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17th April, 2017

Secretary of State for Transport

C/o Transport & Works Act Orders Unit

General Counsel's Office

Dept of Transport, Zone 1/18, Great Minster House

33 Horseferry Road

London, SW1P 4DR

Dear Sir,

Network Rail – Proposal to close level crossing C11 A Furlong Drove (Downham Parish) Public Right of Way Reference – Byway 33 Downham

I object to Network Rail's proposal to create a new 2m wide foot path, right of way across my field No. TL5186 – OS No. 5733.

My field is used for food production and the dyke is used to irrigate it. Irrigation pipes and pump are stood on the land that the proposed foot path would take, so the field could not be irrigated and would therefore be much less productive. The economic pressures on farming are very difficult at the moment, and restricted use of the land due to the public walking in the field and the loss of land for growing crops would impose another financial burden upon my farm.

There are better options to the foot path problem that do not entail impinging on my livelihood, or anyone else's, and I plead that one of these are taken. The local farming community are struggling to survive, and to compulsorily take our land for the pleasure and recreation of others at a cost to the farmer is unfair and unnecessary, and against our human rights. The proposal is for a totally new footpath to be created on land that has never had a footpath running over it before. This is not preservation of public rights, but confiscation of land without compensation and a duty to pay for the footpath's upkeep, so the public can walk on it, and Network Rail save money by no longer maintaining a safe crossing. They will gain financially and I am forced to take over their responsibilities by losing land, and getting the cost of maintaining the footpath for as long as I or my family own the land, this transfer to myself is not fair. I have offered to sell the whole field to Network Rail rather than farm it with a foot path on it, but they don't appear to be interested. They are using [REDACTED] tactics

2 - 3 pages

Thanking you in anticipation of your help in this matter.

Yours faithfully

B L Taylor.

Please see attached – new comments dated 29 June, 2017

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On reading Newwork Rails Statement of case we have revised some of our comments please see below.

As far as we are aware (as per a County Council rights of way guide) a bridleway cannot be moved onto a property owned by another party without their consent. Network Rail are actually proposing to close a byway and create a bridleway in its place on land it does not own, this must be totally against the law, and the rights of unwilling landowners. The existing byway already naturally ends when it meets the highway and turns into 'Verge Available no footway'.

The proposed closure of the level crossing is situated in the middle of the byway that ends when it meets the main road, it has NEVER BEEN CONNECTED to the other byway, Network Rail show on their map. When closing a right of way, the new suggested route should try and replace what has been lost, not create a new byway in another place that has no relationship to the closure and does nothing to mitigate the loss of the old byway. As things are at the moment we have two byways running parallel that meet main roads at their ends, the proposed closure splits one of these byways in half, and the only way to keep this byway connected to its present start and finish is, to have a bridge over or under the railway, there is no other alternative solution.

Our first letter talks about a footpath running across our field, we now realise that the will be a 3m wide road running the full length of two side of a small field that completely cuts off access to the dykes needed for irrigation. Crop spraying would also be difficult with animals and the general public going through the field. The dangers to the public of chemical spraying, without being able to control who goes on the field would be difficult to control, and irrigation nearly impossible. Farming has to be run as a business not a leisure facility and if our land is confiscated by the authorities it will be under false pretences because it does NOTHING to solve the crossing closure. The loss of such a large area of the field and the need for safeguarding the public would make farming the field a liability. We hope these facts will stop our field being used as a bridleway, our family have been farming in this area for generations and hope that you will preserve our human rights to continue.

Thanking you in anticipation of your help.

B L & G H Taylor