. If promises/indications have not been made, then they are presumably hoping that the sheer momentum and amount of their spending – essentially a gamble – would see them through the Transport & Works Act process.

   I submit that the Transport and Works Act process should tell them their gamble has failed.

Yours sincerely,

J D MALTMAN

Enclosure

From the Rt Hon Greg Clark MP

HOUSE OF COMMONS
LONDON SW1A 0AA

21 November 2014

Tim Hickling
Service Manager - Strategy & Planning
Rother District Council
Town Hall
London Road
Bexhill-on-sea
East Sussex TN39 3JX

Dear Tim

We are writing to you regarding a Planning Application (Ref: RR/2014/1608/P) to extend the Rother Valley Railway from Bodiam to Robertsbridge. Our understanding is that this would involve constructing three level crossings, one of which would cross the A21 near Robertsbridge.

As you are aware, the A21 is the main road between the M25 and the South Coast providing a key strategic route linking Hastings, Bexhill, Tunbridge Wells and Tonbridge and has been recognised as vital to coastal regeneration around Hastings.

In 2008, the A21 Reference Group, comprising all the Kent and East Sussex MPs covering the A21 between the M25 and Hastings, Council Leaders and Chief Executives (including Rother District Council), plus heads of local health and regeneration bodies, was formed to campaign to reduce traffic congestion on this road and reduce the time taken to travel on it with great success. Work has started on dualling the A21 between Tonbridge and Pembury and the Bexhill-Hastings Link Road is due to be completed by next Spring. The next stage is dualling the A21 between Kippings Cross and Lamberhurst.

Building a level crossing on the A21 which would interrupt traffic movements would, therefore, run completely counter to this strategic progress and be extremely unwelcome.

1/Cont...

We, therefore, strongly object to this planning application.

Yours sincerely

Rt Hon Greg Clark
MP for Tunbridge Wells

Amber Rudd
MP for Hastings & Rye

cc Cllr Brian Kentfield, Chairman, Planning Committee, Rother District Council