

12 Beaudesert  
Leighton Buzzard  
LU7 1HZ

Network Rail  
c/o Winckworth Sherwood LLP  
Minerva House  
5 Montague Close  
London  
SE1 9BB

Tuesday 4<sup>th</sup> July 2017

Dear Sirs,

**RE: Statement of case, Level crossing E57 Wivenhoe Park**

Sustrans wishes to present oral evidence at the public inquiry into the proposals for this level crossing. The statement of case is below.

Enclosed documents:

1. Original letter of objection from Matthew Easter, Sustrans England Director Midlands & East, dated 21<sup>st</sup> April 2017
2. Photographs of the path as it currently looks
  - a. Wivenhoe trail on embankment looking South, typical nature of path, IMG\_20170524\_111306028
  - b. Top of floodwall looking South around EA sluice, IMG\_20170524\_151833269
  - c. Top of floodwall looking North, IMG\_20170524\_151645457
  - d. Start of path on floodwall looking South, IMG\_20170524\_152256152
  - e. Meandering woodland path, DSC02223
3. Photos of the sort of damage heavy vehicles can cause to the Wivenhoe trail
  - a. Culvert clearance work place 3 191015 IMG\_20151019\_080410696\_HDR
  - b. Path edge damage, DSC02221

Sustrans objects to the closure of the private vehicle rights over the level crossing on the following grounds:

1. The proposals will introduce vehicular traffic onto the shared use cycle path which was not designed to accommodate vehicles of that size or weight. The path varies in width between 2.0m and 2.5m with much of it being the narrower width. The introduction of vehicles onto this path is likely to cause difficulties as users will not be able to pass a vehicle easily and safely.
2. Vehicles are likely to overhang the edge of the path causing damage to the path edge and verge. The path construction is typically a 50mm base with 25mm of surfacing on the existing subbase. This was not designed for vehicular use.
3. The path has a meandering alignment in places especially through the woodland. This has the effect of slowing down cycling traffic and is not compatible with trying to drive large vehicles along the path. Conversion to a straight alignment is likely to encourage higher cycling speeds which is likely to lead to conflict with pedestrians
4. Sustrans Limited has a licence from the landowner to allow continued use of the permissive cycle path. Under the terms of the licence Sustrans have certain

maintenance responsibilities for the cycle path and culverts. Sustrans are concerned that the use of the path for vehicular traffic will increase the wear and loading on the facilities which Sustrans maintain. When the path has been damaged during access for maintenance works to culverts & non-return tidal valves it has been repaired as part of the works. It is very likely that any access will cause damage which would need to be repaired. If it is decided that the path is to be used for vehicular access then Network Rail should be responsible for any additional maintenance arising from the use of the footpath and cycle path as a result of this access.

Sustrans do support the installation of a suitable gate at the level crossing for use by people in wheelchairs or pushing cycles and pushchairs.

Yours faithfully,



Peter Bate  
Land Manager, East

2 King Street  
Nottingham  
NG1 2AS

Transport and Works Act Orders Unit  
General Counsel's Office  
Department for Transport  
Zone 1/18, Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

Friday, 21<sup>st</sup> April 2017

Dear Sirs,

**RE: Network Rail (Essex and Others Level Crossing Reduction) Order**

Please find comments and an objection from Matthew Easter, England Director, Midlands & East for Sustrans Limited as related to the Network Rail (Essex and others level crossing Reduction) Order. I write to object to the proposed closure of vehicle access rights on the level crossing at Wivenhoe Park (E57) as set out in the Network Rail (Essex and other level crossing reduction) order submitted to Secretary of State for transport and dated 31<sup>st</sup> March 2017.

Sustrans Limited object to the closure of the vehicle rights over the level crossing on two grounds.

1. Network Rail propose to close the level crossing to vehicular traffic, which would result in the land to the west of the railway line being landlocked, unless an alternative access route is provided. Vehicle access is necessary for the landowner, the Environment Agency and Sustrans Limited from time to time. It is understood that Network Rail propose to acquire rights over third party land, so they are in a position to grant the landowner vehicle access rights from Lightship Way via the public footpath and permissive cycle path to the landowners land. Sustrans are concerned that this will introduce vehicular traffic onto the footpath and permissive cycle path and could increase the risk of collisions on the footpath and cycle path.
2. Sustrans Limited has a licence from the landowner to allow continued use of the permissive cycle path. Under the terms of the licence Sustrans have certain maintenance responsibilities for the cycle path and culverts. Sustrans are concerned that the use of the path for vehicular traffic will increase the wear and loading on the facilities which Sustrans maintain. Network Rail should be responsible for any additional maintenance arising from the use of the footpath and cycle path as a vehicle access.

