

TRANSPORT AND WORKS ACT 1992
APPLICATION FOR THE PROPOSED NETWORK RAIL
(CAMBRIDGESHIRE LEVEL CROSSING REDUCTION) ORDER

STATEMENT OF CASE

ON BEHALF OF

F C PALMER & SONS AND THEIR SUSIDIARY COMPANIES
FENLAND FARMERS LIMITED, FENLAND FARMING LIMITED, FIELDS 9, 10, 11 LIMITED,
FIELDS 16-17 LIMITED AND FIELDS 71-72 LIMITED

Prepared by Jonathan Stiff, MRICS FAAV,
Cheffins,
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Ely,
Cambridgeshire,
CB7 4NP.

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2.0 INTRODUCTION

- 2.1 My name is Jonathan Alan Stiff, MRICS FAAV. I qualified as a member of the Royal Institution of Chartered Surveyors and a Fellow of the Association of Agricultural Valuers in 1991. I have been a Director of Cheffins, a firm of Chartered Surveyors, Auctioneers and Valuers since April 2014 and was previously a Partner with Smiths Gore in Newmarket having originally joined Smiths Gore in 1989.
- 2.2 I specialise in rural professional work including sales, purchases, valuation and compulsory purchase matters. When I worked for Smiths Gore, I acted on behalf of the Environment Agency on a wide range of flood alleviation schemes and coastal defence schemes, a number of which were constructed under Transport and Works Act powers.

3.0 BACKGROUND

- 3.1 Network Rail held a public consultation in July 2016 at which they outlined their proposals to close the level crossings known as C34 – Fysons, C33 – Jack O'Tell (Adam's Crossing) and C02 – Nairns as part of the Anglia Level Crossing Reduction Strategy.
- 3.2 Our clients, F C Palmer & Sons attended the public consultation and completed a questionnaire objecting to the proposal to close the three level crossings.
- 3.3 Following the public consultation, Mr Green from Harmer Associates attended a site meeting with Mr Petherick from F C Palmer & Sons at which he explained in more detail about the proposed scheme and his role within the crossing closure consultations. Mr Green invited Mr Petherick to write to him setting out details of the cropping on the farm, the number of times which the level crossings were used and the impact of the closure of the level crossings on the farming business. A copy of Mr Petherick's letter of 25 July 2016 is included at Appendix 1.
- 3.4 Despite providing this information to Mr Green, our clients did not hear anything further from Network Rail and it was clear from the information which was being published on Network Rail's website that this information had not been taken into account in the reviews of the usage of each crossing. Our clients therefore demanded a meeting with Network Rail and on 20 January 2017, Isaac Adjei, Andrew Prowse and Jonathan Boulton from Network Rail attended a meeting at the farm. At the meeting, it was obvious that none of them had read Mr Petherick's letter of 25 July 2016 to Mr Green and he therefore sent them another copy of the letter when he wrote to them on 14 February 2017. A copy of Mr Petherick's letter of 14 February 2017 is included at Appendix 2.
- 3.5 At the meeting on 20 January 2017, Isaac Adjei promised to provide Mr Petherick with details of the information which Network Rail had used to assess the case for the closure of each crossing. On the Network Rail website, it was claimed that Network Rail had undertaken a census at Nairns Crossing in June and July 2016 which showed zero movements across the crossing. When Mr Petherick challenged Network Rail over the collection of this data, they had to concede that no census had actually been undertaken and the information had been included by mistake.
- 3.6 Mr Petherick also challenged Network Rail's claim that 100% of responses to the closure of Jack O'Tell's Crossing and Fysons Crossing were neutral when he, himself had completed a questionnaire objecting to the closure of these crossings. Mr Adjei from Network Rail replied to Mr Petherick's letter pointing out that the neutral responses related solely to questionnaires received by Network Rail's Agents and not to any objections made by letter. He did however, concede that they may have missed the questionnaire submitted by Mr Petherick in which case, he asked Mr Petherick to send him another copy. Since Mr Petherick completed the questionnaire at the public consultation, he did not have any means of copying the questionnaire and it was therefore impossible for him to send Mr Adjei another copy.
- 3.7 Mr Adjei also made it clear in his letter of 22 February 2017 that it was premature to start looking at compensation issues until the Secretary of State had confirmed whether or not compulsory powers would be granted for the closure of the crossings. However, despite Mr Adjei confirming that the information which Mr Petherick had provided would be taken into consideration in finalising the designs, it felt like Network Rail had made up its mind that it was going to close all three crossings irrespective of the impact on F C Palmer & Sons' business. A copy of Mr Adjei's letter of 22 February 2017 is included at Appendix 3.

4.0 THE FARMING BUSINESS

- 4.1 F C Palmer & Sons farm 3,150 acres of land in single block which straddles the Cambridge to Ely railway line. Of this area, some 1,996 acres as shown hatched and cross hatched in red on the plan at Appendix 4 is owned, 329 acres as shown hatched in blue is rented and 825 acres as shown hatched in green is contract farmed.
- 4.2 Of the total area, 1,508 acres is situated on east side of the railway line of which F C Palmer & Sons own 885 acres as shown hatched in red. They rent 146 acres on a Farm Business Tenancy as shown cross hatched in blue on the plan and they contract farm a further 717 acres as shown hatched in green on the plan.
- 4.2 All of this land is served by a range of packing and storage facilities which are located on western side of the railway line at Chittering Farm as shown marked on the plan. The farm office and the main workshops are also located on the western side of the railway line at Stowbridge Farm as shown marked on the plan.
- 4.3 The main farm roadways which link the buildings to the land on the east side of the railway line are along the lines shown coloured in pink lines on the plan at Appendix 4. These roadways utilise the level crossings at C33 – Jack O'Tell (Adam's Crossing) and C02 – Nairns. In addition to the 1,508 acres of land on the eastern side of the railway line which would be severed by the closure of these level crossings, there is also a further 240 acres of land to the north of New Farm as shown cross hatched in red on the plan which would be severed by the closure of these level crossings.
- 4.4 F C Palmer & Sons grow a rotation which includes wheat, barley, beans, potatoes, carrots, beetroot, leeks, celery, lettuce and turf on all of their land. A schedule showing the cropping history of the 1,508 acres on the east side of the railway line and the 240 acres to the north of New Farm is included at Appendix 5.
- 4.5 With the exception of wheat, all of these crops are high yielding root and salad crops which involve intensive operations and irrigation which considerably increases the number of vehicle movements utilising the level crossings. All produce harvested from the 1,508 acres of land on the east side of the railway line and the 240 acres to the north of New Farm has to be transported back to the buildings at Chittering Farm for grading and storage.

