

Caroline O'Neill

05/1004

From: Ian Roxburgh
Sent: 30 May 2018 21:19
To: TRANSPORTANDWORKSACT
Subject: Rother Valley Railway (Bodiam to Robertsbridge Junction) Order
Attachments: GRaying Letter IR.pdf

Dear Sirs,

Please find attached my objections to the above TWAO in accordance with the regulations required.

Yours sincerely,
Ian Roxburgh

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29th May 2018

Dear Mr Grayling,

Rother Valley Railway (Bodiam to Robertsbridge Junction) Order)

I write to you to register my objection to the TWAO lodged by Rother Valley Railway (RVR) on 19 April 2018 under the Transport and Works Act 1992. My reasons for objection are listed below under the following headings:

1. The compulsory purchase of necessary land.
2. The economic benefits of the proposal.
3. Effects on the floodplain in and around Robertsbridge and further downstream.
4. Proposed new level crossings.
5. Effects on local fauna and flora within The High Weald Area of Outstanding Natural Beauty.
6. Environmental and infrastructure effects within Robertsbridge.

Whilst this letter has been prepared and written by my son, Alec Roxburgh, who has also objected, the content is something we have all discussed and agreed as a family.

1. The Compulsory Purchase Order

Whilst I understand that it is not possible to object to the Compulsory Purchase Order (CPO) on the principle, the use of it in this situation requires careful scrutiny and consideration.

Most people accept, including the affected landowners in this case, that CPO's are a necessary instrument of state when used for the national interest such as large infrastructure projects, hospitals, schooling, and even possibly housing.

. Why therefore should a CPO for a private project be acceptable?

I also feel that this is actually a political issue because the granting of a CPO in this case will reflect upon yourself and this government as a leadership who supports the desires of the very wealthy few above common rights of hard-working ordinary people who do not wish their property and by extension, parts of their livelihoods, to be forcibly removed.

I understand that a CPO has been used at least once before by a heritage railway under a TWAO successfully and that case is used as precedent here. If the CPO is allowed in this case, a further precedent will be set and I fear that it will become practically impossible for landowners to be able

to refuse sale in the future. A CPO will become the automatic tool of choice for heritage railway builders.

In this case, that is exactly what I understand RVR has done. The landowners, who are close friends and neighbours of mine and therefore people I have the confidence in, tell me that RVR have never attempted to negotiate an agreed price for the land and have always threatened the use of a CPO. This of course, puts the landowners in an impossible position. Furthermore, RVR have consistently denied this is their intention and even up until the TWAO was published, representatives were denying the possible use of CPO in public meetings and when challenged directly.

This approach destroys public trust in RVR and also presents them as _____ and dismissive of local concerns. Many people such as myself have been moved to object on the basis that RVR have behaved like this and that a CPO for a private enterprise like this should be unacceptable in our modern society.

I appreciate that objecting to the CPO on issues of principle and morality are unlikely to affect the outcome but if it is not possible to raise issues of principle and morality with our government, we are surely a far poorer society than I ever believed.

2. The Economic Benefits

I am unconvinced by the proposed economic benefits of the railway both to the wider area and specifically to Robertsbridge itself.

RVR claim numerous economic benefits to the local and wider area of up to £4.1 million. To date I believe they have not published their own report from which this comes and so it is not possible to scrutinise how this has been arrived at and if there are negative impacts within that report. It is not included in the TWAO submission. It appears to me it is a simple calculation extrapolated from the 2013 all party Parliamentary Group on Heritage Rail Report on the Value of Heritage Railways. This of course, being a document sponsored by the Heritage Railway Association. This is at best a generic assessment: a heritage railway may bring significant benefits to the Welsh valleys where employment is severely limited but this is the southeast where the economy is far more diverse.

I also believe the economic benefits are partly based upon the experience of the nearby Bluebell Railway. I cannot call upon detailed statistics but if the Bluebell Railway is to be used as an example of economic benefits, the financial effects should be able to be scrutinised quite closely and is very relevant to this particular area. For example, when the Bluebell Railway extended to East Grinstead income rose from £3 million - £4 million. However I do not know whether this has been sustained or whether it was a honeymoon period. It is of grave concern that whilst a new attraction may be popular for some time, tourist interest can wane, leaving the permanent physical effects of the railway upon this landscape and village.

