

From: Haggett Camilla <Camilla.Haggett@cambridgeshire.gov.uk>  
Sent: 12 December 2017 18:57  
To: Joanna Vincent; TRANSPORTANDWORKSACT  
(TRANSPORTANDWORKSACT@dft.gsi.gov.uk)  
Cc: Graham Groom; Jane Wakeham; 'Eddy Nicholas'; Atkins Mike; Kelly Michael  
Subject: Re: The Network Rail Cambridgeshire TWAO - C33 Jack O'Tell & C34 Fysons - OBJ12  
Attachments: 20171208 NR Undertaking.pdf; 20171212 CCC-NR\_Undertaking C33-34.pdf

Dear Mrs Vincent and Ms O'Neil,

Re: C33 Jack O'Tell & C34 Fysons  
Cambridgeshire County Council has been objecting to Network Rail's Order in respect of these two crossings. Now in consideration by the County Council of a Solicitor's Undertaking given by Network Rail to Cambridgeshire County Council in respect of these crossing proposals which resolves the County Council's concerns, the County Council has accepted the Undertaking and has withdrawn its objections to the Order in respect of these crossings.

Please find attached a copy of the Undertaking and the County Council's letter of acceptance for yours and the Inspector's reference.

Yours sincerely,  
Camilla Rhodes

Mrs Camilla Rhodes (Haggett) MA MLE MRICS  
Asset Manager – Information  
Highways Service, Cambridgeshire County Council  
Direct Dial: 01223 715621  
Contact Centre: 0345 0455212

Your ref: JEW18136/00663/HXA  
Our ref: CLFR/NR TWAO/33-34  
Date: 12<sup>th</sup> December 2017  
Contact: Mrs Camilla Rhodes  
Direct Dial: 01223 715621  
Contact Centre: 0345 045 5212  
E Mail: camilla.haggett@cambridgeshire.gov.uk



Economy, Transport & Environment  
Executive Director, Graham Hughes

Jane Wakeham  
Winckworth Sherwood  
Minerva House  
5 Montague Close  
LONDON  
SE1 9BB

**Highways Service, Box No. STA2101**  
Infrastructure & Management Operations Directorate  
Stanton House Highway Depot  
Stanton Way  
HUNTINGDON  
PE29 6PY

By Email only

Dear Sirs,

**Re: Transport & Works Act Order 1992  
Network Rail (Cambridgeshire Level Crossing Reduction) Order 201X ('the Order')  
Crossing proposals C33 Jack O'Tells and C34 Fyson's (and C02 Nairns)**

Following our discussions this afternoon and further consideration by Cambridgeshire County Council on this matter, I am pleased to advise that the County Council hereby accepts the Solicitor's Undertaking ('the Undertaking') dated 8<sup>th</sup> December 2017 that you have provided regarding these proposals, on the basis that it is the same as that provided to the Palmers.

The County Council is satisfied that Network Rail's change in position on these proposals as set out in the Undertaking will mean there will now be no adverse impact on the highway network arising from the proposals.

CCC will retain the Undertaking with the legal highway asset record in order to assist in advising members of the public as to the position with regard to the proposals and the highway network.

I therefore confirm that the County Council hereby withdraws its objections to the Order in respect of proposals C33 Jack O'Tell and C34 Fysons in consideration of the Undertaking provided.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "C. Rhodes", with a long horizontal flourish underneath.

Mrs Camilla Rhodes (Haggett) MA MLE MRICS  
Asset Manager - Information

**By Email and Post**

Cambridgeshire County Council  
Shire Hall  
Castle Street  
Cambridge  
CB3 0AP

Solicitors and  
Parliamentary Agents

Minerva House  
5 Montague Close  
London  
SE1 9BB

**DX: 156810 London Bridge 6**

Switchboard 020 7593 5000  
Direct Line 020 7593 5174  
[www.wslaw.co.uk](http://www.wslaw.co.uk)

For the attention of Camilla Rhodes  
Asset Manager – Information  
Highways Services

8 December 2017

Our Ref: JEW/18136/00663/HXA

Dear Sirs

**Transport and Works Act 1992  
Network Rail (Cambridgeshire Level Crossing Reduction) Order (the Order)**

We act for Network Rail Infrastructure Limited (Network Rail) in this matter.

We are instructed by Network Rail to provide the following undertaking on behalf of Network Rail to Cambridgeshire County Council:

**Undertaking in respect of crossings C33 (Jack O'Tell) and C34 (Fysons)**

In consideration of Cambridgeshire County Council forthwith withdrawing its objection to the Order being made in respect of crossings C33 (Jack O'Tell) and C34 (Fysons):

1. Network Rail will not exercise the powers in the Order to close both of C02 Nairns and C33 Jack O'Tell;
2. Network Rail will not exercise the powers in the Order in respect of either C02 Nairns or C33 Jack O'Tell until a permanent means of access from the crossing which is to remain open to the remainder of FC Palmer's landholding has been secured;
3. If permanent rights to use the existing means of access between C02 Nairns and the farmed land to the east of the railway can be secured by agreement, the powers in the Order will not be exercised so as to close C02 Nairns to farm traffic and the crossing will be upgraded through the provision of Miniature Stop Lights. The telephone system will be maintained. Network Rail will continue to review level crossing risk and whether further enhancements are required;
4. If the rights referred to in (3) above cannot be secured by agreement, but a new means of access from C33 Jack O'Tell northwards along the eastern side of the railway can be, the powers in the Order will not be exercised so as to close C33 Jack O'Tell to farm traffic and the crossing will be upgraded through the provision of Miniature Stop Lights and the

---

installation of a telephone system. Network Rail will continue to review level crossing risk and whether further enhancements are required.

Please would you acknowledge receipt of this letter and let us have a copy of your formal withdrawal of your objection in relation to the crossings concerned.

Yours faithfully

*Winckworth Sherwood LLP*

**Winckworth Sherwood LLP**

DT 020 7593 5174

DF 020 7593 5199

[jwakeham@wslaw.co.uk](mailto:jwakeham@wslaw.co.uk)