5.0 USE OF LEVEL CROSSINGS

5.1 Based on the cropping history for the land on the east side of the railway line and the land to the north of New Farm and F C Palmer & Sons average yields over the last 5 years, the land has produced the following quantities of crops:

| Crop | Area (ac) | Yield (t/ac) | Tonnage Produced (t) |
|---------------|--------------|---------------|---------------------------------|
| Winter Wheat | 712 | 4.0 | 2,848 |
| Winter Barley | 40 | 3.0 | 120 |
| Winter Beans | 24 | 2.0 | 48 |
| Potatoes | 239 | 20.0 | 4,780 |
| Carrots | 19 | 18.0 | 342 |
| Beetroot | 229 | 25.0 | 5,725 |
| Leeks | 183 | 40 pallets/ac | 7,320 pallets |
| Celery | 100 | 35 pallets/ac | 3,500 pallets |
| Lettuce | 54 | 30 pallets/ac | 1,620 pallets |
| Turf | 148 | 40.0 | 5,920 |
| Total | 1,748 | | 19,783t + 12,440 pallets |

5.2 The majority of the crops are transported in 12 tonne trailers. The leeks, celery and lettuce are transported on trailers with 10 pallets of leeks per trailer, 8 pallets of celery per trailer and 6 pallets of lettuce per trailer. Based on the annual tonnage produced, this equates to approximately 3,089 tractor and trailer movements. Since the tractors and trailers have to return to the fields empty, the total number of movements across the crossings at C33 – Jack O'Tells (Adam's Crossing) and C02 – Nairns amounts to approximately 6,200 movements per annum to transport the produce back to the buildings at Chittering Farm.

5.3 With the exception of leeks which are harvested over the winter, all of the other crops are harvested in a window of approximately 100 days. This equates to almost 50 movements per day across both crossings. In addition to the harvest movements, there would also be a significant number of movements of labour during harvesting as crops such as celery and lettuce are hand-picked.

5.4 There would also be further movements of labour and machinery for cultivations and drilling to establish the crops, fertilising, spraying and irrigation as follows:

| Crop | Cults & Planting | Fert & Spraying | Irrigation | Total Ops |
|---------------|------------------|-----------------|------------|-----------|
| Winter Wheat | 3 | 7 | 0 | 10 |
| Winter Barley | 3 | 6 | 0 | 9 |
| Winter Beans | 2 | 3 | 0 | 5 |
| Potatoes | 7 | 12 | 6 | 25 |
| Carrots | 3 | 10 | 4 | 17 |
| Beetroot | 3 | 10 | 4 | 17 |
| Leeks | 3 | 12 | 4 | 19 |
| Celery | 3 | 16 | 4 | 23 |
| Lettuce | 3 | 12 | 4 | 19 |
| Turf | 3 | 6 | 4 | 13 |

- 5.5 Since the labour and machinery will have to use the crossings at C33 – Jack O'Tells (Adam's Crossing) and C02 – Nairns in order to access the land on the east side of the railway line and the land north of New Farm every morning and will then return to Chittering Farm at the end of each day, each operation will involve two movements across the crossings.
- 5.6 The daily work rates for the various operations are dependent upon the type of crop being grown, the ground conditions and the weather. Whilst the majority of the crops would be established as a block, the leeks would be planted at approximately 10 acres per day over a 4 week period. The celery would be planted at approximately 5 acres per day over a 4 week period and the lettuce would be planted at 2 acres per day over a 5 week period. This would equate to the following daily work rates:

| Crop | Cults (ac/day) | Planting (ac/day) | Fertilising (ac/day) | Spraying (ac/day) | Irrigation (ac/day) |
|---------------|---------------------------|------------------------------|---------------------------------|------------------------------|--------------------------------|
| Winter Wheat | 50 | 50 | 100 | 200 | 0 |
| Winter Barley | 50 | 50 | 100 | 200 | 0 |
| Winter Beans | 50 | 50 | 100 | 200 | 0 |
| Potatoes | 25 | 25 | 100 | 200 | 10 |
| Carrots | 40 | 40 | 100 | 200 | 10 |
| Beetroot | 40 | 40 | 100 | 200 | 10 |
| Leeks | 40 | 10 | 10 | 10 | 10 |
| Celery | 25 | 5 | 5 | 5 | 5 |
| Lettuce | 25 | 2 | 2 | 2 | 2 |
| Turf | 40 | 40 | 100 | 200 | 10 |

- 5.7 Based on the crop area grown, the daily work rates equate to the following movements per crop:

| Crop | Cults | Planting | Fertilising | Spraying | Irrigation | Total |
|---------------|--------------|-----------------|--------------------|-----------------|-------------------|--------------|
| Winter Wheat | 30 | 15 | 16 | 18 | 0 | 79 |
| Winter Barley | 2 | 1 | 2 | 4 | 0 | 9 |
| Winter Beans | 2 | 1 | 0 | 3 | 0 | 6 |
| Potatoes | 60 | 10 | 6 | 12 | 144 | 232 |
| Carrots | 2 | 1 | 2 | 8 | 8 | 21 |
| Beetroot | 12 | 6 | 6 | 10 | 92 | 126 |
| Leeks | 5 | 19 | 19 | 228 | 73 | 344 |
| Celery | 8 | 20 | 20 | 300 | 80 | 428 |
| Lettuce | 3 | 27 | 27 | 270 | 108 | 435 |
| Turf | 8 | 4 | 2 | 5 | 60 | 79 |
| Total | | | | | | 1,759 |

- 5.8 Since the tractors and machinery have to travel to the fields in the morning and return to Chittering Farm at the end of the day, the total number of movements across the crossings at C33 – Jack O'Tells (Adam's Crossing) and C02 – Nairns amounts to approximately 3,500 movements per annum to cultivate, plant, fertilise, spray and irrigate the crops on the land on the eastern side of the railway line and to the north of New Farm.
- 5.9 The total number of movements across the level crossings at C33 – Jack O'Tells (Adam's Crossing) and C02 – Nairns to grow and harvest the crops on the land on the eastern side of the railway line and on the land to the north of New Farm therefore amounts to 9,700 movements per annum.

