

DEPARTMENT FOR TRANSPORT 2012 Transport and Works Act 1992

Transport and Works (Applications and Objections Procedure) (England and Wales)

Rules 2006 Transport and Works (Inquiries Procedure) Rules 2004

Application for the proposed Network Rail (Suffolk Level Crossing Reduction) Order

Statement of Case is submitted by the National Farmers Union on behalf of its Members
affected by the proposed Level Crossing Closures

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Date: 13 July 2017

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1 General Introduction

1.1 On 24th March 2017, Network Rail (NR) deposited to the Secretary of State for Transport to make the proposed Network Rail (Suffolk Level Crossing Reduction Order) under the Transport and Works Act 1992.

1.2 The Transport and Works Act Order (TWAO) application [APP 2 – APP 10] was made in accordance with the procedure contained in the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006. It has been given reference TWA/17/APP/03/OBJ/32 by the Department for Transport (DfT).

1.3 The Order, if made, would confer upon Network Rail the powers necessary to close or change the use of and down grade certain level crossings across Suffolk. In relation to these closures or downgrades the Order authorises the carrying out of works including the removal of the crossings and the diversion or re designation of the status of certain public roads, footpaths, bridleways, restricted byways or byways open to all traffic and the creation of new rights of way. The Order also authorises the construction of footbridges and a bridleway bridge to carry new public rights of way over drains or watercourses. The Order would permit Network Rail to acquire land and interests in land in connection with the construction of the scheduled and authorised works to be authorised by the Order.

1.4 It is the closures of the crossings, diversions of the public footpaths and bridleways and the permitting of Network rail to acquire land and interests in land that affects our NFU members.

2 Purpose of this Statement of Case

2.1 This statement of case has been prepared by the NFU on behalf of its Farmer and Grower members affected by the proposals of the Order as stated above.

2.2 This Statement of Case sets out the particulars of the NFU's case on behalf of its members for objecting to the Order as will be put forward by Network Rail.

2.3 The crossings which are proposed to be closed and have rights of way diverted are highlighted on the plan at appendix 1. This list has been taken from Network Rail website. Farm businesses with specific issues in regard to the proposals put forward by NR are highlighted below:

2.4 Landowner/occupier**Crossings**

D & D Caldwell

Crossing S03 – Buxton Wood
(Bentley Parish)

Messrs E Hudson Baker

Crossing S12 – Gooderhams

Crossing S13 – Fords Green

Crossing S69 – Bacton

Finbow

Crossing S13 – Fords Green

3.0 Background – NFU Responses to Network Rail Consultations

3.1 Network Rail (NR) has highlighted in its current proposals on their website under the heading of “Anglia Level Crossing Proposals” that NR did undertake public consultations in June 2016, a second round in September/October 2016 and a third round in December 2016. The NFU responded on behalf of all its members affected by the proposed closures in Suffolk to these consultations.

3.2 The NFU in the first response dated July 2016 highlighted that consultation between landowners and occupiers and Hamer Associates (the agents acting for NR) had taken place and requested that it continued. It also stated how important the crossings are to members’ farm businesses allowing access to their land on a timely basis. Further specific concerns over certain crossings were highlighted as the NFU believed that landowners and occupiers concerns were not being listened to. Concerns included the affect certain closures would have on some farm businesses due to time and cost of farm vehicles using new proposed routes. Further that new rights of way including footpaths and bridleways had been shown to be created on productive agricultural land.

3.3 The NFU submitted a response to the second and third consultation and raised its concerns over the real driver for the closing of the crossings by NR, as it was felt that the closures proposed are to reduce the maintenance costs incurred by NR and for their convenience.

3.4 The response highlighted how the amended proposals by NR for each crossing were only published on the day of the relevant consultation event and so farmers had no time to consider the effect of the proposals on their business. They were not able to take any advice from their professional advisers and so were unable to raise considered concerns with NR representatives at the public events.

3.5 The response also highlighted concerns over the accuracy of the data in regard to usage of each crossing and that due to the very brief survey of the crossings mostly carried out over a weekend

and a Monday that this could not give an accurate usage figure for the annual use of the crossings by vehicles or pedestrians.

3.6 The NFU has been concerned throughout the consultations that NR have not considered the full impact of closing some of the crossings will have on some farm businesses or the effect of some of the diversions of proposed rights of way. The response highlighted how it is unacceptable to compulsorily close a right of access which may be a private right of use with vehicles without providing a suitable cost effective alternative access to the farm businesses affected. It is felt that NR have not considered the full economic implications of closing the crossings to farm businesses from business interruption and loss of business in both the short and long term.

3.7 It is seen that there will be economic gain to NR by closing the crossings proposed.

3.8 A response was submitted to the proposed orders submitted by network rail on 3rd May 2017. The primary concerns were highlighted as follows:

- Closure of level crossings will compromise access to agricultural land by farm businesses, their employees and contractors. This concern is brought in part by a lack of clarity and transparency on the impact of these changes on private access.
- The economic impact to farm businesses, caused by the proposed closures to the crossings, has currently been completely underestimated.
- There are proposals to considerably increase the length of the rights of way network running across agricultural land through the creation, diversion or extinguishment of rights of way. This will have an economic impact on agricultural holdings.
- Once a crossing is closed, it is unlikely to be re-opened thus future opportunities for land use, development and neighbouring property may be restricted.
- The specific concerns raised by our members have been highlighted in the attached table. This shows how many unanswered queries remain.

3.9 Two of the main NFU Asks in the response where as follows:

3.9.1. The NFU recognises Network Rail's aims to improve safety on the network and increase the quality of service provided to its customers through a higher-speed rail network. However, the NFU's preferred option is:

- For other solutions to be considered before the closure or downgrading of level crossings which we believe have not been fully considered up until this point. This includes the use of lights, barriers, GPS, tunnels and bridges.
- For greater consideration to be given to farmer and landowner response in this and previous stages of the consultation process. Only through this full engagement with landowners and

other interested parties at an individual or local level can compromise arrangements be made to improve Network Rail's assets whilst not disadvantaging agricultural businesses and rural communities.

3.9.2 For the direct effects of closing and downgrading level crossings, including economic, logistical and safety implications, to be fully considered. Forcing agricultural machinery to take longer routes, often using longer stretches of public road, can have great impacts on the farm business, their contractors and the rural community and we believe this has not yet been taken into full consideration.

3.10 Please see all NFU responses to the consultations at Appendix 2.

4 Communication and Consultation by Network Rail and Agents Acting

4.1 The NFU from the first response submitted to consultations on 4 July 2016 highlighted that the consultation between landowners and farmers with Network Rail and their agents acting (Hamer Associates at the time) continued. Our members have highlighted that were one to one meetings did take place back in 2016 with Hamer Associates it was thought there had been a reasonable understanding of the issues affecting farm businesses by the closure or proposed changes to the rights of way. Further the NFU had three meetings with Hamer Associates 26 October 2015, 28 April 2016 and 22 September 2016 with updates provided to the NFU on the progress of the project. This also enabled NFU to raise member issues.

4.2 At the end of 2016 Bruton Knowles took over as acting agents for Network Rail. Very few one to one on site farm meetings have been carried out by Bruton Knowles or Network Rail to understand the issues faced by closing some of the level crossings or creating new diverted footpaths or bridleways along productive agricultural land. It is apparent that most of the issues that our members raised in meetings with Hamer Associates and ourselves, have not been considered and the orders have been submitted with proposals that do not take into account issues raised over the last twelve months.

4.3 The communication and consultations carried out with our NFU members has not been at all satisfactory. Some of our members have had no contact at all with no explanation as to why certain proposals have been made.

4.4 The NFU regional office tried to organise a meeting with Bruton Knowles on the 28 February 2017 but that morning the agent Andrew Prowse cancelled stating that he had to be in London. An alternative meeting date was requested but Bruton Knowles did not feel that this was necessary and that the NFU should just refer to the website for the current situation of each level crossing. Due to the questions and issues raised in regard to the closure of the crossings the NFU would have expected Network Rail or their agents to be requesting a meeting to solve the outstanding issues.

4.5 The NFU tried again to hold a meeting with Bruton Knowles and an email was sent on 5th April 2017 there was no direct reply from Bruton Knowles but contact was made direct from Network Rail on 13 April 2017 requesting information on the individual member queries. A copy of the NFU response was sent to Jonathan Boulton at Network Rail and the NFU was informed that we would receive a response. This as yet has not been received but a further meeting has been requested by Network Rail to discuss our member queries which only came through on 14 June 2017.

4.6 The NFU believes strongly that Network Rail and the agents acting on their behalf have not been constructively engaging with landowners and farmers affected by the proposed level crossings or the NFU representing our affected members. Please see some of the emails from the NFU sent to Bruton Knowles and Network Rail at Appendix 3.

5.0 Existing use of the Crossings and the effect of the proposals

5.1 Details below are highlighted for individual NFU farming members who are directly affected by the proposed order to close specific level crossings in Suffolk:

D & D Caldwell, Rookery Farm-**Crossing S03 Buxton Wood****Present Use**

The crossing is presently used as a public footpath level crossing and the user decides if it is safe to cross as it is a stop, look and listen crossing.

The Proposal

The proposal by NR is to close the level crossing to all users and divert the footpath.

The proposal is to divert users using the crossing to Falstaff level crossing to cross the railway. The proposal is to create a new footpath heading south off footpath 19 and this to be a new 2m wide footpath unsurfaced which runs along the field margin on the eastern boundary of the field adjacent to a watercourse and the wood. The new footpath would connect into footpath Bentley 22.

The existing footpath runs from Bentley crossing (footpath 22) crosses the railway line at Buxton wood before running northwest to join footpath Bentley 21.

The Issue

The latest proposal (NR plan dated March 2017) will create a new footpath 2m wide on private agricultural land running along a field margin away from the railway line next to a watercourse. The approximate length being 550m. It is further proposed for the footpath to be located 5m from the top of the bank of the watercourse this leading to a further loss of agricultural land. It is not necessary to create this length of footpath on productive agricultural land.

The first proposal highlighted by NR highlighted a new footpath to be created on the west boundary of the field running parallel with the railway line from Buxton Wood crossing to Falstaff Crossing. This creates a far shorter length of footpath so less land would be taken out of agricultural production.

NR has highlighted the change in the proposed location due to the land flooding next to the railway line. This flooding is caused by NR's failure to maintain the drainage system off their land causing spring water to create two wet areas in the field immediately adjacent to the boundary. It seems probable that the NR drains were damaged during the work undertaken to electrify the line in 1983 as the wet areas appeared in the field soon after that work was carried out.

The Caldwells notified NR at the time and this is the subject of current communication with NR and a further letter to NR was sent on 6 April 2017 by Birketts solicitors.

