

From: Ben Box [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: 04 January 2018 21:26
To: transportandworksact@dft.gsi.gov.uk
Cc: Neye Rachel
Subject: Network Rail Suffolk Level Crossing Reduction Order Obj/46

The Secretary of State for Transport
Transport and Works Act Orders Unit
General Counsel's Office
Department for Transport
Zone1/18, Great Minster House
33 Horseferry Road
London SW1P 4DR

Dear Mr Grayling,

I am writing with regard to the matter detailed below, specifically an objection that I lodged in May 2017. The purpose of this email is formally to withdraw the objections, for the reasons given below.

Yours sincerely,

Dr J B H Box.

Fair View
Chapel Road
Otley
Ipswich
Suffolk
IP6 9NU.

Subject: Network Rail Suffolk Level Crossing Reduction Order
Re: Obj/46/SUFF/R001

My original letter of objection, dated 5 May 2017:-

I am writing with regard to the formal notice under the Transport and Works Act 1992, The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006, Proposed Network Rail

(Suffolk Level Crossing Reduction) Order, sent by Bruton Knowles on behalf of Network Rail, dated 23 March 2017.

As the owner of Willow Farm, The Common, Mellis, I have Common Rights and therefore an interest in the land including and surrounding S21 – Abbots Level Crossing.

[1] I object to the extinguishment of my historic right of access across the railway at this location and shall continue to do so until such time as Network Rail confirms an appropriate level of compensation for its loss. Network Rail has not contacted me about any compensation which I understand should be provided under the Order in such situations.

[2] I further object to Network Rail's application to acquire rights in land compulsorily for Plot No: 07, the access track and hardstanding, west of Abbots crossing and east of Mellis Road. It is not clear why this is necessary if the crossing is to be closed. Temporary provision of access might be required while the works are being undertaken to close the crossing, but not permanent after that.

[3] I also object to the application to use land temporarily in Plot Nos: 04 and 05 without appropriate compensation. The Order does not make clear how long this temporary use might last, what damage might be done to the grassland, the ponds, shrubs and other wildlife habitats, nor what provision will be made to reinstate the land after the closure is complete.

Ref letter dated 13 December 2017 b from Bridgit Choo-Bennett, Anglia Level Crossing Reduction Team:-

Points [1] and [3] are dealt with on the second and third pages of your letter. It would appear that compensation may be due in each case, should it be so determined. Since I no longer live in Mellis and am no longer a Common Rightsholder it would appear that I can no longer be regarded as a "person who [may suffer] loss by the suspension or extinguishment of any private right of way". While retaining an interest in the village where I used to live and while still concerned about the extinguishment of any historic right of access across the railway, my objection in both these cases, specifically with regard to the question of compensation, has been addressed and I therefore withdraw it.

Point [2], regarding the acquisition of Plot 7, has also been addressed in your letter and, since Network Rail intends to amend its order to take permanent rights over this plot, my objection appears to have been addressed and I withdraw it.
