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Secretary of State for Transport,
c/o Transports and Works Act Orders Unit,
General Counsel's Office,
Department for Transport Zone 1/18
Great Minster House,
33 Horseferry Road,
London,
SW1P



23rd May, 2018

Dear Minister,

I am writing to object to the proposal of a new Hobby Railway between Robertsbridge and Bodiam on the ground as follows.

Three years ago he asked me to go to the National Archives and research the second request 1968/1972 by the original Hobby Railway to open the line between Robertsbridge and Bodiam. They had previously asked for Robertsbridge to Tenterden which was refused, I enclose a copy of a letter dated 16th October 1967, in which the Minister of Transport the Rt. Hon. Barbara Castle M.P. replied to the local M.P. as to why permission had been refused, (see the debate in Hansard 7th November 1967 vol. 753 cc 983-96). A second request was put forward in 1968, the Government proposed that if the Hobbyist's dropped their request for a full re-opening that they could have the line between Tenterden and Bodiam, if not that they would not get anything. All of the findings, paper clipping and proposal and in the relevant files are held at the National Archives under: MT124/981 1966-1968 (Kent and East Sussex Light Railway: application by Rother Valley Railway Co Ltd for light railways order; public inquiry and correspondence (including MPs question)), MT124/1415 1970 (Rother Valley Railway Company (Kent and East Sussex Railway): Ministerial refusal to pass a light railway order; Company's appeal upheld by High Court ruling; papers), MT124/1416 1967-1968 (Rother Valley Railway Company (Kent and East Sussex Railway): second application for a light railways (amendment) order under the Light Railways Acts 1896 and 1912, as amended by Part V of the Railways Act 1921), MT124/1418 1970 (Rother Valley Railway Company (Kent and East Sussex Railway): reconsideration of the granting of a light railway order in light of the High Court ruling), MT124/1332 1970 (Kent and East Sussex (Rother Valley) Railway; action following High Court appeal decision) & AN 169/106 1964-1974 (British Rail Property Board and predecessor: Headquarters Files, Rother Valley Light Railway and Kent and East Sussex Light Railway).

The actual agreement is not in the files held at Kew, but as they only have Tenterden to Bodiam they must have agreed to the proposal, there must be a copy signed off by the then Minister for Transport on file somewhere and mentioned in the relevant Hansard as this was undoubtedly discussed in Parliament. Though on 29 July 1982 the Secretary of State for Transport listed the light railway orders that had been granted in the past ten years. In 1973, SI No. 1874 The British Railways Board (Kent and East Sussex) Light Railway (Transfer and Amendment) Order, was one of them. As the proposal was for a modified line, Tenterden to Bodiam, it appears that Rother Valley Railway a "different" franchise is trying to re-instate the line (as all track and embankments have been removed) which was originally denied to the Kent & Sussex Light Railway for the reasons stated in the letter, but this would be going against the original decision by the backdoor as their line would then be joined to the existing Kent & Sussex Light Railway line so therefore negating the original deal that was agreed with the Government between 1970/3 for Kent & Sussex Light Railway to run their line. I say this because the Order only allows Kent and Sussex Light Railway to operate Tenterden to Bodiam so their trains cannot run on to Robertsbridge. Conversely if an Order was granted RVR they can only run their trains Robertsbridge to Bodiam as they will not have an Order allowing them to run to Tenterden as this Order has already been granted to Kent & Sussex Light Railway. So passengers would have to alight from one train to the

other to continue their journey, which I am sure they will be delighted to do, also their tickets can only state to where they can actually go meaning two ticket purchases will be required as neither line has full access to the complete line. Whether this is financially viable to both parties I do not know.