Solution

The Caldwells see no reason at all for the new proposed footpath highlighted on the NR plan March 2017 to be located on their land taking land out of agricultural production and interfering with farming practices. The Caldwells propose that the appropriate alternative route for the footpath is a route running solely on NR land to the east of the current track. This would utilise the space which was the historic siding area and adjacent NR land along the boundary with the Caldwell's arable land. This would provide a direct route linking the existing footpath from Buxton Wood to run up to Falstaff crossing and connect to footpath 19 Bentley.

NR must address the drainage issues on their land.

NR has diverted a footpath further up the railway line, S04 The Island, with the proposed route now on to their land with an additional fence erected between the railway track and the footpath.

Please see the NR plans A and B at Appendix 4.

Communications

Mr Caldwell considers that he has not been informed or involved in the consultation carried out by NR. Firstly D & D Caldwell were not notified of the first consultation in June 2016 and again were not notified of the second consultation in September 2016. Mr Caldwell was only aware of the public consultation event in September 2016 due to seeing an announcement of the meeting in the local paper.

The first correspondence received was dated 17/12/2016 which was a letter from Ardent and this was then followed by being informed by the local land agent that Bruton Knowles had taken over as agents for NR. Bruton Knowles did carry out a site visit on 23/1/2017 but did not enter into dialogue or negotiation.

A formal notice was received from Bruton Knowles on 25/3/2017 still highlighting the footpath to go around the eastern boundary of the field next to the water course. None the views or points put forward by the Caldwells appear to have been recorded or considered by NR or its agents during this process.

Messrs E Hudson Baker –

Crossing S12 Gooderhams

(Orwell Park Estate)

Crossing S13 Fords Green

Finbows Bacton 1991 Ltd -

Crossing S69 Bacton

Crossing S12 Gooderhams

Present Use

The crossing is presently used as a public footpath crossing and a private user worked crossing with a telephone.

The Proposal

The proposal by NR is to close the footpath level crossing to all public users of the footpath and to keep the crossing open to private users who are registered and have vehicle rights.

Agreement

The proposal is agreed and acceptable Messrs E Hudson Baker as the vehicle rights over the crossing are essential to maintain access for the farming operations on the agricultural land both sides of the railway line.

Please see NR plan A at Appendix 5.

Crossing – S13 Fords Green

Present Use

The crossing is presently used as a public footpath crossing.

The Proposal

The latest proposal (NR plan March 2017) is to close the crossing to all users and the footpath to be diverted running along two new footpaths to be created. One footpath to be 2m wide running south to Cow Creek crossing along agricultural land and parallel to the railway line on the west boundary of the railway line. The second footpath to be created is again 2m wide and runs north to Bacton crossing along agricultural land and on the east side of the railway track. Please see plan B at Appendix 6.

This proposal is a change to the proposal highlighted on the NR plan dated 14 October 2016. This plan highlights the crossing to be closed and for a footpath to be created from Fords Green running south to Cow Creek along agricultural land on the east side of the railway line.

The Issue

The proposal highlighted on the latest plan two create two new footpaths running north and south along agricultural land parallel to the railway line is not acceptable to Messrs Hudson or Mr Finbow who farm and own land which would be affected by this proposal. The proposal would take agricultural land out of production and interfere with farming operations. It is not necessary to create these two new footpaths.

This proposal is going beyond diverting a footpath which is closed over Fords Green. The new proposal is actually enhancing the footpath network and creating two new loops enabling walkers to be able to walk a new circular route to the west side of the railway line between Cow creek and Fords Green and a circular route to the eastside of the railway line between Fords Green and Bacton Crossing which at the present time does not exist.

It is already possible for the public to walk from Cow Creek on existing footpaths to Bacton Village on both sides of the railway line.

The Solution

As highlighted above it is not necessary for any new footpaths to be created on agricultural land as access along existing footpaths already exists. To create two new footpaths is over and beyond powers that should be granted to divert the footpath that is to be closed.

If there is an exceptional reason for a new footpath to be created this should be the proposal which was highlighted on the NR plan dated 14 October 2016 No.4. This plan as stated above highlights the footpath running south to Cow Creek parallel to the railway line on the eastern boundary. If this new footpath was to be created then Messrs Hudson Baker and Mr Finbow would want to see footpath 20 Bacton also closed as highlighted on the plan. Please see Plan C at Appendix 5.

Crossing 69 Bacton

Present Use

It is a public user footpath crossing.

The Proposal

The proposal is to close the crossing to all users. To divert the footpath north on the eastside of the railway line up Broad Road to the underbridge on Pound Hill. The footpath to the west side of the railway line would be diverted along an existing track and then on to a new footpath 2m wide to be created and a footbridge to run west. This connects to footpath 14 Bacton

The Issue/ The Solution

If the proposal is taken forward to close Bacton Crossing along with Fords Green this again highlights that it is not necessary to create the new footpath on agricultural land between Fords Green and Bacton Crossing. It is as stated above possible for public walking to use existing footpaths to go between Cow Creek and Bacton Village.

Further it has not been made clear by NR why the footpath crossing should be closed at Bacton. This footpath is regularly used, especially by children from the village who are unaccompanied to access the football club on the one side of the railway line and the play area on the other. If the crossing is closed this will force the children to walk on the Church road and the B1113 which has no footway.

Please see plans D and E at Appendix 5.

Communication

Mr Paul Baker and Mr John Finbow are not at all satisfied by the communication and consultation carried out by NR and their agents. Changes have been made on plans highlighting new proposals which have not been consulted on at all and earlier negotiations carried out seem to have been dismissed by NR. NR have only been considering their own ideas.

6. Conclusion

6.1 The NFU at the present time objects strongly to Network Rail being granted compulsory powers to carry out any closures of crossings or to be able to divert or create any new footpaths or bridleways until Network Rail has engaged and carried out meaningful negotiation with landowners, farmers and the NFU.

Appendix 1

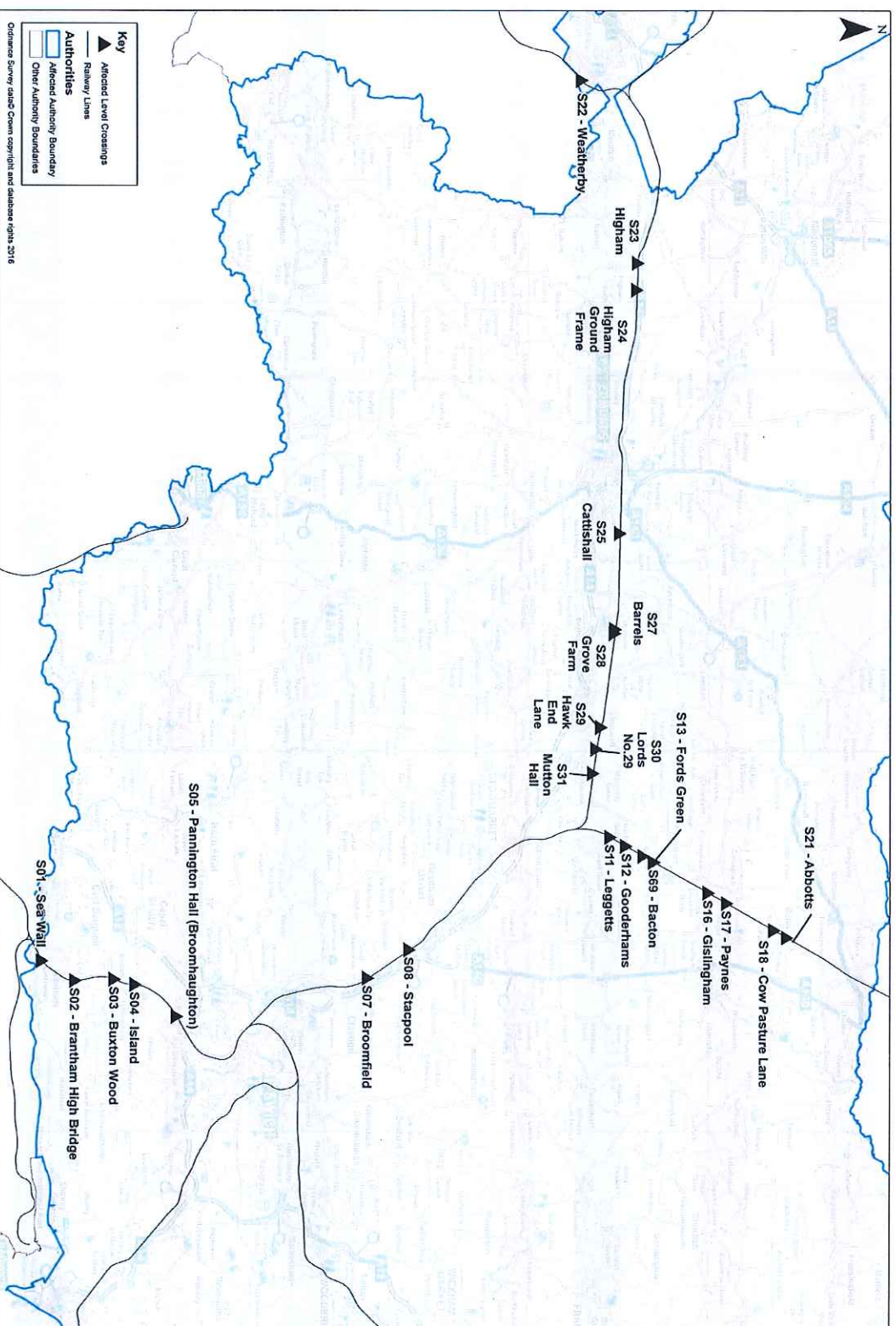
Anglia Level Crossing Proposals - Suffolk

Final List

Anglia Level Crossing Proposal – Suffolk – Final List

Level Crossing Locations Map and Tables

The crossings marked in red in the list below have been removed from the project and will not be progressed at this stage



Bury St Edmunds Venue Level Crossings

Level Crossing Reference & Name	Post Code	GoogleMaps Link	Reason for removal
S22 - Weatherby	CB8 8BT	S22 - Weatherby (GoogleMaps)	
S23 - Higham	IP28 6NU	S23 - Higham (GoogleMaps)	
S24 - Higham Ground Frame	IP28 6NS	S24 - Higham Ground Frame (GoogleMaps)	
S25 - Cattishall	IP31 2QU	S25 - Cattishall (GoogleMaps)	
S26 - Great Barton	IP31 3PN	S26 - Great Barton (GoogleMaps)	Closed through an existing Highways Act Order
S27 - Barrels	IP31 3RU	S27 - Barrels (GoogleMaps)	
S28 - Grove Farm	IP31 3SF	S28 - Grove Farm (GoogleMaps)	

