

**HULLS FARMS**  
**COTTON HALL, COTTON,**  
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V.A.T. No 102 8520 11

Secretary of State for Transport,  
Transport and Works Orders Act Unit,  
Department for Transport,  
Zone 1/14-18,  
Great Minster House,  
33 Horseferry Road,  
London.  
SW1P 4DR

10th July, 2017

Copy also to:-

Network Rail,  
c/o Winkworth Sherwood,  
Minerva House,  
5 Montague Close,  
London.  
SE1 9BB

**STATEMENT OF CASE**

**TRANSPORT AND WORKS ACT 1992 (TWA)**

**Proposed Network Rail (Suffolk Level Crossing Reduction) Order**

Mid Suffolk – Parish of Bacton S69 and Fords Green S13

We are compiling this Statement of Case as landowners directly affected by the Anglia Level Crossing Closure Proposals.

The Network Rail (Suffolk Level Crossing Reduction Order Folder 1, Statement of Consultation, page 16, 3.3.3 Landowners states that at GRIP Stage 2-3 1. An initial phase of consultation activity was undertaken with landowners directly affected by the proposals: namely, where the proposals involved the creation of a new public right of way across their land. We would like to point out that at no time were we consulted or contacted by Network Rail or their representatives in the early stages of the consultation process regarding the possible closure of crossing S69 (Bacton) and the possible creation of a new public right of way across our land. Had a neighbouring landowner not alerted us to this possibility we would have been totally unaware until we had a letter from Network Rail/Ardent regarding Land Referencing written in December, 2016, We wrote an email to [anglialevelcrossings@networkrail.co.uk](mailto:anglialevelcrossings@networkrail.co.uk) with a copy to [martinwheeler@ardent-management.com](mailto:martinwheeler@ardent-management.com) at the beginning of October, 2016 as per the copy enclosed, having been informed by our neighbour of Network Rail's intentions stating our initial objections. No acknowledgement of receipt or any further communication was ever received from either party.

Footpath 013 Bacton runs from the play area east across the railway line, the football pitches and a small piece of arable land before joining the B1113. This footpath is not linked to any other footpath at either end and does not form part of any circular footpath route. Our suggestion would be to close crossing S69 and close Footpath 013, Bacton to the west and the east of the railway line Bacton as it would then not serve any useful purpose. It's actual useful purpose now can be brought into question as it is obviously rarely used as shown from your census conducted in June and July, 2016. Pedestrians wishing to access the B1113 from Bacton village would have the option of walking via Birch Avenue and Pound Hill as is currently the case.

We have no objection in principle to the closing of level crossing S69 – Bacton but strongly oppose the creation of a new public footpath from level crossing S69 to level crossing S13. If closing crossing S69 means the creation of a new public footpath along the east side of the railway then we would prefer the crossing to remain open.

The case for Network Rail's proposals for the creation of new rights of way seems to rest on the fact that they are not treating the closure of each individual crossing as a separate entity, which they obviously are.

Again we have no objection in principle to the closing of level crossing S13 but there is no need for the creation of a footpath between S13 and the Cow Creek crossing which we understand is to stay open. Surely it is not impossible for pedestrians to make use of the footpath network that currently exists without spending copious amounts of Network Rail's money creating public rights of way that it has been shown that very few people make use of.

We envisage that the creation of public rights of way along the side of a main line railway would be rarely used. The walk would be lengthy, uninteresting and noisy. The installation, maintenance and upkeep of the 1.8m chain link fence would be expensive and time consuming if carried out efficiently. To encourage pedestrians to walk alongside one of the busiest main line railways does seem counterproductive and possibly dangerous as the opportunity for trespassing on the line would be along the whole length if someone should be determined to do so.

In potentially closing crossings S69 and S13 Network Rail seem to have got embroiled in the creation of new footpaths. Currently there is no direct link between the footpaths that cross S69 and S13 and therefore Network Rail's attempt to link these two sections of paths is inappropriate in the circumstances. We would suggest that the proposed closure of S69 and S13 is not an opportunity to enhance and interlink the two individual sections.