This uplift in visitors does not correspond to RVR's stated expectations either which have varied significantly but currently seem to stand at 50% uplift –far more than the larger Bluebell Railway has managed.

The volunteers who work on KESR regularly tell me how difficult it is to attract younger generations to visit or become involved with the railway. This suggests the demographic of those tourists supporting heritage railways is fairly limited to those who grew up in the age of steam and have significant nostalgic memories, much like the age group who are directors of RVR. If this is indeed the case, heritage railways may be becoming a fading tourist industry as opposed to a vibrant and growing one. A deeper investigation of the long term viability of this project is required. It should be noted that whilst some heritage railways are successful, not all are with some having to close in recent years.

RVR state within their own documentation that the greatest benefits will be to Bodiam (the National Trust castle) and Tenterden but not Robertsbridge, as visitors are most likely to move from the mainline train directly to RVR in order to reach attractions at those places. Robertsbridge may end up bearing the physical infrastructure and other potential problems but will not reap the benefits.

One might conclude that the wider benefits further down the line are worth the potential difficulties caused at Robertsbridge but it is hard to see where those benefits will come. In the 20+ years that KESR has run trains to Bodiam there is little evidence of direct economic benefit to any of the places with stops along the line. At Rolvenden, Wittersham Road, and Northiam there are no businesses I am aware of which have developed as a result of KESR operating the railway. Even Bodiam with the hugely busy castle has developed little. A glamping and camping business at Quarry Farm, which straddles the railway line, has developed over the last 5 to 7 years and it is arguable that the railway is part of the attraction of coming to camp in Bodiam. But there is nothing else as result of the railway. In Northiam a nearby commercial building has been used for several different tourist ideas over the years, none of which have survived. Even at Rolvenden where KESR is based with workshops and railway sheds there are no dependent or related businesses. Whilst it is very difficult to accurately predict the economic benefits of RVR, it is clear that KESR has not provided. RVR's claims are therefore considered at best vaguely hopeful if not insincere.

They seem highly insincere when looking at the experience of The Original Hut Company at Quarry Farm who run the aforementioned camping site, as well as a café and events centre. Their operations straddle an existing part of the RVR line which was built some years ago but is unused at present. At the time of writing RVR will deny access at one point across the railway which has been in use since at least the 1940s and which provides the only access to a large camping area. The owners consider this may cost them at least 60% of their business. This, an existing business which employs around 20 full and part time local people. If RVR do not provide the access required, jobs are under threat. This action is therefore directly detrimental to the local economy rather than supportive as RVR claim they are. RVR have even featured part of the business (The Hub café) on one of their promotional films about how they are working to support local businesses, yet behind the scenes are actively destroying it. Again, this approach to the project is and raises concerns over the genuine ability of RVR to deliver their proposal.

Although 'off topic' regarding economic impact, it should be mentioned here that RVR failed to record a Right Of Way Quarry Farm has which exits immediately beside the proposed level crossing

on the B2244. This means the Planning Application was incorrect. I cannot comment on the potential safety aspects (or not) of this in relation to the level crossing but this needs to be considered.

We are all aware that heritage railways largely employ volunteers so real, direct employment is likely to be minimal.

I can appreciate that a heritage railway may bring significant benefits to more deprived areas such as north Wales but here in the South East the economy is far more robust and diverse and in some ways the proposed benefits may even be unwelcome. For example, I believe it is a matter of record that Bodiam Parish Council has pleaded with the National Trust to not promote Bodiam Castle further and attract yet more visitors. This is partly because the sewage system cannot cope with the number of visitors at present but more generally this tiny village has no further facilities for the scale of visitors currently coming. The benefits to Bodiam of the RVR, if to materialise, will therefore be somewhat unwelcome.

3. Robertsbridge Floodplain & flooding

Quite simply it appears impossible to manage this floodplain adequately. The Environment Agency spent £millions about 20 years ago 'improving' the flood defences around Robertsbridge, only to have the system fail almost immediately. This is largely due to the A21 bypass embankment, which was built in the late 1980s without due consideration of the flood risks, again. Yet it is the EA who will be responsible for advising RVR how to manage the floodplain which the railway embankment will cross. How can there be any certainty that risks will be mitigated when the EA itself seems unable to address this correctly?