Ipswich Venue Level Crossings

Level Crossing Reference & Name	Post Code	GoogleMaps Link	Reason for removal
S01 - Sea Wall	CO11 1NL	S01 - Sea Wall (GoogleMaps)	
S02 - Brantham High Bridge	CO11 1PL	S02 - Brantham High Bridge (GoogleMaps)	
S03 - Buxton Wood	IP9 2DB	S03 - Buxton Wood (GoogleMaps)	
S04 - Island	IP9 2LP	S04 - Island (GoogleMaps)	
S05 - Pannington Hall (Broomhaughton)	IP9 2AR	S05 - Pannington Hall (Broomhaughton) (GoogleMaps)	
S07 - Broomfield	IP6 0NJ	S07 - Broomfield (GoogleMaps)	
S08 - Stacpool	IP6 8LU	S08 - Stacpool (GoogleMaps)	
S33 - Westerfield	IP6 9AE	S33 - Westerfield (GoogleMaps)	Further engagement required

Bacton (Stowmarket) Venue Level Crossings

Level Crossing Reference & Name	Post Code	GoogleMaps Link	Reason for removal
S11 - Leggetts	IP14 4EY	S11 - Leggetts (GoogleMaps)	
S12 - Gooderhams	IP14 4HH	S12 - Gooderhams (GoogleMaps)	
S13 - Fords Green	IP14 4HN	S13 - Fords Green (GoogleMaps)	
S14 - Steggels	IP14 4NG	S14 - Steggels (GoogleMaps)	Closed through existing Highways Act Order
S15 - Farningham	IP14 4NG	S15 - Farningham (GoogleMaps)	
S16 - Gislingham	IP14 4HX	S16 - Gislingham (GoogleMaps)	
S17 - Paynes	IP23 8JE	S17 - Paynes (GoogleMaps)	
S18 - Cow Pasture Lane	IP23 8EF	S18 - Cow Pasture Lane (GoogleMaps)	
S19 - Rectory Road	IP23 8DZ	S19 - Rectory Road (GoogleMaps)	Further development and engagement required
S20 - Beecroft	IP23 8DY	S20 - Beecroft (GoogleMaps)	Further development and engagement required
S21 - Abbots	IP23 8DN	S21 - Abbots (GoogleMaps)	
S29 - Hawk End Lane	IP30 9ED	S29 - Hawk End Lane (GoogleMaps)	
S30 - Lords No.29	IP30 9UD	S30 - Lords No.29 (GoogleMaps)	
S31 - Mutton Hall	IP14 3LS	S31 - Mutton Hall (GoogleMaps)	
S32 - Haughley Green	IP14 3RF	S32 - Haughley Green (GoogleMaps)	Unable to resolve issues presented by diversionary route
S69 - Bacton	IP14 4NS	S69 - Bacton (GoogleMaps)	

Appendix 2

NFU Responses to all consultations

To: NetworkRail *via email*

Date: 13 July 2016

Ref:

Contact: Adam Scott

Tel: 01787 329 761

Fax:

Email: Adam.scott@nfu.org.uk

The National Farmers Union (NFU) represents 55,000 farm businesses in England and Wales involving an estimated 155,000 farmers, managers and partners in the business.

Network Rail Anglia Level Crossing proposals

The NFU welcomes the opportunity to submit comments regarding Network Rail's consultation to explore options to close or change the use of 130 crossing across Cambridgeshire, Suffolk and Essex. Our members and their businesses will be directly affected by this scheme and our response reflects their concerns.

Consultation with landowners and farmers

We note the publication of the Transport and Works Act Order process and acknowledge that this is the first stage in the formal consultation process.

We recognise that farmers and landowners have had the opportunity to attend public consultation exhibitions to explain the proposal for each crossing. We understand that where it has been possible to identify the relevant landowner, Network Rail or their appointed representative, has made or is in the process of, making contact with the landowners on an individual basis.

The NFU has met with representatives of Hamer Associates regarding the proposals and we ask that dialogue between all parties continues.

Access to farm land

Our members' primary concern is access to their farmland on a timely basis, by their staff or appointed contractors, for agricultural and horticultural operations and to transport harvested produce. Where livestock is grazed, access to land is required for husbandry purposes and this will be on a daily basis.

Land in the East Anglia region is highly productive growing a variety of crops. Principle cropping in Essex is combinable crops with wheat occupying the largest area. More intensive cropping also occurs including potatoes, vegetables, sugar beet and other horticultural crops. Frequency of access to land varies according to the crop being grown and some land is subject to multi cropping and grows more than one crop per year. Agricultural and horticultural operations are weather related so access requirements vary accordingly. Harvesting of crops can also be depended on supplier requirements so changes in supermarket demands can influence field operations and access requirements to land.

Vehicular access by farm traffic including tractors and large machinery including sprayers, potato harvesters, combine harvesters and sugar beet harvesters, must not be compromised. Access by HGVs to crop stores (either barns or temporary storage pads) is required and proposals must accommodate this. Providing suitable access routes for agricultural and horticultural traffic, may help reduce unnecessary congestion for the public on local roads.

User operated private crossings have been a feature of the national rail network since its inception. When the reason for closure is related to the economic gain of the rail operator, it is unacceptable to be able to hold landowners to ransom by installing powers to compulsorily close a right of way without providing an alternative access. Where other reasons are behind the move to close a crossing then other options to improve the position should be explored and discussed with landowners.

Where there is a change or restriction of access to a crossing, it is essential that clarity is given as to where liabilities and responsibilities lie.

Future works

We appreciate options proposed to mitigate for some closures could involve re-routing public rights of way and also potential construction works. Mitigation, such as compensation for the loss of land, will need to include a package of accommodation works. The schedule of works for the new works will have to take into consideration the agricultural working year and ensure full access to land for agricultural operations at all times, unless agreed in advance with the landowner or farmer. An agricultural liaison officer will need to be appointed during the period of the works, with direct contact details supplied to all affected landowners and farmers.

Professional fees

We would fully expect Network Rail to cover any professional or legal fees incurred by farmers affected by the consultation.

Points on specific crossings:

The NFU has attended a number of the consultations roadshows in Essex but not all. Similarly it has spoken to a number of landowners affected but again not all. Our response is therefore a generic overview of the concerns that our Members have raised. Individual crossings each raise a number of individual concerns and it is expected these will be address directly with the landowners (or their representatives) concerned.

In conclusion, we request communication between farmers and landowners (plus their representatives) and Network Rail (plus their representatives) continues.

Adam Scott

Adam Scott
NFU County Adviser Essex

To: NetworkRail *via email*

Date: 13 October 2016

Ref:

Contact: Hannah Padfield

Tel: 01638 672100

Fax:

Email: Hannah.padfield@nfu.org.uk

The National Farmers Union (NFU) represents 55,000 farm businesses in England and Wales involving an estimated 155,000 farmers, managers and partners in the business.

Network Rail Anglia Level Crossing proposals

The NFU welcomes the opportunity to submit comments regarding Network Rail's consultation to explore options to close or change the use of 130 level crossings (crossings) across Cambridgeshire, Suffolk and Essex. Our members and their businesses will be directly affected by this scheme and our response reflects their concerns.

Purpose of the scheme and consultation

The rationale for Network Rail's proposals is not clear. The NFU is concerned, on behalf of its members, that maintenance costs and convenience for Network Rail are the real drivers rather than safety for users, along with moving liabilities to the landowner. In addition to this, once a crossing is closed, in reality it is unlikely to be re-opened thus future opportunities for land use, development and neighbouring property may be restricted.

Consultation process

We note the publication of the Transport and Works Act Order process and acknowledge that this is the second stage in the formal consultation process.

We recognise that farmers and landowners have had the opportunity to attend a further round of public consultation exhibitions to explain the revised proposal for each crossing. We understand that where it has been possible to identify the relevant landowner, Network Rail or their appointed representative, has made or is in the process of, making contact with the landowners on an individual basis.

The two stages of the consultation process have been in short succession between June and October, which coincides with the busiest time in the farming year. As a result, there has been a reduced window for discussion with Network Rail for affected parties to take professional advice.

The proposal for each crossing was published on the day of the relevant consultation event, thus leaving no opportunity for advance consideration or discussion with advisers. In some cases the proposal was not published on the day of the event, thus face to face communication at the relevant consultation event was not feasible.

In some cases, the usage figures stated on the proposal for each crossing are questionable. Our members have used these crossings with agricultural vehicles more times than stated.

Access to farm land

Our members' primary concern is access to their farmland on a safe and timely basis, by their staff or appointed contractors, for agricultural and horticultural operations, and to transport harvested produce. Where livestock is grazed, access to land is required for husbandry purposes.

Land in the Anglia region is highly productive growing a variety of crops on rotation, including salad, vegetables, sugar beet and combinable crops. Frequency of access to land varies according to the crop being grown, and some land is subject to multi cropping and grows more than one crop per year. Agricultural and horticultural operations are weather related so access requirements vary accordingly. Harvesting of crops can also be dependent on supplier requirements, so changes in supermarket demands can influence field operations and access requirements to land.

Vehicular access by farm traffic, including tractors and large machinery (for example sprayers, potato harvesters, combine harvesters and sugar beet harvesters), must not be compromised. Access by HGVs to sugar beet pads is required and proposals must accommodate this. Providing suitable access routes for agricultural and horticultural traffic may help reduce unnecessary congestion for the public on local roads. Where crossings are being downgraded from a public crossing to a private user crossing, access by agricultural machinery must be permissible. Access from fields onto the highway must not be compromised neither should turning circles for agricultural vehicles.

User operated private crossings have been a feature of the national rail network since its inception. When the reason for closure is related to the economic gain of the rail operator, it is unacceptable to compulsorily close a right of way without providing an alternative access.

Safety

Numerous accidents have occurred across the Anglia region in recent years, costing Network Rail considerable sums in fines. Effective safety features are required at crossings to reduce accidents, and Network Rail should not presume closing crossings is the only option. A range of safety features are available including lights, automatic barriers, improved train GPS, improved gate configurations and permanent structures such as foot and vehicular bridges. Tractors can be fitted with GPS technology with accuracy down to 2cm so there are options for Network Rail to consider. Network Rail has been resistant, at this stage, to considering solutions suggested by users.

Private user rights

The registration process for private user rights has not been made clear to landowners. Neither are potential applicants aware of the legal responsibilities attached to these rights or the implications if there should be an accident in the future.

Where private user crossings are being removed and rights are lost, the application process for compensation and rates is not made clear to affected parties.

Compensation for the loss of property

Compensation for the loss of property has not been confirmed, and where some preliminary discussions have taken place, there is an indication that the methodology is subjective with the onus on the landowner to prove loss of income.

