

## **The Transport & Works Act 1992**

### **The Transport & Works (Application and Objections Procedure) (England & Wales Rules 2006)**

#### **Proposed Rother Valley Railway (Bodiam to Robertsbridge Junction) Order.**

#### **Background of self**

Paul Edward Richard Smith,

Robertsbridge,

I am a career railwayman of forty one years' experience. I moved to Robertsbridge with the intention of living near a heritage railway, which in later life I could pass on my railway experience to a new generation. I deliberately bought a property that overlooks the railway.

However, I have since changed my views on the Bodiam to Robertsbridge extension as I feel that the way the creation of this railway extension is being undertaken by the RVR is flawed and requires further investigation. This includes the purchase of land by compulsory purchase.

#### **Nature of Objection**

##### **The Creation of a new level crossing over the main London to Hastings Trunk Road (A21).**

- **A21 already classed as a dangerous road.**
- **Office of Road & Rail are in favour of closing level crossing not creating new ones.**
- **According to an e-mail dated 13.06.18 the ORR states that currently NO heritage railways cross strategic A roads.**
- **Advice from ORR and consultants reports now 7 years out of date.**
- **Advice issued by the ORR (RGD-2014-06), issued Dec 2014. States in section 24 that the applicant (RVR) must give '*An explanation (to the ORR) as to why the applicant considers their case is 'very exceptional'*'. As this is an application for a heritage railway to create a level crossing over the A21, I do not believe that a railway operating six months of the year can prove or has tried to prove that the level crossing over the A21 is needed because it is 'Very Exceptional'.**
- **Highways Agency had deferred a decision on the creating of the level crossing to Rother District Council.**
- **No opinion from Highways England over the creation of a level crossing over the A21, within the RVR consultation pack.**

- **Operation of the level crossing entrusted to volunteers, who may well have the interest of the railway and not road users at heart and their inexperience at operating this type of crossing could cause an incident.**
- **A train service that runs through most of the week for five months and in August runs seven days a week which will have ramifications on traffic flows on the A21 and ensuing congestion especially at Bank Holidays which may lead to an incident due to pressure from motorists on crossing keepers.**
- **Collision or failure of crossing barriers over the A21 will impact on queuing times at the crossing.**

### **Grounds for objection:**

The background documentation for this objection comes from public sources including the ORR, RSSB, RSF & Draft consultation report on the RVR website.

### **The A21**

The A21 is part of the strategic road network and connects South East London with Sevenoaks, Tunbridge Well and then onto Hastings. The RVR will cross at a full barrier level crossing south of the Salehurst & Robertsbridge roundabout.

The Sussex Express on the 14.11.14 stated that the A21 is the most dangerous road in the UK. This was based upon research from the Road Safety Foundation. Furthermore research from the same body stated that there were 9 fatalities on the East Sussex section of A21 from 2009 through to 2014. There have been 2 severe injury accidents to the north of the roundabout.

With the above in mind should RVR be permitted to create a level crossing on this already dangerous road?

### **Statements & Facts: ORR & RSSB**

To quote Mr Ian Prosser Director of Railway Safety at the Office of Rail & Road taken from the ORR website 30.04.18:

*'Great Britain's Level crossings, although among the safest in Europe, still pose significant safety risk to the public. ORR wants the rail industry to close level crossings.'*

- It should also be noted that according to the Rail Safety & Standards Board report 2016/17 that since 2008 1,088 level crossings of all types have been closed.
- The RSSB also make the point that most incidents at Level Crossings are the fault of road users either pedestrian or motorists.

- The creation of a level crossing has been the subject of a traffic analysis report carried out by Mott Mac Donald consultants written in 2011, although forecasting up to 2018 is included I believe this report should be revisited to ensure the most up to date data is utilised before making a decision on the creation of a level crossing over the A21. *This report is in the planning application papers on the RVR website.*
- The ORR HM Inspector of Railways was consulted and this advice given :

From Ian Raxton HM Inspector of Railways 24.08.11 to RVR : '*In summary I hope you can be assured that whilst we do not welcome new level crossings, we would not object in principle to crossings being created in this case*'.