6.0 RECENT INCIDENTS CONCERNING THE USE OF THE LEVEL CROSSINGS

- 6.1 On 12 August 2016, an employee of F C Palmer & Sons, Dimitar Vaklinov drove a Land Rover over the level crossing at Nairns Crossing and was struck by a train. Mr Vaklinov suffered a broken shoulder blade and cuts to his head and eye. He was off work for 6 months and only returned to work in February 2017.
- 6.2 The accident was investigated fully including the safe working procedure which F C Palmer & Sons had in place for the safe operation of the crossing. F C Palmer & Sons were able to demonstrate that Mr Vaklinov had completed the training in the safe use of the crossing which they had provided. Mr Vaklinov is now being prosecuted in a personal capacity by the British Transport Police and the case is ongoing.
- 6.3 Nairns Crossing is the only crossing of the three crossings which is equipped with telephones to call the signalman to seek permission before crossing. This shows that even with telephones in place on the crossing and a safe working procedure to follow, accidents can still happen.
- 6.4 There are no telephones on Jack O'Tells Crossing and when the crossing is in frequent use, F C Palmer & Sons station a member of staff at the crossing to monitor the crossing and use a mobile phone to notify the signalman before farm machinery uses the crossing. In October 2016, during potato harvesting, the signalman at Cambridge requested that the employee should stop ringing the signal box to seek permission to use the crossing as he did not have time to keep answering the calls. The signalman also asked why the employee was asking for permission to cross when the crossing was not equipped with its own telephone. F C Palmer & Sons reported the incident to the Network Rail Crossing Manager who assured them that it would be investigated.

7.0 IMPACT OF CLOSURE OF LEVEL CROSSINGS

7.1 There are only two possible alternative routes of access from farm buildings at Chittering Farm to the 1,508 acres of land on the eastern side of the railway line and the 240 acres to the north of New Farm as follows:

- Either via the A1123 and the level crossing at Dimmocks Cote along the route shown coloured in green on the plan at Appendix 6, or
- Via the A10 Trunk Road, the village of Waterbeach and the level crossing at Bannold Drove along the route shown coloured in blue on the plan at Appendix 6.

7.2 There are two major drawbacks to the first alternative, the first of which is road safety and the second of which is the fact that F C Palmer & Sons do not have a formal right of way through Little Farm as shown cross hatched in blue on the plan at Appendix 6.

7.3 During the last two years, F C Palmer & Sons have had three road traffic accidents involving their farm machinery when turning right off the A1123 onto the farm roadway shown coloured in green on the plan at Appendix 6.

7.4 The first accident occurred on 22 March 2012 when a van overtook a tractor which was turning right into the farm road and the van ended up in the ditch on the south side of the road. The second accident occurred on 28 March 2013 when a van overtook a tractor and trailer turning right into the farm road and ended up wedged underneath the trailer. The third accident occurred on 24 October 2014 when a car overtook a farm vehicle which was turning right and ended up in the field on the south side of the road. As a result of these accidents, F C Palmer & Sons are extremely wary of accessing their land on the east side of the railway line from the A1123 and will only use this means of access when it is essential to do so.

7.5 Since F C Palmer & Sons only occupy Little Farm on a Farm Business Tenancy which expires on 10 October 2021, there is no guarantee that this tenancy will continue and they cannot rely on this alternative route of access even if the road safety issues could be overcome.

7.6 This therefore leaves the second alternative which is even worse in that it would result in a huge increase in the volume of agricultural traffic on the A10 Trunk Road which at peak times is already severely congested. It would also mean a right turn for all agricultural traffic traveling north, a huge increase in the volume of agricultural traffic through the village of Waterbeach and an additional journey time of approximately 1 hour per movement depending on the time of day.

7.7 On the assumption that all three level crossings are closed and F C Palmer & Sons have to re-route all of their farm traffic via the A10, it is estimated that this will add up to 1 hour per movement or 9,700 hours to their operations each year. According to costings of the Central Association of Agricultural Valuers, an employee together with a 160hp tractor and a 12 tonne trailer costs £38.60 per hour. The cost to F C Palmer & Sons' business of the closure of all three level crossings will therefore be in the region of £375,000 per annum.

8.0 ALTERNATIVE OPTION FOR REDUCING ACCIDENT POTENTIAL WHILST MITIGATING IMPACT OF CLOSURE ON FARMING BUSINESS

- 8.1 F C Palmer & Sons fully understand the reason why Network Rail wishes to close these level crossings and would be prepared to agree to Network Rail closing C34 – Fysons and C02 – Nairns provided that Network Rail fully automates the level crossing at C33 – Jack O'Tells (Adam's Crossing) and keeps it open for use by farm traffic.
- 8.2 It cannot be reasonable to rule out the automation of the level crossing at C33 Jack O'Tells (Adam's Crossing) on the grounds of cost when the impact on F C Palmer & Sons' business and the impact on the local highway network will considerably outweigh the cost of automation of the level crossing.
- 8.3 If the level crossing at Jack O'Tells (Adam's Crossing) is kept open, then the closure of C33 – Fysons will only affect the 240 acres to the north of New Farm and the closure of C02 – Nairns will only affect the 340 acres of land situated to the north of Little Farm. The closure of C33 – Fysons will involve an additional travel time of approximately 14 minutes and the closure of C02 – Nairns will involve additional travel time of approximately 10 minutes.
- 8.4 Based on the cropping detailed above, it is estimated that it will take F C Palmer & Sons an additional 311 hours to service the 240 acres north of New Farm if Fysons Crossing is closed. It will also take an additional 315 hours to service the 340 acres to the north of Little Farm if Nairns Crossing is closed. Therefore, provided that Jack O'Tells (Adam's Crossing) is kept open, then the cost to F C Palmer & Sons' business of the closure of C33 – Fysons and C02 – Nairns will be in the region of £25,000 per annum.

9.0 CONCLUSION

9.1 To date, Network Rail would appear to have carried out very little research into the use of the three level crossings, C34 - Fysons, C33 - Jack O'Tells (Adam's Crossing) and C02 – Nairns and has decided to close these crossings irrespective of the impact on F C Palmer & Sons' business.

9.2 Although Network Rail has undertaken a public consultation exercise, it would appear that it has either ignored the results of this consultation or filtered out the consultations which are not helpful to the project.

9.3 F C Palmer & Sons understand the requirement of Network Rail to close the three crossings on the farm from a safety perspective and that by closing the crossings, the speed and frequency of the train services can be increased. However, if Network Rail closes all three crossings, the farm business cannot continue as it exists today.

9.4 The huge increase in agricultural traffic which would be forced onto the A10 would cause serious congestion, especially at peak times and significantly increase the likelihood of road traffic accidents, particularly where agricultural machinery would be turning right off the A10.