Economic implications for business interruption and loss of business, both in the short and long term, need to be considered.

Rights of way

Where alternative rights of way are proposed, it is essential that any of the concerns about the potential impacts of new routes are taken into account. Landowners must be adequately compensated for new rights of way, particularly considering that once a right of way has been created it can be difficult to get them diverted or extinguished, and also because a footpath may require changes to land management and have an impact on land value. If furniture (such as gates etc.) is required for new rights of way, a discussion must take place with the farmer to ensure that their farming needs are accounted for, and that the furniture is a necessity for the route.

A number of the proposals would re-route paths across land currently used for grazing livestock, including pedigree bulls in one case. This is clearly undesirable. An additional issue is that of livestock

The voice of British farming

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diseases, such as neosporosis, that are transmitted by dog faeces and these impacts must be taken seriously by Network Rail.

Crime

In a small number of cases, the closure of a crossing and the removal of a private user crossing will create a dead end. In these situations, our members are concerned about the implications for crime including fly tipping.

Professional fees

We would hope that Network Rail will cover any professional or legal fees incurred by farmers affected by the consultation.

Future works

The schedule of works for the construction will have to take into consideration the agricultural working year, and ensure full access to land for agricultural operations at all times, unless agreed in advance with the landowner or farmer. An agricultural liaison officer will need to be appointed during the period of the works, with direct contact details supplied to all affected landowners and farmers.

The effect of dust from construction work will need to be considered. Mitigation will need to be provided to prevent damage to crops.

Conclusion

In conclusion, we request that communication between farmers/landowners and Network Rail (plus all respective representatives) continues, with satisfactory proposals determined before the TWO is applied for.

To: NetworkRail *via email*

Date: 5 January 2017

Ref:

Contact: Hannah Padfield

Tel: 01638 672100

Fax:

Email: Hannah.padfield@nfu.org.uk

The National Farmers Union (NFU) represents 55,000 farm businesses in England and Wales involving an estimated 155,000 farmers, managers and partners in the business.

Network Rail Anglia Level Crossing proposals

The NFU welcomes the opportunity to submit comments regarding Network Rail's consultation to explore options to close or change the use of 130 level crossings (crossings) across Cambridgeshire, Suffolk and Essex. Our members and their businesses will be directly affected by this scheme and our response reflects the factors that will need to be considered.

Purpose of the scheme and consultation

The rationale for Network Rail's proposals is not clear. The NFU is concerned, on behalf of its members, that maintenance costs and convenience for Network Rail are the real drivers rather than safety for users, along with moving liabilities to the landowner. In addition to this, once a crossing is closed, in reality it is unlikely to be re-opened thus future opportunities for land use, development and neighbouring property may be restricted.

Consultation process

We note the publication of the Transport and Works Act Order process and acknowledge this includes a number of opportunities for formal consultation. We are mindful that Section 118 and Section 119 of the Highways Act could also be used to close the level crossing(s) in question.

We recognise that farmers and landowners have had the opportunity to attend two rounds of public consultation exhibitions to explain the revised proposal for each crossing. We understand that where it has been possible to identify the relevant landowner, Network Rail or their appointed representative, has made, or is in the process of making, contact with the landowners on an individual basis.

Network Rail's decision to change agent in December 2016 led to a number of on-farm meetings being conducted in Cambridgeshire. Whilst the opportunity for discussion is welcome, it is noted that this is a repeat of the previous meetings with little or no progress being made.

The NFU and its members have identified revised proposals for crossings published online in December 2016 with little or no notification given to affected parties by Network Rail.

The usage figures stated on the proposal for each crossing are questionable. Our members have used these crossings with agricultural vehicles more times than stated.

Access to farm land

Our members' primary concern is access to their farmland on a safe and timely basis, by their staff or appointed contractors, for agricultural and horticultural operations, and to transport harvested produce. Where livestock is grazed, access to land is required for husbandry purposes.

Land in the Anglia region is highly productive growing a variety of crops on rotation, including salad, vegetables, sugar beet and combinable crops. Frequency of access to land varies according to the crop

The voice of British farming

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being grown, and some land is subject to multi cropping and grows more than one crop per year. Agricultural and horticultural operations are weather related so access requirements vary accordingly. Harvesting of crops can also be dependent on supplier requirements, so changes in supermarket demands can influence field operations and access requirements to land.

Vehicular access by farm traffic, including tractors and large machinery (for example sprayers, potato harvesters, combine harvesters and sugar beet harvesters), must not be compromised. Access by HGVs to sugar beet pads is required and proposals must accommodate this. Providing suitable access routes for agricultural and horticultural traffic may help reduce unnecessary congestion for the public on local roads. Where crossings are being downgraded from a public crossing to a private user crossing, access by agricultural machinery must be permissible. Access from fields onto the highway must not be compromised, neither should turning circles for agricultural vehicles.

User operated private crossings have been a feature of the national rail network since its inception. When the reason for closure is related to the economic gain of the rail operator, it is unacceptable to compulsorily close a right of way without providing an alternative access.

Safety

Numerous accidents have occurred across the Anglia region in recent years, costing Network Rail considerable sums in fines. Effective safety features are required at crossings to reduce accidents, and Network Rail should not presume closing crossings is the only option. A range of safety features are available including lights, automatic barriers, improved train GPS, improved gate configurations and permanent structures such as foot and vehicular bridges. Tractors can be fitted with GPS technology with accuracy down to 2cm so there are options for Network Rail to consider. Network Rail has been resistant, at this stage, to considering solutions suggested by users.

Private user rights

The registration process for private user rights has not been made clear to landowners. Neither are potential applicants aware of the legal responsibilities attached to these rights or the implications if there should be an accident in the future.

Where private user crossings are being removed and rights are lost, the application process for compensation and rates is not made clear to affected parties.

Compensation for the loss of property

Compensation for the loss of property has not been confirmed, and where some preliminary discussions have taken place, there is an indication that the methodology is subjective with the onus on the landowner to prove loss of income.

Economic implications for business interruption and loss of business, both in the short and long term, need to be considered.

Rights of way

Where alternative rights of way are proposed, it is essential that any of the concerns about the potential impacts of new routes are taken into account. Landowners must be adequately compensated for new rights of way, particularly considering that once a right of way has been created it can be difficult to get them diverted or extinguished, and also because a footpath may require changes to land management and have an impact on land value. If furniture (such as gates etc.) is required for new rights of way, a discussion must take place with the farmer to ensure that their farming needs are accounted for, and that the furniture is a necessity for the route. In addition, it would need to be made clear where responsibility lies for the maintenance of any new rights of way and/or furniture.

A number of the proposals would re-route paths across land currently used for grazing livestock, including pedigree bulls in one case. This is clearly undesirable. An additional issue is that of livestock

diseases, such as neosporosis, that are transmitted by dog faeces and these impacts must be taken seriously by Network Rail.

The NFU also draws Network Rail's attention to Section 5(6) of the TWA which states: "An order under section 1 or 3 above shall not extinguish any public right of way over land unless the Secretary of State is satisfied, (a) that an alternative right of way has been or will be provided, or (b) that the provision of an alternative right of way is not required." We question whether this provision has been properly considered as part of the current proposals.

It is also worth noting that there may be an increase in the number of historic rights of way applications during the scheme due to the anticipated implementation of the relevant provisions of the Deregulation Act 2015.

Crime

In a small number of cases, the closure of a crossing and the removal of a private user crossing will create a dead end. In these situations, our members are concerned about the implications for crime including fly tipping.

Professional fees

We would hope that Network Rail will cover any professional or legal fees incurred by farmers affected by the proposals.

Future works

The schedule of works for the construction will have to take into consideration the agricultural working year, and ensure full access to land for agricultural operations at all times, unless agreed in advance with the landowner or farmer. An agricultural liaison officer will need to be appointed during the period of the works, with direct contact details supplied to all affected landowners and farmers.

The effect of dust from construction work will need to be considered. Mitigation will need to be provided to prevent damage to crops.

Conclusion

In conclusion, we request that communication between farmers/landowners and Network Rail (plus all respective representatives) continues, with satisfactory proposals determined before the TWO is applied for.

To: transportandworksact@dft.gsi.gov.uk.

Date: 05 May 2017

Ref: Network Rail Level Crossing Closures

Circulation: Essex Group Secretaries

Contact: NFU HQ

Martin Rogers/ Louise Staples

Tel: 024 7685 8645

Martin.rogers@nfu.org.uk

Contract NFU Essex

Adam Scott 01787 329 761

Adam.scott@nfu.org.uk

Network Rail level-crossing closure Orders.

Introduction:

The NFU represents 47,000 farm businesses in England and Wales. We welcome the opportunity to respond to the proposed orders submitted by Network Rail under the Transport and Works Act 1992 to remove or downgrade 130 level crossings across Cambridgeshire, Suffolk and Essex. This response is submitted in addition to responses provided by individual affected landowners. We have an interest in proposals to close or downgrade level crossings at a regional and national level due to the potential for the process to subsequently be used in other parts of the country; therefore this response aims to highlight concerns raised by multiple farm businesses.

The closure or downgrading of level crossings will have differing impacts on agricultural businesses depending upon farm type and size, and the specifics of the proposed closures, but our primary concerns are fourfold:

- Closure of level crossings will compromise access to agricultural land by farm businesses, their employees and contractors. This concern is brought in part by a lack of clarity and transparency on the impact of these changes on private access. Does a level crossing closure mean no further private rights of access for both vehicles and pedestrians?
- The economic impact to farm businesses, caused by the proposed closures to the crossings, has currently been completely underestimated.
- There are proposals to considerably increase the length of the rights of way network running across agricultural land through the creation, diversion or extinguishment of rights of way. Again an economic impact to agricultural holdings.
- Once a crossing is closed, it is unlikely to be re-opened thus restricting future opportunities for land use and development.

The NFU also has serious concerns regarding the consultation and engagement process up until this point. The NFU recognises that Network Rail have conducted previous consultation stages in this process but we have concerns that the views of landowners and other interested parties expressed during these stages have not been taken into consideration in the proposed Orders submitted. There are also a number of Landowners affected by closures or path re-routing that have not been contacted directly.

The NFU would welcome confirmation on the type and scale of alterations to the proposals which Network Rail have made as a result of the earlier consultation stages in this process.

Conclusions to previous consultation stages of this process have requested that “*communication between farmers/landowners and Network Rail (plus all respective representatives) continues, with satisfactory proposals determined before the TWO is applied for.*” Unfortunately we do not believe that this justified request has been met and many outstanding concerns and uncertainties remain in this process.

