

**From:** Hilary Butler <  
**Sent:** 03 May 2017 11:55  
**To:** TRANSPORTANDWORKSACT  
**Subject:** Network Rail (Suffolk Level Crossing Reduction) Order  
**Attachments:** 2017 05 03 NR TWAO reply.pdf

Dear Sirs

Please attached my formal response.

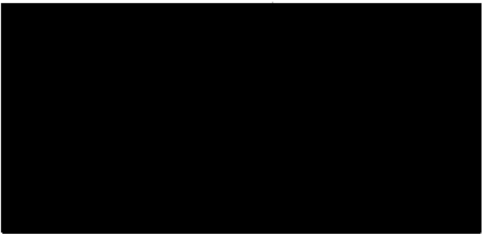
Hilary Butler

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3 May 2017

Dear Sirs,

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

I write in respect to the above application as a Right Holder on Mellis Common whose rights to crossing the railway line will be directly affected by the close of Abbotts Crossing (S21). Although I appreciate the need to propose such changes to this particular crossing I will continue to object to the extinguishment of my historic right of access across the railway at this location until at such a time that Network Railway confirm an appropriate level of compensation for its loss.

To date I have had no contact from Network Railway in this respect and I understand that the Order should provide for compensation payments in such situations.

It is also unclear and would appear unnecessary, as Abbotts Crossing is being removed, for Network Rail to acquire new and permanent rights in land compulsorily for plot 7, the access track and hardstanding to the west of the crossing under this Order rather than acquiring just temporary possession. Therefore I object to this provision in the Order.

I would also draw to you attention what would appear to be typographical error in the Book of Reference (Document NR9-SCC) associated with this crossing. Under the Parish of Mellis against Plan 06 it lists Stuart Cadman and Fiona Cadman in respect of Common Land Rights whereas I believe this should be in respect of Crossing Rights.

Furthermore in respect to Cow Pasture Lane Crossing (S18) although I do not have an objection to the downgrading of this crossing I would comment that it is unclear how Network Rail intends to gain access to this crossing for the provision of the proposed additional bridleway infrastructure. Currently there is no public right of access to Cow Pasture Lane across Mellis Common nor is it currently possible to gain vehicular access to the crossing via Cow Pasture Lane to the east of the crossing from Chapel Farm Lane, Thornham Parva. Network Rail may need to consider what further temporary powers they may require across Mellis Common to carry out the proposed infrastructure upgrade and include these in the Order?

I also note that design freeze drawings contained within the Design Guide document NR12 incorrectly lists on drawing MMD-367516-S18-GEN-005 all the rights of way in Mellis as being in Burgate!

Yours faithfully

Hilary Butler

To:  
The Secretary of State for Transport  
c/o Transport and Works Act Orders Unit  
Department for Transport, Zone 1/18  
Great Minster House  
33 Horseferry Road  
London,  
SW1P 4DR

By email to: [transportandworksact@dft.gsi.gov.uk](mailto:transportandworksact@dft.gsi.gov.uk)