It is unclear in the letter as to the case for safety being made for the creation of this crossing over the A21. Also I think it would be wise if this decision by the ORR was reviewed as Mr Raxtons advice is now seven years old.

### **Statements & Facts: Highways Agency**

The response of the Highways Agency to the creation of the level crossing over A21 seem very unclear in App 9 of the RVR Draft Consultation report an e mail dated from 27<sup>th</sup> March 2015 from Drewit of the Highways Agency to Tyrrel Curtis I presume of the Rother District Council makes the following points :

- Highways Agency did not want a level crossing on the A21, then goes onto say 'If you are minded (RDC) to grant permission for the reinstatement of the line we direct the attached conditions to be included,

However, the RVR has not indicated what these conditions are. Apart from that there is no information displayed by Highways England the successor to the Highways Agency on what their view of the level crossing. There may of course be documents that give permissions from Highways England but they are not included in the public consultation on the RVR website.

It is not clear from the documents posted that Highways England approves this application to create a level crossing on the A21 or not.

### **Operation of the Crossing**

Another issue that could be import additional risk once the crossing has been created is its operation. There is no detail as to how this will be done but it is known that a control centre will be built to operate the crossing.

It is presumed that like most of the other safety critical jobs on the Kent & East Sussex Railway (of which the RVR is associated with and who will operate the railway) will be undertaken by volunteers.

Having been a volunteer on a heritage railway the mantra is always 'the railway first' If this mantra was to be applied to the operation of the level crossing over the A21, the time the barriers are down could be longer than the ORR's worst case of 112 seconds, as the train is given priority over road traffic as it travels at twenty five miles per hour. Moreover, inexperience must be factored in, as volunteer Crossing Keepers not used to the job and rightly erring on the side of safety keep the barriers down over the A21 longer than may be necessary.

### **Train Service**

There is no train service details published by the RVR as to its proposed operations once the line is built. However, an indication can be drawn from the current Kent & East Sussex Railway timetable.

In general there are Green & Red services necessitating the crossing being operated 10 times between 11.27 & 16.40 (Bodiam Times at present).

In April through to September a weekend and weekday service are provided

On Bank Holidays and on other occasions a Gold Service is in operation from 11.32 to 17.03 with the crossing used 16 times in that period.

The Bank Holidays are of interest in that the A21 will be at its busiest with visitors to Hastings and Rye. The Railway will be busy as well as it will want to take advantage of people wanting to travel by heritage train. Therefore there will be a potentially a possibility of higher risk of an incident at this time.

### **Collision or failure of crossing barriers over the A21 will impact on queuing times at the crossing.**

It is not clear what recovery arrangement that the RVR will have in the event of:

- Collision by a road vehicle colliding into the barriers.
- The failure of barriers over the A21.

Network Rail have dedicated teams of Mobile Operations Managers and Signal & Telecommunications engineers to deal with the scenarios outlined above.

What would the RVR provide in the way of an emergency response team?

In view of the fact that this type of crossing is new to the RVR what mitigation is going to be put in place to ensure that traffic on the A21 does not build up due to collision with and failure of the barriers.

END

## **The Transport & Works Act 1992**

### **The Transport & Works (Application and Objections Procedure) (England & Wales Rules 2006)**

#### **Proposed Rother Valley Railway (Bodiam to Robertsbridge Junction) Order.**

#### **Background of self**

Paul Edward Richard Smith,

2 Post Office Terrace,

Church Lane, Salehurst, Robertsbridge, TN32 5PJ.

I am a career railwayman of forty one years' experience. I moved to Robertsbridge with the intention of living near a heritage railway, which in later life I could pass on my railway experience to a new generation. I deliberately bought a property that overlooks the railway.

However, I have since changed my views on the Bodiam to Robertsbridge extension as I feel that the way the creation of this railway extension is being undertaken by the RVR is flawed and requires further investigation. This includes the purchase of land by compulsory purchase.