9.5 Whilst F C Palmer & Sons appreciates the need to reduce the number of crossings, the only acceptable option would be as follows:

- Network Rail fully automates the level crossing at C33 – Jack O'Tells (Adam's Crossing) with full length barriers and vehicle radar.
- Network Rail improves the access tracks to the level crossing at C33 – Jack O'Tells (Adam's Crossing) to accommodate the increase in traffic.
- Network Rail closes the level crossings at C34 – Fysons and C02 – Nairns.

9.6 The above option will solve the safety issues with the level crossing at C33 – Jack O'Tells (Adam's Crossing) as the crossing will be fully automated and controlled electronically without the need for human interaction. It will also prevent the agricultural traffic from being pushed onto the public highways and save the accident risk being transferred from the railway to the roads.

9.7 F C Palmer & Sons therefore object in the strongest possible terms to Network Rail being granted compulsory powers to close all three level crossings and would very much hope that the Inspector will not grant compulsory powers to Network Rail until they have engaged in meaningful discussions to overcome F C Palmer & Sons' objections.

APPENDIX 1 – K PETHERICK LETTER DATED 25 JULY 2016

**F.C.Palmer & Sons
Stowbridge Farm
Green End
Stretham
Ely
Cambridgeshire
CB6 3LF**

Dear Mr Green

25/07/16

Thank you for your time on site. It was good to meet with you and hear about your role within the crossing closure consultations.

As discussed I said I would write to you explaining a little more about our farming operation and provide some cropping details.

As you are aware following the visit to the farm and the tour we took together, during our visit to view the crossings. You will have seen from our visit, that we are a very busy farm growing a wide range of crops over 3400 acres in one block, the block is however separated north to south by the railway line.

Our harvesting season spreads across all twelve months due to the nature of our cropping. We have multiple vehicle movements on a daily basis across the whole farm and employ a mix of UK and Eastern European labour.

Crops grown are as follows:

Area in acres

| | |
|-----------|------|
| Celery | 150 |
| Lettuce | 100 |
| Leeks | 250 |
| Beetroot | 400 |
| Carrots | 100 |
| Potatoes | 450 |
| Wheat | 1500 |
| Sugarbeet | 250 |
| Turf | 200 |

With the exception of the wheat crop, all for these crops are high yielding root and salad crops, which involve intensive cultivations and also irrigation to grow the crop, which means increased vehicle movements per acre.

Once we are harvesting each crop, again the vehicle movements are high as the celery, lettuce and leeks are all hand harvested in the fields and then taken back to our coldstore and distribution building in the centre of the farm. This building is situated to the west of the railway line and marked blue on the map provided. All produce harvested from the land marked Red has to come back to the farm via crossings 1 (Nairns) or 2 (Adams) the harvesting of these crops is a twelve month cycle, lettuce and celery from May until November and Leeks July until April. Assuming 65% of the crop is grown on the Eastern side, this will result in 6 crossings per day of produce and 4 crossings per day of personnel, in both directions, so 20 crossings in total.

Beetroot and Potatoes also come back to the farm centre marked blue on the map. Depending on rotation this would be circa 12,000 tons of produce based on 65% of the crop been grown on the eastern side of the railway line and needing to come back to the western side. The harvesting of these crops starts in late June and ends in November, if we assume 12 tons per load and this results in circa 10 loads per day so 20 crossings over and back in total as well as personnel circa another 4 crossings per day.

All of the crossings mentioned above account for harvesting only of the celery, lettuce, leeks, potatoes and Beetroot and not the carrots, wheat, sugarbeet or turf. The figures do not include the movements for the cultivations, irrigation and spraying completed on any of the crops. I would suggest that we use the crossings up to 50 times per day at peak and 20 at the lowest, during a 12-month cycle.

As I said during our meeting closing of the crossings for our business is not an option. When you look at the volume of crossings we make on daily basis, for us to have to lose the use of the crossing and travel to the 1123 cross via the main road barrier crossing to then come back into the farm would cost a significant amount of money on an annual basis, in terms of additional time taken

The other issue with using the 1123 and turning right on the eastern side railway line is a road safety concern. In the last 2 years we have had 3 road traffic accidents turning right after the crossing. What happens is the traffic builds up at the crossing and when the barriers open all traffic heads east along the 1123. When we use our turning back into the farm, which is a right hand turning 170 meters after the barriers. What frequently happens, is that vehicles normally two or three cars back in the queue, become impatient after the crossing, see a tractor in front no one overtaking the tractor, as the other vehicles can see it turning right. The car then starts to overtake all the other cars to pass the tractor and then gets hit by the tractor as the tractor turns right, this has happened on three occasions in the last 2 years.

I hope this helps explain our operation a little more. I have enclosed a map which details the land we farm and the crossings we use to access the land as well as the locations of the farm buildings / crop stores.

If you have any other questions for me, please ask. I look forward to hearing from you.

Kind regards

Kier Petherick

APPENDIX 2 – K PETHERICK LETTER DATED 14 FEBRUARY 2017

**F C Palmer and Sons
Stowbridge Farm
Green End
Stretham
Ely
Cambridgeshire
CB6 3LF**

14/02/17

Dear Andrew, Isaac, Jonathan

Thank you for coming to meet us at the farm on the 20th of January.

As I said at the meeting I would send additional information to help you understand our business and the circumstances of operating a busy the farm.

I have enclosed a copy of the letter and map I sent to Mr Green of Harmer Associates in July 2016 following his visit to the farm. Can you confirm to me this letter and the content have been registered and uploaded onto the system you are using to review each crossing. I have doubts as when you visited us in January not one of you had this information to hand, which was surprising. I thought it demonstrated a total arrogance, that three employees of Network Rail would travel to a meeting requested by the third party and have no back ground information, your response was the information is on the system and you don't have it to hand. Can you confirm the attached letter was received in July of 2016.

Also enclosed are two maps which detail the area of land we farm and the title numbers as well. I have sent this information to Ardent to aid their land referencing.

I would also like to raise some points which were discussed at the meeting on the 20th and Isaac you told us you would come back with responses. We are still waiting for your responses and have received no communication from you, which is very disappointing.

C01 Chittering Proposal

Happy with the proposal as the current crossing has very poor visibility, moving it makes sense from a safety perspective.