Today the A21 (London-Hastings trunk road) has changed, it no longer goes through Robertsbridge as a by-pass was built in 1989, but where the road (Northbridge Street) takes you to Robertsbridge is now on a roundabout, on the other side of the roundabout is the road to Salehurst. About 30 yards from this roundabout (Hastings side) they want to build a level crossing across the road. As the traffic 40 years was considered heavy, today it is even heavier. So to put a railway crossing so close to a roundabout on a busy major road seems to be quite unsafe and the backlog of traffic both ways especially in the summer months would be horrendous. As it is proposed to run 8 trains a day which means the A21 and the two B roads would have to close 16 times a day to allow this, March to October.

Then on the environmental side, for the past 50 years since the track and the embankments have been removed the wildlife habitat has improved especially at Moat Farm. Also the disputed land is a natural flood plain (3.5 Km.) and the roads in the area flood, there are road signs warning traffic of this. There is a stream that runs alongside the disputed land and it goes under the road and on to Robertsbridge, the original embankments had culverts to ease the flooding which then ran into this stream though flooding still occurs, these no longer exist so new ones would have to be put in, and the Hobby Railway have said they will not fund this, so who gets to pay the bill? This also means the traffic held up at these times would be putting extra diesel and petrol fumes into the environment, not accounting for the noise of the vehicles' engines. As there would be three extra level crossings needed, this goes against the Government and Network Rail's policy to get rid of as many crossings as possible on safety grounds, adding three more for purely a hobby railway seems unreasonable.

The economic benefit to Robertsbridge, which the Hobby Railway admits is not there, as most visitors are expected to alight at Tenterden and Bodiam. RVR only use volunteers so no new jobs would be created, the 50,000 visitors forecasted to join RVR at Robertsbridge would find that there is no available car/coach parking, so would cause long delays and disruption to the village and local roads. The parking near to the Hobby Railway station is for the use of passengers at Robertsbridge mainline station only.

Economically the only ones hit are the farmers who would not be able to access their land which would be cut off by the railway except by a couple of gates, but the height of the railway would be such that a combined harvester would be unable to cross over into the other fields so depriving the farmers of potential revenue and making arable land unusable for the sake of a Hobby Railway that only runs March-October making sowing and harvesting impossible.

I remain ~~yours~~ faithfully,

Richard Buckman

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16th October, 1967.

Thank you for your letter of 4th October, 1967 which enclosed a memorandum from one of your constituents about my recent decision not to grant a Light Railway Order for the line between Robertsbridge and Tenterden.

Fundamentally the reasons for my decision not to make the Order were twofold: I was not convinced beyond reasonable doubt that the Light Railway Company would be sufficiently profitable to be able to sustain in perpetuity the heavy statutory obligations in respect of bridging and drainage which attach to the line; and I was not convinced that the local transport need which the Railway Company proposes to meet is of an order which would justify reviving level crossings over several important major roads. It is for the Minister, in the light of all the information available, to decide where the balance of public interest lies, and I do assure you that the final decision was taken only after the most thorough examination of the facts, not only by officials but in turn by the Joint Parliamentary Secretary, by the Minister of State and finally by me.

I should like now to deal in detail with the points raised in the Railways Company's press release which seem to be threefold:-

- (i) It adduces "new evidence" about the Company's financial support, and about the road traffic on the A.21.
- (ii) My decision was based largely upon the probability that dual carriageway bridges, at a cost to the taxpayer of several hundred thousand pounds, might become necessary if the level crossings were re-opened. The Company complains that this factor was not raised at the public inquiry, and not put to the promoters.

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(iii) I did not disagree with the promoters alternative forms of order incorporating restrictions either on the duration of the order or on the timing of the trains.

In our view neither of the items of new evidence now brought forward by the Company is sufficient to alter the balance of public interest on which I made my decision, even if it were now legally possible to reconsider the application.

It would clearly not be possible to expect the personal financial resources of a single supporter however generous as overcoming the considerable doubt which emerged during the inquiry about the financial resources of the Company, and their likely ability to build up adequate reserves not only in the short term but in perpetuity. Protective clauses sought by the drainage authorities would of course be valueless if the Company went into liquidation.