#### **Nature of Objection**

**The Creation of a new Railway from Robertsbridge to Bodiam will be against Policy EM8 in the Rother District Councils, District Development Plan in that the construction of the railway will go against point 2 of EM8 *'It (The RVR) has an acceptable impact on the High Weald Area of outstanding natural beauty*. I do not believe the railway will have an acceptable impact on the High Weald A.O.N.B.**

Extract from Statement of Aims Published by the RVR on the 19<sup>th</sup> April 2018.

#### **Grounds for objection:**

##### **The Railways effect on important natural habitats**

Since the closure of the railway in 1961 the former track bed has become a species rich corridor of secondary woodland. This is an important mixed woodland habitat that supports a raft of interesting species, plants, birds, mammals, reptiles, insects and fungi that greatly enrich the landscape of the Rother Valley.

I believe that the destruction of these habitats and the displacement of those that rely on and live within these habitats will have an unacceptable impact on the High Weald A.O.N.B

### **The Operation of first generation diesel trains**

In view of the concern with pollution caused by emissions from diesel cars and the more stringent MOT regime for diesel cars which came into force on the 20<sup>th</sup> May 2018, it seems surprising that diesel locomotives or trains with little or no protection from poisonous emissions will be allowed to run along the Bodiam to Robertsbridge extension.

During the operating season currently operated by the Kent & East Sussex Railway, diesel trains operate two round trips on 88 days of the year; this does not include maintenance trains or diesel gala days which attract visiting diesel locos (although diesel galas do not appear to be part of the K & ESR operation at present).

I do not believe that the operation of first generation diesel trains (built 1950/1960s) will have an acceptable impact on the High Weald A.O.N.B.

### **The railway as an agent for facilitating access to the High Weald A.O.N.B.**

Mr Gardner Crawley in an article in the Daily Mail on 12<sup>th</sup> May 2018 'Where Not Chuffed' makes these points:

*'There are a lot of very wealthy people in East Sussex but parts of it are very deprived-and the big employer nowadays is tourism. Making tourism here more accessible to people who don't have cars is very important'*

I would argue that Mr Crawley's statement above is does not work from a personal finance point of view, especially for deprived people and families on limited incomes. First people will need to get to Robertsbridge by train which is good but it will be at a cost which will be higher the further they travel. Using the K & ESR current fare structure as an example of what might be charged when the railway is fully open:

Family Ticket £38 (2 adults 3 Children)

Adult £18

Child £12

I very much doubt if many people from deprived areas could afford with total travel costs of £50 or more for a day out on the new railway and that is before eating and drinking is considered.

Therefore, I think this argument as a reason for building the railway is flawed, as it would appear that passengers on the new railway would have to be fairly well off to use it, if the current fares regime remains in place.

*Mr Crawley goes onto say It's not a though were putting a new line across virgin land-there was a railway there until the 1960's'.*

Mr Crawley is correct in saying that there was a railway on this route; it closed to freight in 1961 and to passengers 10 years before. However, Mt Crawley does not say that the railway only opened in 1900 and therefore only operated for 61 years. Hardly a success story if compared to the Tonbridge to Hastings Mainline which opened in 1852 and is still serving its communities.

After the railway was closed it was sold by the British Transport Commission to adjoining landowners to become part of their lands. As for virgin land most of the track bed has gone or what remains has become part of the secondary woodland already mentioned. So in fact a lot of Virgin Land will be built on, this land is currently used for farming or open pastures, these activities add to the local ecology of the Rother Valley and support the High Weald A.O.N.B.

Therefore, is it worth destroying important elements that make up the High Weald A.O.N.B.so the RVR/K &ESR can run its Diesel Trains, its Fish & Chip Supper trains, the 1940's weekend and of course Thomas the Tank Engine weekends, these are all operated by the K & ESR now.

If the railway were to be built over where once newts and birds coexisted in beautiful woodland in luscious landscapes, to be replaced by the K & ESR/RVR Real Ale Trains amongst others. Will that not have an unacceptable Impact on the High Weald A.O.N.B.? I think it would. Surly our precious environment must come first, over building a heritage railway with limited appeal and there are plenty other attractions of a similar character elsewhere, all offering broadly the same kind of tourist experience.

END