NFU Ask:

The NFU recognises Network Rail’s aims to improve safety on the network and increase the quality of service provided to its customers through a higher-speed rail network. However, the NFU’s preferred option is:

- For other solutions to be considered before the closure or downgrading of level crossings which we believe have not been fully considered up until this point. This includes the use of lights, barriers, GPS, tunnels and bridges.
- For greater consideration to be given to farmer and landowner response in this and previous stages of the consultation process. Only through this full engagement with landowners and other interested parties at an individual or local level can compromise arrangements be made to improve Network Rail’s assets whilst not affecting the viability of agricultural businesses and rural communities.

Impact on access to land

Our members’ primary concern is to ensure access to their farmland on a safe and timely basis, by their staff or appointed contractors, for agricultural and horticultural operations, and to transport harvested produce. Where livestock is grazed, access to land is required for husbandry purposes sometimes twice daily. Some of the proposals in East Anglia would lead to very lengthy diversions of up to 16.6km, which would have disproportionate impacts on current farm practices. The time taken to cover this distance would not be cost effective.

Land in the Anglian region is highly productive growing a variety of crops on rotation, including salad, vegetables, sugar beet and combinable crops. Frequency of access to land varies according to the crop being grown, and some land is subject to multi cropping and grows more than one crop per year. Agricultural and horticultural operations are weather related, so access requirements vary accordingly. Furthermore, some operations are labour intensive and require considerable numbers of people to gain access to land at particular times of year. Therefore increasing the distances which have to be travelled to access land can have significant logistical and financial impacts for the farm business.

Harvesting of crops can also be dependent on supplier requirements, so changes in supermarket demands can influence field operations and access requirements to land- demonstrating the need for reliable access to land.

Vehicular access by farm traffic, including tractors and large machinery (for example sprayers, potato harvesters, combine harvesters and sugar beet harvesters), must not be compromised. Agricultural businesses can be acutely impacted by reduced, as well as a complete lack of, access to particular areas: in some circumstances the nature of machinery used demands the availability of a circular route, and removal of one access point to a land parcel will heavily impact on the logistics of these farm operations.

In some circumstances the alternative route caused by the closure of level crossing is not suitable for agricultural machinery. Therefore we would like confirmation that any diversions are along routes which are:

- No narrower than 5m and capable of taking loadings up to 60tonnes;
- Contain no underbridges which are under 5m high or 5m wide;

- Contain no junctions or corners which vehicles over 20m long could not use.

In some cases we believe this has not been taken into consideration, therefore the full economic costs of the diversions caused by the closing of level crossings has not been fully taken into account.

NFU Ask:

For the direct effects of closing and downgrading level crossings, including economic, logistical and safety implications, to be fully considered. Forcing agricultural machinery to take longer routes, often using longer stretches of public road, can have great impacts on the farm business, their contractors and the rural community and we believe this has not yet been taken into full consideration.

The lack of certainty or transparency on the process for closing level crossings which hold private rights

User operated private crossings have been a feature of the national rail network since its inception. When the reason for closure is related to the economic gain of the rail operator, it is unacceptable to compulsorily close a right of way without providing an alternative access and consider the economic impact on the agricultural businesses.

Where crossings are being downgraded from a public crossing to a private user crossing, access by agricultural machinery must be permissible. Access from fields onto the highway must not be compromised; neither should turning circles for agricultural vehicles. We have concerns that this has not been fully clarified, and we seek transparency on this point before the downgrading of any crossings.

NFU Ask:

For clear communication to be provided confirming where private rights are not to be affected by the level crossing closures and the level of compensation available.

Proposed changes to the rights of way network in the region

There are a number of proposals to create, divert or extinguish public rights of way alongside the closure or downgrading of some level crossings. The NFU welcomes the responsible use of the countryside by members of public through the use of the rights of way network. However some of the proposals to create or divert rights of way would significantly increase the length of route running across agricultural land. The potential impacts for farm businesses of these proposals to change the right of way network are manifold:

- The scale of increases in the length of rights of way, sometimes by more than 1km, will have a considerable economic impact on individual farm businesses through taking large areas of land out of agricultural production.
- Some proposals to create or divert rights of way run across land which is currently entered into Countryside Stewardship schemes, which would in turn deem the land ineligible for stewardship payment. As an example, in the Countryside Stewardship manual for option SW4 (12 – 24m watercourse buffer strip on cultivated land), it explicitly says the option 'cannot overlap a public right of way'. As such Countryside Stewardship schemes could be affected by the creation of new rights of way, or diversion of existing rights of way.
- More generally, some proposed diversions will lead to the creation of intrusive footpaths- which run immediately adjacent to, or between, farm buildings which resultantly increase health and safety risks to members of the public and farm workers. No footpath should be diverted to run between farm buildings.
- Diverting or creating new public rights of way behind houses also affects potential land values. Many landowners in densely populated counties like Essex have sold land for garden or horse paddocks and re routed paths will greatly affect the land values in such cases.

- Other proposed diversions are onto land parcels which are currently used for turning out livestock, thus increasing the risk of livestock worrying, or spreading of disease transmitted by dog faeces such as neosporosis. Rules relating to bulls in fields crossed by public rights of way can also impact on land use.
- A number of proposed diversions would instate rights of way immediately adjacent to poultry sheds, thus causing an enhanced biosecurity risk.
- In some circumstances cul-de-sacs in rights of way will be formed when level crossings are closed. This increases the risk of landowners and tenants becoming the victim of rural crime which includes, but is not limited to, fly-tipping, hare-coursing and fly-grazing.
- No clarity has been provided on who would be responsible for the installation and ongoing maintenance of newly created or diverted rights of way and their furniture- including gates, stiles and fences.

In addition, there is great emphasis currently being placed on the reinstatement of unrecorded historic rights of way which were in existence prior to 1949 when the original definitive map of rights of way was first created. Consideration should be given to the combined effect of reinstated and newly created or diverted rights of way on land, particularly if the two processes create a very dense network, or two rights of way running very close and parallel to each other.

We also question whether the procedure used by Network Rail is correct. Section 5(6) of the Transport and Works Act (TWA) states: *"An order under section 1 or 3 above shall not extinguish any public right of way over land unless the Secretary of State is satisfied, (a) that an alternative right of way has been or will be provided, or (b) that the provision of an alternative right of way is not required."* We would welcome confirmation on whether this provision has been properly considered as part of the current proposals. We are mindful that S118 and 119 of the Highways Act could be used to remove the rights of way in question as an alternative to the TWA procedure.

NFU Ask:

Greater consideration must be given to the wider implications for farm businesses through making alterations to the rights of way network. This can only be achieved through full engagement with landowners on their proposed location during the decision making process. Landowners must be adequately compensated for new rights of way and the associated adverse impact on their business, including loss of production, inability to enter land into Countryside Stewardship schemes, rural crime and the costs of implementing measures to abate any adverse impact to biosecurity or animal welfare.

We would welcome confirmation that Network Rail has fully considered the provisions outlined in Section 5(6) of the TWA and how the creation of rights of way through this process is being considered holistically with work to reinstate historic rights of way through the Deregulation Act 2015.

Conclusion:

The NFU recognises the reasoning behind Network Rail's wish to close or downgrade level crossings in the region; however with greater engagement there is the opportunity to achieve these aims without severely impacting the viability of agricultural businesses. In short this is through:

- Limiting the number of level crossings closed or downgraded;
- Closing combinations of crossings which minimise impacts on agricultural practices.
- Retaining private rights on some level crossings which will be closed to others.
- The full investigation and use of other measures such as the use of lights, barriers, GPS, tunnels and bridges.

Appendix 3

Emails to Bruton Knowles And Network Rail

Louise Staples

From: Louise Staples
Sent: 06 April 2017 09:44
To: Andrew Prowse
Subject: RE: Anglia Crossing Closure Consultation published - deadline for Cambridgeshire 25 April

Dear Andrew

Many thanks for coming back to me and look forward to hearing from someone at Network Rail.

Regards

Louise

Louise Staples MRICS, FAAV

Rural Surveyor
NFU
Agriculture House
Stoneleigh Park
Stoneleigh
Warwickshire
CV8 2TZ

Direct line: 02476 858558
Fax: 02476 858559
Mobile: 07799384359

From: Andrew Prowse [<mailto:Andrew.Prowse@brutonknowles.co.uk>]
Sent: 06 April 2017 09:41
To: Louise Staples
Cc: Hannah Padfield
Subject: RE: Anglia Crossing Closure Consultation published - deadline for Cambridgeshire 25 April

Louise

Thank you for your email. I am currently awaiting instructions in relation to post deposition matters. I have relayed your email to Network Rail and someone will contact you in due course.

Regards

Andrew



Property Consultants

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From: Louise Staples [Louise.Staples@nfu.org.uk]
Sent: 05 April 2017 15:31
To: Andrew Prowse
Cc: Hannah Padfield
Subject: Anglia Crossing Closure Consultation published - deadline for Cambridgeshire 25 April

Dear Andrew

I have been given your contact details by my regional colleague Hannah Padfield and I am getting in touch direct due to the impact some of the proposed network rail crossing closures would have on some of our members farm businesses. We believe that Network Rail has not considered previous responses that we have submitted and so now urgently need to have a meeting with you and the project lead from Network Rail.

I would be grateful if you could contact me as soon as possible so that we can arrange a meeting.

Regards

Louise

Louise Staples MRICS, FAAV

Rural Surveyor
NFU
Agriculture House
Stoneleigh Park
Stoneleigh
Warwickshire
CV8 2TZ

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NFU, Registered in England No. 245E

Louise Staples

From: Boulton Jonathan <Jonathan.Boulton@networkrail.co.uk>
Sent: 25 April 2017 14:02
To: Louise Staples
Subject: RE: Network Rail Level Crossing Closure Orders

Louise,

Thank you for this, I have circulated this round and will get back to you with a response (either from myself or it may come on behalf of the project) asap,

Kind regards

Jonathan



Jonathan Boulton
Surveyor (Anglia)
Property Services
1 Eversholt Street
London NW1 2DN
M 07710 939865
E jonathan.boulton@networkrail.co.uk
www.networkrail.co.uk/property

From: Louise Staples [<mailto:Louise.Staples@nfu.org.uk>]
Sent: 25 April 2017 13:57
To: Boulton Jonathan
Subject: FW: Network Rail Level Crossing Closure Orders

Dear Jonathan

Please find attached our response to the consultation submitted today to DfT. I would be grateful if you could please come back to me as soon as possible with any information you have in regard to any of the questions raised.