If as a result of the Public Enquiry the creation of a new public footpath along the east side of the railway between S69 – Bacton and S13 – Fords Green becomes a reality we would ask the Inspector to look at the route of Footpath 013 Bacton. One of the overriding factors for the creation of the footpath from S69 to S13 is the supposed safety aspect of keeping pedestrians away from the B1113 which incidentally has a 40 mph speed limit along its length in Bacton. If Network Rail are serious about the concerns of pedestrians walking along the B1113 then we would suggest that Footpath 013 Bacton is moved to the northern boundary edge of the football club ground and northern boundary edge of the small piece of arable land adjoining the B1113 alleviating the length that pedestrians have to walk along the B1113 towards Pound Hill by approximately 100m.

We would again like to reiterate that the initial consultation process conducted by Network Rail was ineffective and inefficient when landowners directly affected by their proposals were

not contacted or consulted. Had we been notified of Network Rail's proposals in June/July 2016 as other landowners then our comments may have been taken into consideration at a much earlier stage. However this does not get away from the fact that we are totally opposed to the creation of a new public footpath on our land between crossing S69 and S13.

Colin W. Hull

Judith A. Hull

## Judith Hull

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**From:** Judith Hull  
**Sent:** 04 October 2016 14:47  
**To:** 'anglialevelcrossings@networkrail.co.uk'  
**Cc:** 'martinwheeler@ardent-management.com'  
**Subject:** Anglia Level Crossings S69 and S13  
**Attachments:** Image (49).jpg; Image (50).jpg

Please find attached a letter from ourselves regarding the Anglia Level Crossing Proposals affecting Level Crossing S69 – Bacton and S13 – Fords Green.

Regards  
Judith Hull

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**V.A.T. No 102 8520 11**

**Network Rail**

**1st October, 2016**

**To Whom It May Concern**

**Re: Anglia Level Crossings Proposals**

It has been brought to our notice that Network Rail are proposing to close S69 – Bacton (Bacton Parish) level crossing and S13 – Fords Green (Bacton Parish) level crossing. We are thoroughly disappointed with the lack of contact from Network Rail or their representatives as landowners who will possibly be directly affected by this. We would have thought it common courtesy to have consulted us with regard to this proposal and the possible creation of a public footpath on our land.

1. We have no objection in principle to the closing of level crossing S69 – Bacton (Bacton Parish) but strongly oppose the creation of a new public footpath from level crossing S69 to level crossing S13.
2. We have no objection in principle to the closing of level crossing S13 – Fords Green (Bacton Parish).
3. From your survey taken at S69 level crossing during June and July we understand one person used level crossing S69 over three days. In this case surely it would be more feasible and cost effective for pedestrians to walk along Broad Road from the junction with footpath W-203/044/0 to the junction with footpath W-115/013/0 and carry on along your diversion route. This section of the B1113 is straight and with a 40mph restriction already in place. I understand that footpath W-115/013/0 would become redundant but as it is obviously used so infrequently I do not see any great problem.

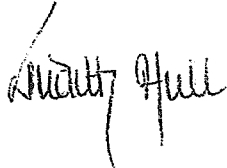
We will strongly oppose the construction of a footpath from level crossing S69 to level crossing S13.

4. We understand the reasons for Network Rail wishing to close level crossings S69 and S13 but the construction of footpaths along the side of the railway is as far as we can see counter productive. New footpaths will only encourage members of the public to walk alongside the railway. Any fencing will have to be continually checked and monitored for damage otherwise there is the possibility of someone trespassing on the line.

5. Our final point for consideration is whether it would be possible to reopen the underpass between S69 and S13 that was closed and filled in some years ago. There would be no necessity then to create the long footpaths between Cow Green and level crossing S69.

We would just like to reiterate the fact that we are totally opposed to the construction of any new footpaths on our land and await your response as to why we have not been contacted about this proposal by Network rail or their representatives.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Anthony Hull'. The signature is written in a cursive style with a large initial 'A' and a long, sweeping underline.