Furthermore RVR's own consultant states thus: *'the Flood Risk Assessment concluded that there would be significant flood risk effects due to an increase in flood water levels (including increased flows due to climate change) as a consequence of the small loss of floodplain and restriction of flood water flows.'*

This is further supported later when there is admission that: *'There are some receptors that will not be protected from flooding even with the proposed flood defences; these are the museum and the pavilion on the Clappers, commercial unit on station road, Robertsbridge Abbey, Udiam Cottages, Forge Farm and Park Farm. At present these properties are undefended but with the proposed scheme scenario, these properties could be flooded more frequently and to a greater depth than they currently experience.'*

Whilst it is foreseeable these issues can be addressed at a later date, the great concern is that the provisions will be inadequate based upon RVR's nonchalance towards the issue and the EA's previous incompetence.

4. Level Crossings

RVR considers that the proposed level crossings to the A21 will have less or a similar effect on traffic as the existing pelican crossing at the roundabout. Living locally I experience the pelican crossing regularly and do not consider it to be a significant hindrance at any time of day. However, I also note RVR have changed their proposed crossing times from 45 seconds (the basis of their planning approval) to 112 seconds which is far longer than the pelican crossing operates at a time. This therefore means the basis for Planning Approval was misleading. The crossing times are still not agreed so may increase again.

The current crossings at Bodiam, and Newenden are closed for far longer than this and the network rail crossings at Robertsbridge and Mountfield last for many minutes –it seems highly implausible these new crossing will be able to achieve a feat quite impossible elsewhere on the existing line or nearby mainline.

Highways England state that any traffic tailback greater than 140m northwards on the A21 will cause unacceptable safety issues as the queues cross over the roundabout (about 110m north of the proposed crossing). With queues predicted to be between 265m and 1.8 miles long this issue will have a paralyzing affect: Southbound queues (the largest on busy weekends) could reach from the A21 level crossing into Hurst Green to the north on this basis. The RVR claim that the delays can be mitigated as the A21 is a busy road and one more delay would simply be “part of the norm”, however as the major arterial route for both tourists and business into southeast Sussex it is of paramount importance that this road is kept clear.

Frustrated drivers are highly likely to attempt a satnav advised diversion around the A21 through Robertsbridge, only to find the Northbridge Street level crossing impeding their route. This will then potentially cause significant traffic problems within the village –which is why there is a bypass.

Up to 16 crossings a day are now proposed, again contrary to the Planning approval. Whilst RVR will not operate during rush hour periods, this will compress the number of crossings into a shorter period of the day. I understand traffic flow data indicates the A21 here has similar traffic flows all day, so operating within a limited time period will actually be detrimental rather than spreading the number of crossings over a longer period.

Simply on the basis that if the pelican crossing is a ‘wrong’ as it impedes traffic, 2 wrongs do not make a right. Surely it cannot be acceptable to say adding to delays on this very busy road are just part of the norm?

The ORR rejects the installation of new level crossings on safety grounds except in exceptional circumstances. It needs to be shown that this is an exceptional circumstance. Surely such circumstances are of national or significant regional and public importance? I also understand David Keay is a director of RVR. This is the same David Keay who was Deputy Chief Inspector at the ORR until January 2017. I do not understand how Mr Keay, who was responsible for putting into practice the ORR’s principles can now be a director of a company promoting the installation of 3 new crossings?

Looking at the proposed plans, 8 Agricultural Level Crossings (ALCs) are proposed or existing. ALCs are known to be even more dangerous than public road crossings. Accident statistics are appalling

per head or per crossing. It will presumably be argued that a steam train travelling at around 25mph presents a negligible accident risk. Given the high rate of accidents on ALCs anyway surely any risk is too high? –This is, in theory, the approach of the ORR. The ORR now compromised by David Keay's interest in this project.

The delays to emergency vehicles need to also be considered. The level crossing on the A21 and that on Northbridge Street will be shut at the same time, with no other access north or south for emergency vehicles during those times.

It is a fact that during bank holidays and summer weekends traffic delays on the A21 are at their worst, due to tourist numbers. Add to this the expectation the railway will be operating at peak capacity to take advantage of tourists, delays at the level crossings will be their worst. It can be argued that this is only occasional short period inconvenience. But bear in mind that those people most delayed will be the very tourists the railway wants to attract. If their experience of travelling to Sussex is blighted by yet more traffic delays, they will simply not come and they will tell their friends too. This then potentially will have a negative effect on tourism across the whole region.

I note that MPs Amber Rudd and Greg Clarke have registered opposition to RVR on the basis that the level crossings will be detrimental to business and tourism.