C02 Narins Proposal

It states Network Rail undertook a census in June and July over three days ? and the results are stated on the crossing proposal document, which show zero movements. I would like the results to be sent to me as the land owner and the dates the census was completed. There are two reasons for this firstly how was the census completed as no one was on the farm completing a census during June and July there is no way to access the crossing without asking us for permission and this did not happen. Secondly, I have 12 staff who have confirmed they were all using the crossing during June and July and the harvesting records, timesheets, invoices to customers proving beyond doubt, the

crossing was in use we harvest 7 days a week during these months and all of the crop was grown on the East side of the railway and outloaded on the West side of the railway. I have four members of staff who live in the cottages on the west side and start work on the east side in our main yard, they were all working during June and July.

C33 Jack O Tell

I have highlighted the fact that 100% of responses were neutral to the proposal and 100% support the Red route. I have objected and every opportunity at the closing of the crossing and there is no red route on the map, so I am unsure how 100% can be in favour ?

C34 Fysons

I attended the consultation in July and completed a questionnaire objecting to the proposal. I have also sent in letters and met with your representatives stating at all times my objections to the proposals. The document states there have be no objections ?

I fail to see how Network Rail can write total lies on its website regarding responses from people who have attended consultations, completed questionnaires and met your representatives.

I will make our position very clear, as a business and as individuals who own the business and land, we cannot object more strongly to the proposed crossing closures.

I look forward to receiving responses to the questions I have raised above. Can Isaac also write to me confirming that Network Rail understand and have recorded our objections to the crossing closures in July 2016

This process is costing our business time and effort away from our daily operations, investing time in communications regarding a scheme we do not want to see progressed. We need to be compensated for the work we are putting into communications.

Kier Petherick

Enclosed

- Letter and map sent on the 25/07/16
- Farm area map
- Farm title number map
- Downloaded Crossing proposals for
- Nairns
- Jack O Tells,
- Chittering
- Fysons

APPENDIX 3 – I ADJEI LETTER DATED 22 FEBRUARY 2017



Isaac Adjei
Network Rail
The Quadrant Elder Gate,
Milton Keynes Central,
BUCKINGHAMSHIRE, MK9 1EN
Isaac.Adjei@networkrail.co.uk

F C Palmer and Sons
Stowbridge Farm
Green End
Stretham
Ely
Cambridgeshire
CB6 3LF

Date: 22 February 2017

Dear Kier,

RE: Additional Information Letter

Thank you for your letter dated 14/02/2017. Given some of the communication difficulties, which have occurred previously in relation to the effect of Network Rail's proposal on your land, I will be your single point of contact going forward to stop this reoccurring.

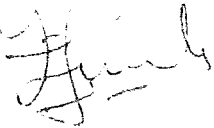
In response to the specific queries raised in your letter I can confirm that the previous correspondence, attached in your letter, was indeed received by Network Rail in July 2016. Network Rail's proposed scheme affects over 900 landowners and all information is electronically stored on a central database and used to feed into designs, consultation documents and proposals. Hence, even when specific information is not known off hand by Network Rail employees, it will be readily accessible and would have fed into the various stages of Network Rail's proposals.

In terms of C02 Nairns Proposal I have been advised by Network Rail's contractors that this table was included as a mistake and should not have been. No census was undertaken at Nairns (hence why there was no data in the table) and any usage information Network Rail has acquired has been through correspondence which has been received and the more recent private user questionnaires.

For C33 Jack O Tell and C34 Fysons the neutral responses relate solely to questionnaires received by Network Rail's agents and not to any objections made by letter. Should you have submitted a questionnaire which you feel may have been missed, please send this to me I will update Network Rail's records accordingly.

I would also like to thank you for the additional information you have sent through and can confirm this has been taken into consideration in finalising designs. In relation to compensation, at this stage it would be premature to initiate that process, as the Secretary of State is yet to confirm whether powers are to be granted. As such, and as per the standing policy across compulsory purchase schemes nationwide Network Rail will not be offering any compensation for fees until the notice to treat stage of this process (which is likely to be in around a years' time). Network Rail is however willing to work with you and should further meetings be requested, Network Rail personnel can attend at times most convenient to you to avoid any disruption to your business activities.

Yours sincerely

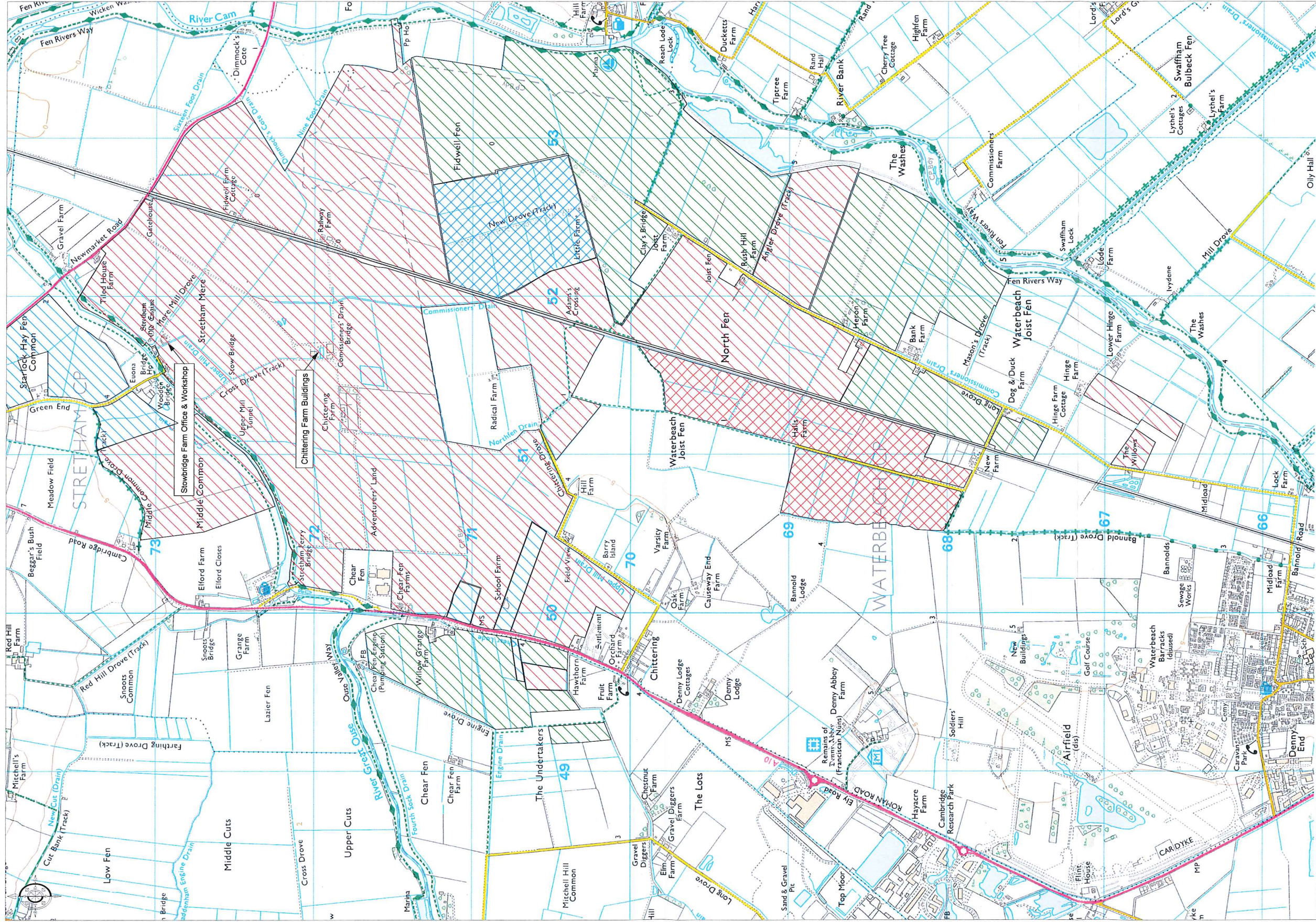
A handwritten signature in dark ink, appearing to read 'Isaac Adjei', with a stylized flourish at the end.