Many thanks

Regards

Louise

From: Martin Rogers
Sent: 25 April 2017 10:21
To: transportandworksact@dft.gsi.gov.uk
Subject: Network Rail Level Crossing Closure Orders

To whom it may concern,

Please find attached the NFU's response to the proposed orders submitted by Network Rail under the Transport and Works Act 1992 to remove or downgrade 130 level crossings across Cambridgeshire, Suffolk and Essex. I also enclose a copy of individual responses which have been received from our membership.

Kind Regards

Martin Rogers

Flood management & Access Adviser

National Farmers Union (NFU)

Agriculture House

Stoneleigh Park

Stoneleigh

Warwickshire

CV8 2TZ

Tel: 024 7685 8645



The voice of British farming - www.nfuonline.com

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Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office
Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

Louise Staples

From: Boulton Jonathan <Jonathan.Boulton@networkrail.co.uk>
Sent: 14 June 2017 09:56
To: Louise Staples
Subject: Meeting with the NFU
Attachments: Network Rail level crossing closure orders NFU response.pdf; NFU member individual comments.pdf

Louise,

Further to our various emails on the subject of the Anglia Level Crossing Closure Transport for Works Act Order, would representatives of the NFU be available to meet the relevant individuals within Network Rail to discuss the matters raised in the objection you submitted? (attached again for reference). If so if you could send me some dates/times when your representatives would be free I will co-ordinate matter on my end as well,

Happy to discuss

Kind regards

Jonathan



Property

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Surveyor (Anglia)
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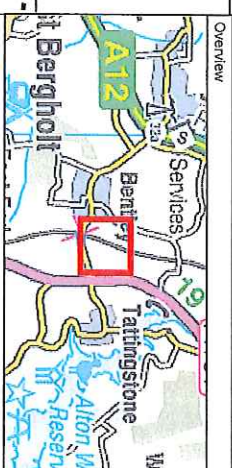
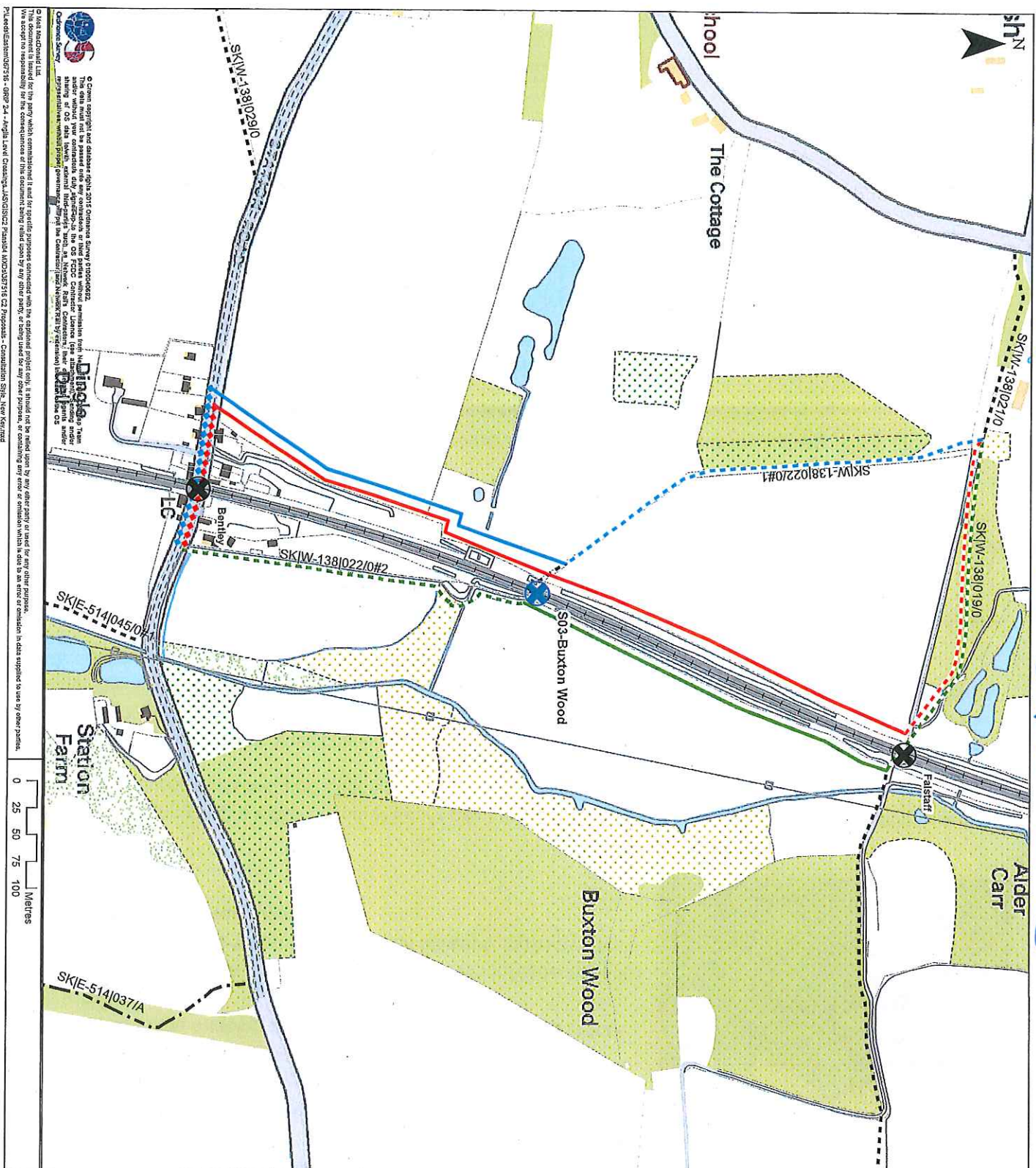
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Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

Appendix 4

D & D Caldwell - Crossing S03 Buxton Wood

PLAN A. S03 Buxton Wood

JUNE 2016



- Level crossing being discussed
- Other level crossings

- ### Alternative Options
- Red Route
 - Blue Route
 - Green Route

A solid line indicates a proposed new Public Right of Way (type to be determined).
Other line types using the above route option colours indicate use of existing Public Rights of Way.
Right of way extinguishments are still to be determined and are not shown for clarity given multiple options.

- ### Existing Public Rights of Way
- Footpath
 - Bridleway
 - Restricted byway
 - Byway open to all traffic
 - Highway (where used)
- If this line is in a colour, this denotes use by a route option (see above).

Mott MacDonald

2 Brewery Wharf
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LS10 1UR
United Kingdom
+44 (0)113 3946700

Anglia LX Consultation Stage 1

S03 - Buxton Wood
Suffolk
Bentley CP

Rev	Date	Description	Dwn	E Chk	Chkd	App'd
P3	03/06/2016	Revised Format	WC	-	SJP	JAS
P2	20/01/2016	NR Comments	WC	-	SJP	JAS
P1	16/10/2015	For Information	WC	-	SJP	JAS
Rev	Date	Description	Dwn	E Chk	Chkd	App'd

Scale at A3
1:3,500

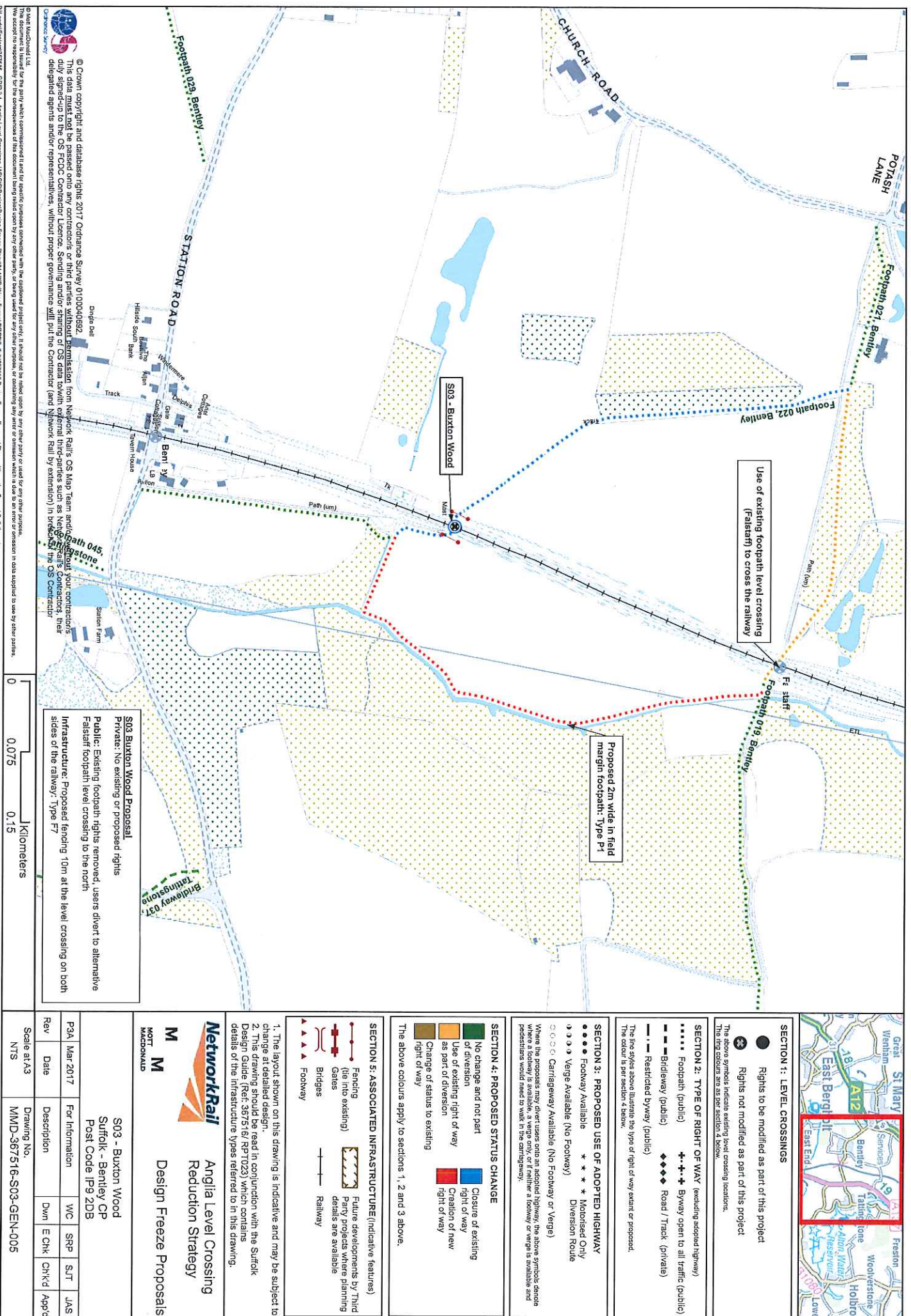
Drawing No.
MMD-367516-S03-GEN-002

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Printed on 16/06/2016 - 09:24 - Anglia LX Consultation Stage 1 - New Kent Road