Looking to the future, it was only about 10 years ago that a large bypass was very nearly built around Hurst Green to the north (the last significant village on the A21). It remains a desire for this to be completed on a local and national level. The benefit of this improvement may be significantly curtailed by having a level crossing on the A21 immediately after the bypass. A level crossing will also make dualling of the bypass around Robertsbridge impossible in the future.

5. The AONB

One of the difficulties of living in an AONB is that development is often severely curtailed on environmental grounds, particularly for small and medium sized businesses. I believe in protecting the environment and the existence of the AONB. The remaining embankment and trackbed on Moat Farm have been left to nature since the railway closed and the flora and fauna losses will be significant.

Presumably economic benefits will be weighed against this loss. Therefore it is even more important that the economic benefits are scrutinised in the greatest depth. Not only to justify loss of habitat but also to present to the wider populace here that being regularly economically stifled by an AONB does actually apply to even wealthy railway enthusiasts.

6. Environmental and infrastructure effects within Robertsbridge

Following on from the point above, over the last 40 years there has been very little development within Robertsbridge of the infrastructure and services required to keep pace with housing development. Whilst housing is necessary and welcome, to name but two issues there has been no new public parking provision for decades and the doctor's surgery still operates out of the small building it has done so for around 30 years or more. The schools are full.

Part of the reason for this lack of development is that it is forbidden to build on the floodplain and no other land has been made available. Planning Policy and the AONB also limit options. If Robertsbridge is to truly benefit from this railway, RVR must provide at the very least parking for its significant number of visitors. The village currently has a chronic shortage of parking with much space taken all day by commuters. Such is the problem the Parish Council now wish to employ private parking contractors to manage illegal parking. RVR justify this lack of facility by stating that most new visitors will come via the mainline north and south. This takes no consideration of visitors from the west and general surroundings who cannot come via train or the simple fact that many people will drive because it is cheaper than a train ticket. People will not drive to Tenterden if Robertsbridge is closer. Parking provision at the very least must be made.

The lack of available parking is just one poor infrastructure factor. Robertsbridge has virtually no capacity to take advantage of the alleged visitors to the railway: there is no commercial property to open new businesses in and due to house prices, certainly no incentive to convert residential property to lower value commercial property and no land provisions made for commercial expansion.

At the time of writing the village is about to vote on the Neighbourhood Plan which includes some 85-100 new houses on 'The Mill Site' which is immediately beside existing RVR track in the village. It seems to me that these nearby new houses will therefore be subject to the pollution of steam, ash and hot embers from the engines 16 times a day during the season (not to mention those existing houses nearby also affected). During the warmest months of the year it may not be possible to open windows, hang washing out to dry or simply enjoy the garden without the effects of said ash, dust and fumes; -mere practical points notwithstanding health risks. This section of track is on a gradient up to the mainline junction. I would therefore expect the engines to be operating at high power to make the gradient running into the village and ensure the higher speeds required to run through the level crossings as is I understand is required. Similarly when leaving the junction, the engines will be working hard to pull the rolling stock up to speed from standstill, again for the level crossings. Therefore the volume of steam and ash will always be high alongside this section of track, in the middle of the village. On the other side of the track is the village playground and playing fields: the same concerns thus could affect our children and the general public using these facilities.

Whilst I imagine pollution considerations are low when considering heritage rail schemes, I believe in this case, in this particular location, they require special attention for the reasons above. Further to this increased pollution levels from standing traffic either side of the level crossings should be considered.

7. Final statement

It should be noted that it is extremely difficult for ordinary people such as myself to object effectively to what is in part a highly technical proposal involving issues of construction, civil engineering, traffic, flooding, safety and local infrastructure which I am neither qualified for nor have the time nor financial resources to scrutinise adequately. This is a highly visible and permanent change to our local environment. I would prefer it not to proceed but if so, It must receive a Public Enquiry with an exceptionally high level of due diligence from the government to ensure we are not left with a significant scar on this AONB and greater problems than benefits within Robertsbridge and the wider area.

I understand Jeremy Hosking was a significant donor to the Brexit campaign and the Conservative Party and therefore may be a friend or at least personally known to you. I would like to imagine his closeness to the Conservative Party and Brexit campaign will not have any bearing on the decisions you must make in respect of this personal project of his.

Yours sincerely

Ian & Carol Roxburgh