Isaac Adjei

Acting Project Manager

APPENDIX 4 – ESTATE PLAN

F C PALMER & SONS - STOWBRIDGE FARM, STRETHAM, ELY, CAMBRIDGESHIRE



APPENDIX 5 – SCHEDULE OF AREAS & CROPPING HISTORY

| Field | Field Size Acres | Field Size Ha | TL | Parcel | S /Type | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------|---------------------|------------------|------|--------|---------|------------|------------|------------|----------|----------|----------|----------|----------|-----------|
| 21 | 23.18 | 9.38 | 5272 | 6671 | Silt | Wheat | Potatoes | Wheat | Turf | Wheat | Leeks | Carrots | Wheat | Celery |
| 22 | 35.73 | 14.46 | 5372 | 0168 | Silt | Wheat | Potatoes | Wheat | Turf | Wheat | Celery | Wheat | Leeks | Wheat |
| 23 | 21.87 | 8.85 | 5272 | 8845 | Fen | Wheat | Potatoes | Wheat | Turf | Wheat | ICEBERG | Wheat | Leeks | Wheat |
| 24 | 26.93 | 10.90 | 5272 | 5924 | Fen | Leeks | Wheat | Celery | Wheat | Beetroot | GEM | Wheat | Leeks | Wheat |
| 25 | 39.04 | 15.80 | 5271 | 5190 | Fen | Sugar Beet | Wheat | Celery | Wheat | FLOOD | Wheat | Potatoes | Wheat | Celery |
| 27 | 34.27 | 13.87 | 5271 | 8284 | Fen | Sugar Beet | Potatoes | Wheat | Celery | FLOOD | Wheat | Potatoes | Wheat | Leeks |
| 28 | 33.53 | 13.57 | 5371 | 0574 | Fen | Leeks | Potatoes | Wheat | Wheat | FLOOD | Wheat | Potatoes | Wheat | Leeks |
| 29 | 31.11 | 12.59 | 5371 | 2963 | Fen | Sugar Beet | Wheat | Celery | Wheat | FLOOD | Wheat | Potatoes | Wheat | Leeks |
| 30 | 19.25 | 7.79 | 5271 | 9939 | Fen | Wheat | Celery | Beetroot | Wheat | Celery | FLOOD | Wheat | Potatoes | Wheat |
| 31 | 21.52 | 8.71 | 5271 | 6741 | Fen | Wheat | Celery | Beetroot | Wheat | Celery | FLOOD | Wheat | Potatoes | Wheat |
| 32 | 19.89 | 8.05 | 5271 | 4641 | Fen | Wheat | Celery | Beetroot | Wheat | Celery | FLOOD | Wheat | Potatoes | Wheat |
| 33 | 26.22 | 10.61 | 5271 | 2742 | Fen | Wheat | Potatoes | Beetroot | Wheat | Celery | Wheat | FLOOD | Potatoes | Wheat |
| | 332.5 | 134.6 | | | | | | | | | | | | |
| 73 | 41.88 | 16.95 | 5270 | 0143 | Fen | Sugar Beet | Wheat | Carrots | Wheat | Beetroot | Wheat | FLOOD | Wheat | Beetroot |
| 111 | 52.22 | 21.13 | 5169 | 9184 | Fen | Potatoes | Wheat | Sugar Beet | Leeks | Wheat | Turf | Wheat | Potatoes | Wheat |
| 112 | 47.87 | 19.37 | 5169 | 7445 | G Fen | Potatoes | Wheat | Sugar Beet | Leeks | Wheat | Turf | Wheat | Potatoes | Wheat |
| 113 | 19.82 | 8.02 | 5168 | 5998 | Fen | Leeks | Potatoes | Sugar Beet | Wheat | Carrots | Wheat | Celery | Wheat | Potatoes |
| 113a | 19.15 | 7.75 | 5168 | 7789 | Fen | Wheat | Potatoes | Sugar Beet | Wheat | Carrots | Wheat | Celery | Wheat | Potatoes |
| 114 | 19.60 | 7.93 | 5168 | 5471 | Fen | Leeks | Potatoes | Sugar Beet | Wheat | Carrots | Wheat | Celery | Wheat | Potatoes |
| 115 | 21.05 | 8.52 | 5269 | 1001 | M Fen | Wheat | Leeks | Wheat | Potatoes | Wheat | Beetroot | Wheat | Celery | Wheat |
| 116 | 20.73 | 8.39 | 5268 | 3096 | Fen | Sugar Beet | Leeks | Wheat | Potatoes | Wheat | Beetroot | Wheat | Celery | Wheat |
| 117 | 20.41 | 8.26 | 5268 | 5168 | Fen | Wheat | Leeks | Wheat | Potatoes | Wheat | Beetroot | Wheat | Celery | Wheat |
| 118 | 20.98 | 8.49 | 5268 | 6779 | Fen | Wheat | Leeks | Wheat | Potatoes | Wheat | Beetroot | Wheat | Celery | Wheat |
| 119 | 17.89 | 7.24 | 5169 | 5267 | Fen | Sugar Beet | Wheat | Potatoes | Wheat | Leeks | Wheat | Turf | Wheat | Potatoes |
| 120 | 27.18 | 11 | 5169 | 3157 | Fen | Sugar Beet | Wheat | Potatoes | Wheat | Leeks | Wheat | Turf | Wheat | Potatoes |
| 121 | 27.77 | 11.24 | 5169 | 2715 | G Fen | Wheat | Sugar Beet | Potatoes | Wheat | Leeks | Wheat | Turf | Wheat | Potatoes |
| 122 | 15.96 | 6.46 | 5168 | 1082 | G Fen | Wheat | Sugar Beet | Wheat | Potatoes | Wheat | Beetroot | Leeks | Wheat | Beans |
| 122a | 15.94 | 6.45 | 5168 | 2474 | G Fen | Carrots | Leeks | Wheat | Potatoes | Wheat | Beetroot | Leeks | Wheat | Beans |
| 123 | 12.36 | 5 | 5168 | 1050 | G Fen | Sugar Beet | Wheat | Leeks | Potatoes | Wheat | Beetroot | Leeks | Wheat | Beans |
| 124 | 21.23 | 8.59 | 5168 | 0519 | G Fen | Wheat | Sugar Beet | Wheat | Potatoes | Wheat | Beetroot | Leeks | Wheat | Beans |
| 125 | 7.49 | 3.03 | 5068 | 8801 | G Fen | OSR | Wheat | Sugar Beet | Potatoes | Wheat | Beetroot | Leeks | Wheat | Beans |
| 126 | 22.34 | 9.04 | 5068 | 6813 | G Fen | OSR | Wheat | Potatoes | Wheat | Leeks | Wheat | Beetroot | Turf | W. Barley |
| 127 | 28.52 | 11.54 | 5068 | 7443 | G Fen | Wheat | Sugar Beet | Potatoes | Wheat | Leeks | Wheat | Beetroot | Turf | W. Barley |
| 128 | 21.99 | 8.9 | 5068 | 7872 | G Fen | Wheat | Sugar Beet | Potatoes | Wheat | Leeks | Wheat | Beetroot | Turf | W. Barley |
| 129 | 20.66 | 8.36 | 5068 | 8592 | G Fen | Sugar Beet | Wheat | Potatoes | Wheat | Leeks | Wheat | Beetroot | Turf | W. Barley |
| 130 | 15.37 | 6.22 | 5166 | 3591 | HF | Wheat | Sugar Beet | Wheat | Wheat | Leeks | Potatoes | Wheat | Beetroot | Wheat |
| 131 | 6.87 | 2.78 | 5166 | 1766 | HF | Wheat | Sugar Beet | Wheat | Wheat | Leeks | Potatoes | Wheat | Beetroot | Wheat |
| 132 | 7.02 | 2.84 | 5066 | 9681 | HF | Wheat | Sugar Beet | Wheat | Wheat | Leeks | Potatoes | Wheat | Beetroot | Wheat |
| | 552.28 | 223.50 | | | | | | | | | | | | |