PLAN B

S03 Buxton Wood

MARCH 2017



Appendix 5

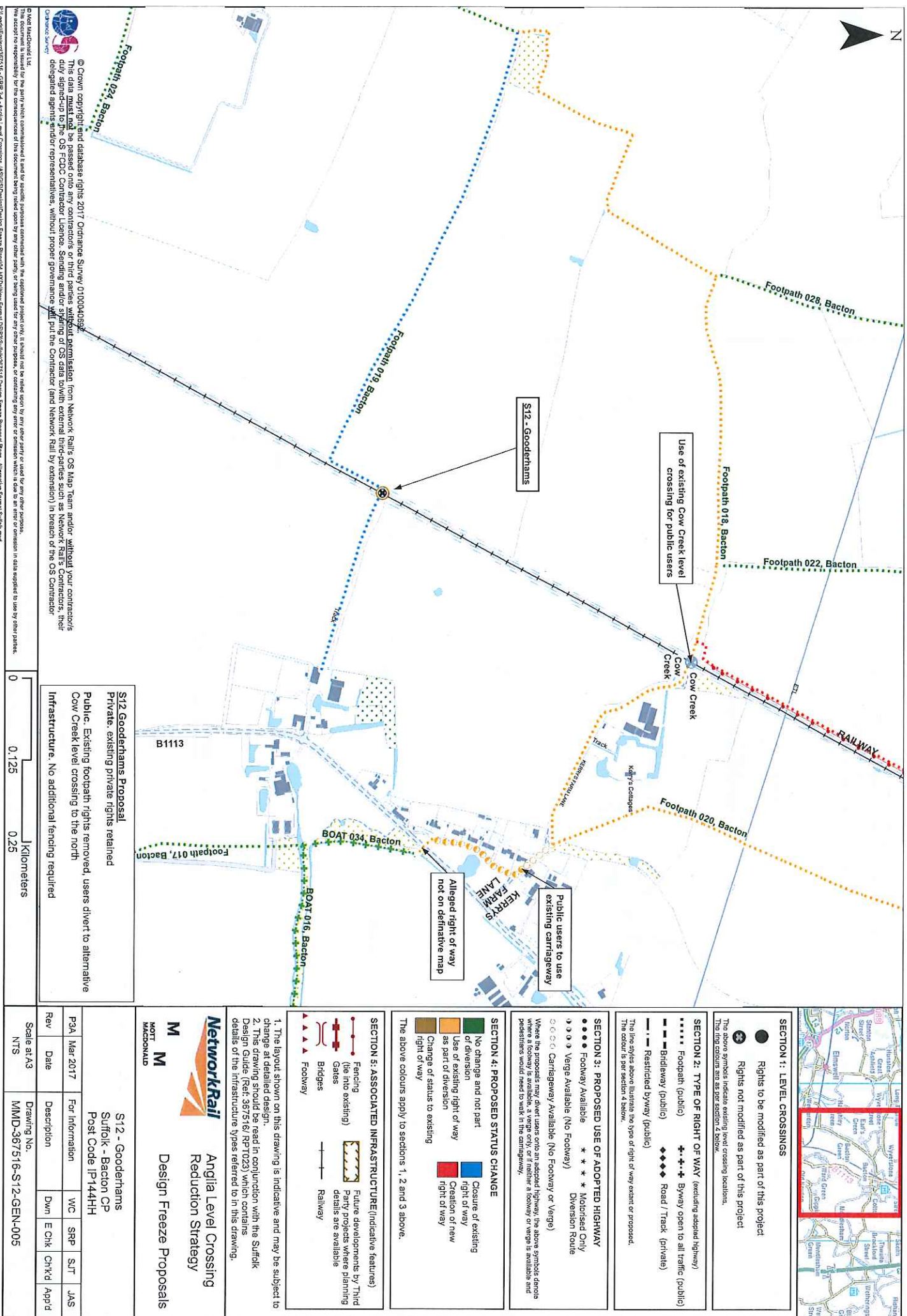
Messrs E Hudson Baker -

Crossing S12 Gooderhams

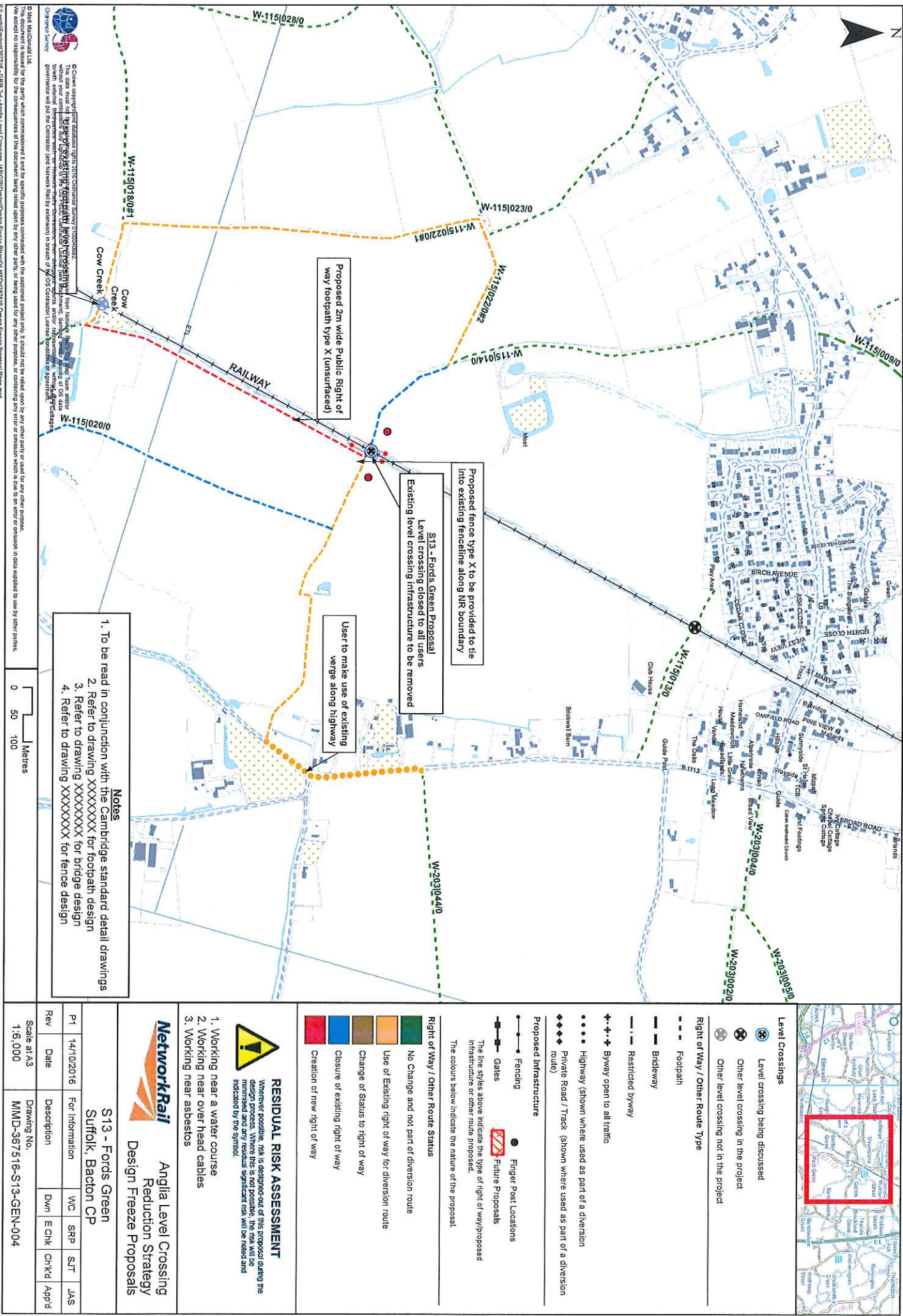
Finbows Bacton 1991 Ltd -

Crossing S13 Fords Green

Crossing S69 Bacton







- Notes**
1. To be read in conjunction with the Cambridge standard detail drawings
 2. Refer to drawing XXXXXXX for footpath design
 3. Refer to drawing XXXXXXX for bridge design
 4. Refer to drawing XXXXXXX for fence design



Level Crossings

- Level crossing being discussed
- Other level crossing in the project
- Other level crossing not in the project

Right of Way / Other Route Type

- Footpath
- Bridleway
- Restricted byway
- Byway open to all traffic
- Highway (shown where used as part of a diversion)
- Private Road / Track (shown where used as part of a diversion route)

Proposed Infrastructure

- Fencing
- Gates
- Finger Post Locations
- Future Proposals

The line styles above indicate the type of right of way/proposed infrastructure or other route proposed.

The colours below indicate the nature of the proposal.

Right of Way / Other Route Status

- No Change and not part of diversion route
- Use of Existing right of way for diversion route
- Change of Status to right of way
- Closure of existing right of way
- Creation of new right of way

RESIDUAL RISK ASSESSMENT

Wherever possible, risk is designed-out of this proposal during the design process. Where this is not possible, the risk will be indicated by the symbol.