As far as the problem of level crossings is concerned I cannot accept that the A.21 census figures now produced by the Company, but not submitted before, alter the basic issues. In the letter to the Company announcing the decision the summer peak flow on the A.21 was given as over 15,000 vehicles a day. The Company's figure for the busiest week-end of the year is "barely 12,200 vehicles", surely not a radically different order of magnitude. Moreover there are six other level crossings to be considered including one on the A.229 and two on the A.28. The Company is quite wrong in its contention that the possibility of dual carriageway bridging was not mentioned at the public inquiry. The spokesman for Kent County Council said that by 1991 there might be 700 vehicles an hour at times on the A.28, that dual carriageways might then be necessary, and that in this case a bridge would have to be built. Although the possibility of bridges on the A.21 and A.229 was not specifically mentioned at the inquiry, the figures quoted in the Inspector's report make it clear that those two roads are even busier than the A.28.

It is true that we did not discuss with the promoters the possibility of some kind of restricted order. The idea of an order for an experimental period of years, although at first sight attractive, is in the view of my legal advisers doubtfully acceptable. Moreover the serious question will arise of the obligations in respect of drainage and bridging at the end of the period. These could clearly not be transferred back to the Railway Board, and it would quite inequitable for the landowners and drainage authorities to be deprived of their legal rights.

Certainly an order could have been made allowing trains to run only on limited days of the week, but so as to avoid delays to large and ever-growing week-end road traffic to the coast it would have been necessary to restrict the railways almost entirely to weekday working. This would surely have reduced the

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potential revenue of the Company, which on their own evidence would only just be sufficient, even without such restrictions, to cover the very considerable operating costs of the line.

In this context the Company suggest that weekday working would "enable the weekday local passenger and freight services to be run to the maximum of advantage of local users"; but the detailed figures of estimated revenue produced by the promoters after the inquiry showed that two-thirds of the railway business would be excursion traffic, while only a tenth would be non-excursion passenger traffic and the remaining 20-25 percent will be freight.

These estimates in our view show that essentially this would be an entertainment railway rather than a necessary rail service. Indeed the fact that British Railways withdrew their passenger services as long ago as 1934, long before the Beeching report, throws strong doubt on the extent of local demand and the likely viability of the Company.

Of course I have every sympathy for light railways, whether or not their function is unashamedly non-utilitarian, but one cannot share the Company's view that the interests of such a railway, however loyally and enthusiastically supported, must be allowed to prevail against other major public interests.

The Company refers to the inspector's view expressed in the last paragraph of his report. To quote more fully than they do, this reads: "There is a public demand slenderly amounting to evidence of a public need, but of a strength which could not prevail against serious objections on wider public grounds to the railway being re-opened". I doubt whether many disinterested people would share the Company's view that no such serious objections exist.

When I was advised to make this decision, I know of course that the applicants would be deeply disappointed, and would probably react accordingly.

It is important to remember, however, that as early as May, 1966 the Ministry warned the Company in writing that the proposal involving the re-opening of seven level crossings, some of them on major roads, would be bound to raise serious difficulties.

This is not as the railway promoters and supporters imply, a matter simply between them and the Minister. One must consider the landowners and drainage authorities whose protection would disappear if the Company got into serious financial difficulties. There are also the interests of the thousands of motorists who use these coast roads, particularly in the summer; and even more there are the interests of the taxpayers and ratepayers who might ultimately be called upon to provide the funds to build new carriage-way overbridges.

In considering the objections of the Light Railway Company, it is important not to forget these other interested parties who by the nature of things do not put forward their views so strongly now, but who would rightly blame the Minister in the future if the Order were to be made.

I am sorry about the obvious disappointment of the Railway Company and their supporters but I cannot reverse my decision, or ask the Railways Board to delay any further their plans for disposal of the line.

(Sgd.) BARBARA CASTLE

BARBARA CASTLE

Date