Jack O'tells, Nairns, A1123

Nairns Crossing or A1123

Little Farm (Green Dots)

| | | | | | | | | | | | | | | | |
|-------|-------|------|-------|------|-----|------------|-------|---------|---------|---------|----------|----------|--------|-------|----------|
| 101/2 | 18.95 | 7.67 | 5270 | 3544 | Fen | Sugar Beet | Wheat | Leeks | Wheat | Wheat | Potatoes | Wheat | Celery | Wheat | Beetroot |
| 103 | 11.1 | 4.49 | 5270 | 3257 | Fen | Sugar Beet | Wheat | Leeks | Wheat | Wheat | Potatoes | Wheat | Celery | Wheat | Beetroot |
| 104 | 21.37 | 8.65 | 5270 | 2475 | Fen | Sugar Beet | Wheat | Leeks | Wheat | Wheat | Potatoes | Wheat | Celery | Wheat | Beetroot |
| 106 | 22.46 | 9.09 | 5271 | 2001 | Fen | Sugar Beet | Wheat | Leeks | Wheat | Wheat | Potatoes | Wheat | Celery | Wheat | Beetroot |
| 107 | 17.45 | 7.06 | 5271 | 4701 | Fen | Wheat | Leeks | Carrots | Wheat | Wheat | Beetroot | Potatoes | Leeks | Wheat | Celery |
| 108 | 17.52 | 7.09 | 5271 | 6503 | Fen | Wheat | Leeks | Carrots | Wheat | Wheat | Beetroot | Potatoes | Leeks | Wheat | Celery |
| 109 | 17.4 | 7.85 | 5270 | 6470 | Fen | Wheat | Leeks | Wheat | Carrots | Carrots | Beetroot | Potatoes | Leeks | Wheat | Celery |
| 110 | 18.14 | 7.34 | 5270 | 5746 | Fen | Wheat | Leeks | Carrots | Wheat | Wheat | Beetroot | Potatoes | Leeks | Wheat | Celery |
| | | | 146.4 | 59.2 | | | | | | | | | | | |