1. Working near a water course
2. Working near over head cables
3. Working near asbestos

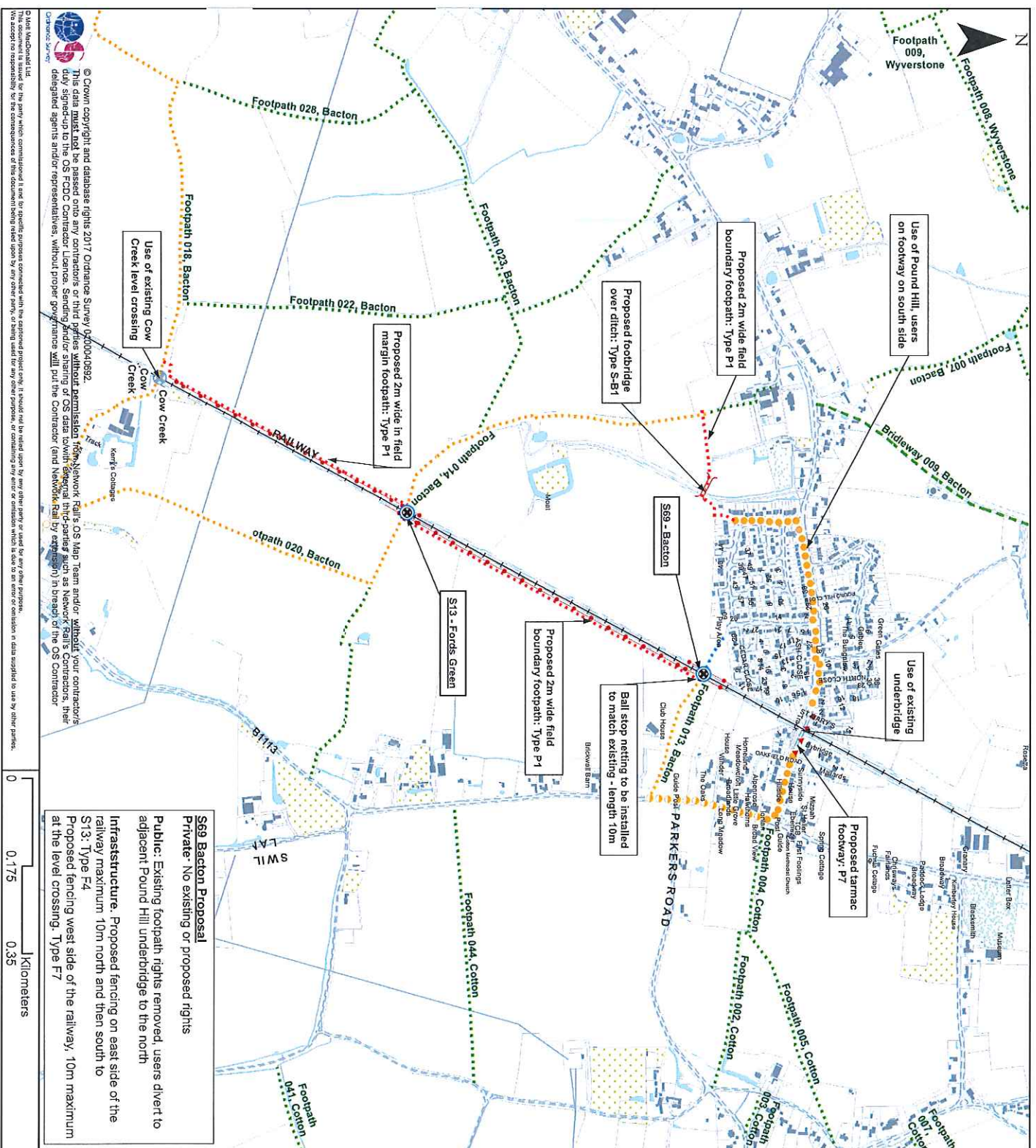
Network Rail

Anglia Level Crossing Reduction Strategy Design Freeze Proposals

Rev	Date	Description	Dwn	E Chk	Chkd	App'd
P1	14/10/2016	For information	WC	SRP	SJT	JAS

Scale at A3
1:6,000

Drawing No.
MMD-367516-S13-GEN-004

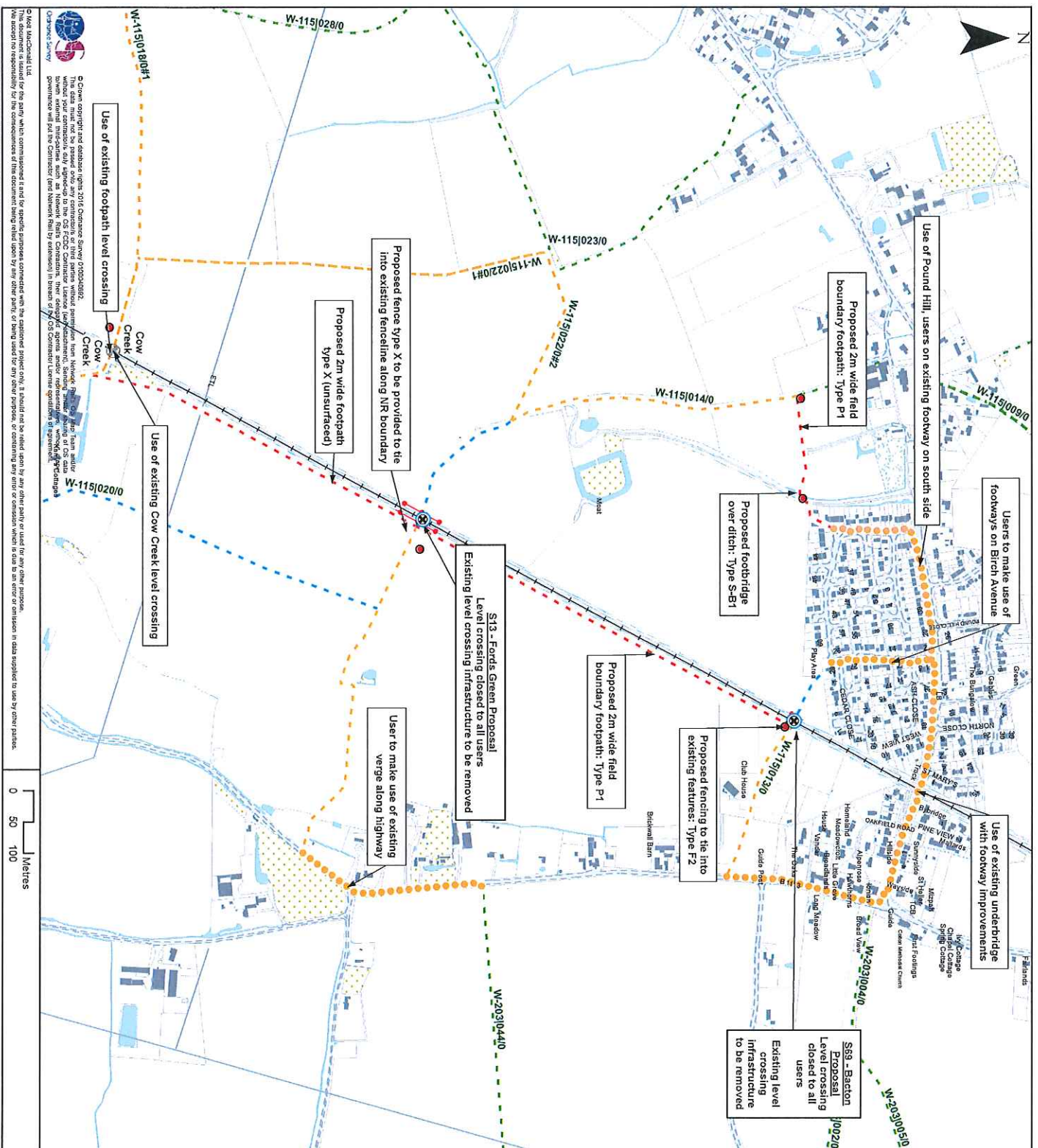


<p>SECTION 1: LEVEL CROSSINGS</p> <p>● Rights to be modified as part of this project</p> <p>✖ Rights not modified as part of this project</p> <p>The above symbols indicate existing level crossing locations.</p> <p>The line colours are as per Section 4, Section 5.</p>									
<p>SECTION 2: TYPE OF RIGHT OF WAY (excluding adopted highway)</p> <p>----- Footpath (public) ++++ Byway open to all traffic (public)</p> <p>----- Bridleway (public) ♦♦♦♦ Road / Track (private)</p> <p>----- Restricted byway (public)</p> <p>The line styles above illustrate the type of right of way extent or proposed.</p> <p>This colour is per section 4 below.</p>									
<p>SECTION 3: PROPOSED USE OF ADOPTED HIGHWAY</p> <p>●●●● Footway Available * * * * Motorised Only</p> <p>○ ○ ○ ○ Verge Available (No Footway) Diversion Route</p> <p>○ ○ ○ ○ Carriageway Available (No Footway or Verge)</p> <p>Where the proposals may affect users onto an adopted highway, the above symbols denote where a footway is available, a verge only or if neither a footway or verge is available and pedestrians would need to walk in the carriageway.</p>									
<p>SECTION 4: PROPOSED STATUS CHANGE</p> <p>■ No change and not part of diversion ■ Closure of existing right of way</p> <p>■ Use of existing right of way as part of diversion ■ Creation of new right of way</p> <p>■ Change of status to existing right of way</p> <p>The above colours apply to sections 1, 2 and 3 above.</p>									
<p>SECTION 5: ASSOCIATED INFRASTRUCTURE (indicative features)</p> <p>--- Fencing (tie into existing)</p> <p>--- Gates</p> <p>--- Bridges</p> <p>--- Footway</p> <p>--- Future developments by Third Party projects where planning details are available</p> <p>--- Railway</p>									
<p>1. The layout shown on this drawing is indicative and may be subject to change at detailed design.</p> <p>2. This drawing should be read in conjunction with the Suffolk Design Guide (Ref: 36/7516/RP1023) which contains details of the infrastructure types referred to in this drawing.</p>									
<p>NetworkRail</p> <p>Anglia Level Crossing Reduction Strategy</p> <p>Design Freeze Proposals</p>									
<p>M M</p> <p>MOTT MACDONALD</p> <p>S69 - Bacton</p> <p>Suffolk - Bacton CP</p> <p>Post Code IP14 4NS</p>									
P34	Mar 2017	For Information	WC	SRP	SJT	JAS			
Rev	Date	Description	Dwn	E Chk	Chk'd	App'd			
Scale at A3		Drawing No.							
NTS		MMJ-367516-S69-GEN-005							

PLAN E

S69 BACTON

OCTOBER 2016



Level Crossings						
Level crossing being discussed						
Other level crossing not in the project						
Right of Way / Other Route Type						
Footpath						
Bridleway						
Restricted byway						
Byway open to all traffic						
Highway (shown where used as part of a diversion route)						
Private Road / Track (shown where used as part of a diversion route)						
The line styles above indicate the type of right of way/proposed infrastructure or other route proposed.						
The colours below indicate the nature of the proposal.						
Right of Way / Other Route Status						
No Change and not part of diversion route						
Use of Existing right of way for diversion route						
Change of Status to right of way						
Closure of existing right of way						
Creation of new right of way						
Associated Infrastructure						
Fencing						
Gates						
Sillie						
Finger Post Positions						
Future Developments						
1. To be read in conjunction with the Cambridgeshire Design Guide (ref: 367516/RPT022) which contains details of the infrastructure types referred to in this drawing.						
Anglia Level Crossing Reduction Strategy						
Design Freeze Proposals						
NetworkRail						
MOTT MACDONALD						
S69 - Bacton						
Suffolk, Bacton CP						
P1	14/10/2016	For Information	WC	SRP	SJT	JAS
Rev	Date	Description	Dwn	E Chk	Chk'd	App'd
Scale at A3		Drawing No.				
1:6,000		MMD-367516-S69-GEN-004				

LAND FARMED BY BAKER



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Orwell Park Estate

SCALE: 1:17500	DATE: 05/10/2015
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MAP FILENAME:

Bacion Mastermap

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