Rented Land 5 Year FBT

Reynolds

| Field | Field Size Acres | Field Size Ha | | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | |
|-----------|---------------------|------------------|--------|--------|-----------|------------|------------|------------|------------|------------|----------|----------|----------|
| B03 | 10.11 | 4.09 | 5167 | 0949 | G Fen | Potatoes | Wheat | Sugar Beet | Wheat | Sweetcorn | Potatoes | Wheat | Beetroot |
| B04 | 5.73 | 2.32 | 5167 | 1263 | G Fen | Potatoes | Wheat | Sugar Beet | Wheat | Sweetcorn | Potatoes | Wheat | Beetroot |
| B05 | 41 | 16.59 | 5168 | 3001 | G Fen | Potatoes | Wheat | Sugar Beet | Wheat | Sweetcorn | Potatoes | Wheat | Beetroot |
| B08 | 33 | 13.35 | 5168 | 4233 | G Fen | Potatoes | Wheat | Sugar Beet | Wheat | Leeks | Potatoes | Wheat | Beetroot |
| B13 | 14.85 | 6.01 | 5167 | 9389 | Fen | Potatoes | Sugar Beet | Wheat | Leeks | S.Barley | Carrots | Wheat | Beetroot |
| B14 | 15.2 | 6.15 | 5267 | 1579 | G Fen | Potatoes | Sugar Beet | Wheat | Leeks | S.Barley | Carrots | Wheat | Beetroot |
| B15 | 13.74 | 5.56 | 5267 | 2699 | Fen | Potatoes | Wheat | Sugar Beet | Wheat | Turf | Wheat | Beetroot | Wheat |
| B16 | 10.5 | 4.25 | 5168 | 9330 | Fen | Potatoes | Wheat | Sugar Beet | Wheat | Turf | Wheat | Beetroot | Wheat |
| B17 | 19.27 | 7.80 | 5268 | 3137 | G Fen | Potatoes | Wheat | Sugar Beet | Wheat | Turf | Wheat | Beetroot | Wheat |
| B18 | 14.9 | 6.03 | 5268 | 3162 | G Fen | Potatoes | Wheat | Sugar Beet | Wheat | Turf | Wheat | Beetroot | Wheat |
| H1 | 40.62 | 16.44 | 5270 | 0206 | Fen | Wheat | Potatoes | Wheat | Leeks | Sugar Beet | Wheat | Celery | Wheat |
| H3 | 50.73 | 20.53 | 5269 | 3399 | Fen | Wheat | Potatoes | Wheat | Leeks | Sugar Beet | Wheat | Turf | Wheat |
| J01 | 11.98 | 4.85 | 5270 | 5415 | Fen | Wheat | Wheat | Sugar Beet | Leeks | S.Barley | Wheat | Potatoes | Wheat |
| J03 | 23.05 | 9.33 | 5270 | 7128 | Fen | Carrots | Wheat | Leeks | Wheat | Sugar Beet | Wheat | Potatoes | Wheat |
| J04 | 20.31 | 8.22 | 5370 | 3036 | Fen | Sugar Beet | Wheat | Leeks | Wheat | Sugar Beet | Wheat | Potatoes | Wheat |
| J05 | 4.72 | 1.91 | 5370 | 1408 | Fen | Wheat | Wheat | Carrots | Wheat | Sugar Beet | Wheat | Potatoes | Wheat |
| J06/13 | 64.15 | 25.96 | 5370 | 0189 | Fen | Wheat | Leeks | Wheat | Leeks | Potatoes | Wheat | Wheat | Leeks |
| J07 | 32.7 | 13.23 | 5370 | 1408 | Fen | Sugar Beet | Wheat | Leeks | Wheat | Potatoes | Beetroot | Wheat | Leeks |
| J08A | 13.6 | 5.50 | 5370 | 0189 | Clay Loam | Wheat | Wheat | Carrots | Wheat | S.Barley | Carrots | S.Barley | Turf |
| J08 | 35.2 | 14.25 | 5370 | 0189 | Fen | Wheat | Wheat | Carrots | Wheat | S.Barley | Carrots | S.Barley | Wheat |
| J09/16 | 34.82 | 14.09 | 5269 | 8170 | Fen | Wheat | Wheat | Carrots | Wheat | Wheat | Celery | Wheat | Wheat |
| J10/11/15 | 60 | 24.28 | 5269 | 5127 | Fen | Wheat | Wheat | Carrots | Wheat | Potatoes | Wheat | Wheat | Beetroot |
| J14 | 16.8 | 6.80 | 5269 | 5356 | M Fen | Wheat | Wheat | Carrots | Wheat | Potatoes | Wheat | Wheat | Beetroot |
| M1,2,3 | 130.47 | 52.80 | 5370 | 1293 | Fen | Turf | Wheat | Wheat | Sugar Beet | Wheat | Leeks | Wheat | Beetroot |
| | | | 717.45 | 290.35 | | | | | | | | | Turf |

Reynolds Contract Farmed goes over Jack O'tells or Nairns / A1123

| Average | | |
|---------|---------|--|
| 9 Years | 3 Years | |
| 739.1 | 712.4 | |
| 188.4 | 182.9 | |

| | | | | | | | | | | | |
|---------------------------------|---------------|-------|--------|-------|--------|--------|--------|--------|--------|-----|-------|
| Total Land Affected by Closure: | 1748.66 Acres | 799 | 663 | 809.9 | 849.62 | 678.45 | 714.66 | 740.11 | 875 | 522 | Wheat |
| | | 99.87 | 252.57 | 162.3 | 233.47 | 228.6 | 170 | 145.47 | 279.15 | 124 | Leeks |

707.67 Ha

| | | | | | | | | | | | |
|---------|---------|---------|---------|---------|---------|--------|---------|---------|--------------|--------|--------|
| 0 | 0 | 86.88 | 111.62 | 141.32 | 253 | 151.91 | 149.5 | 318.7 | Beetroot | 134.8 | 206.7 |
| 278.39 | 324.71 | 166.35 | 255.5 | 106.58 | 322.08 | 309.6 | 186.97 | 220 | Potatoes | 241.1 | 238.9 |
| 0 | 60.66 | 97.08 | 67.8 | 86.88 | 84.53 | 173.06 | 118.37 | 170 | Gem / Celery | 95.4 | 153.8 |
| 130.47 | 130.47 | 0 | 80.78 | 58.41 | 100.09 | 123.57 | 93.5 | 227.32 | Turf | 105.0 | 148.1 |
| 0 | 0 | 0 | 0 | 55.63 | 13.6 | 13.6 | 13.6 | 93.5 | W. Barley | 21.1 | 40.2 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 73 | W. Beans | 8.1 | 24.3 |
| 38.99 | 143.62 | 99.71 | 19.4 | 58.56 | 30.05 | 23.18 | 32.7 | 0 | Carrots | 49.6 | 18.6 |
| 0 | 0 | 0 | 0 | 137.95 | 60.66 | 68.1 | 0 | 0 | Flooding | 29.6 | 22.7 |
| 0 | 0 | 0 | 0 | 56.84 | 0 | 0 | 0 | 0 | Sweetcorn | 6.3 | 0.0 |
| 372 | 173.7 | 326.36 | 130.47 | 139.43 | 0 | 0 | 0 | 0 | S. Beet | 126.9 | 0.0 |
| 29.82 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | OSR | 3.3 | 0.0 |
| 1748.54 | 1748.73 | 1748.58 | 1748.66 | 1748.65 | 1748.67 | 1748.6 | 1748.79 | 1748.52 | | 1745.3 | 1748.6 |

APPENDIX 6 – PLAN SHOWING ALTERNATIVE ROUTES OF ACCESS

FC PALMER & SONS - STOWBRIDGE FARM, STRETHAM, ELY, CAMBRIDGESHIRE PLAN SHOWING ALTERNATIVE ACCESS ROUTES