Sustrans do support the installation of a suitable gate at the level crossing for use by people in wheelchairs or pushing cycles and pushchairs.

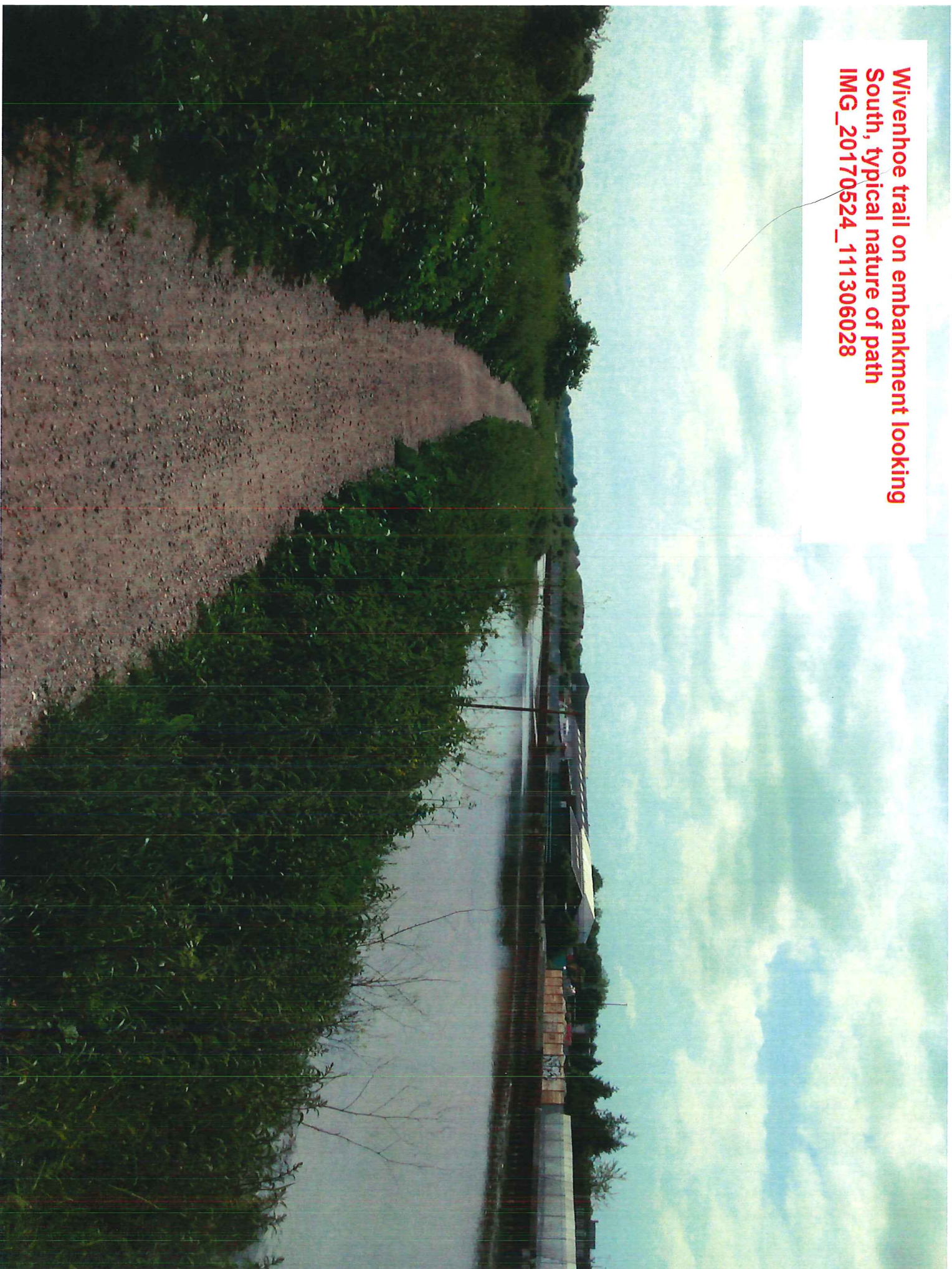
Yours faithfully,

A handwritten signature in black ink, appearing to read 'Matthew Easter'.

Matthew Easter  
England Director, Midlands and East



Wivenhoe trail on embankment looking  
South, typical nature of path  
IMG\_20170524\_111306028



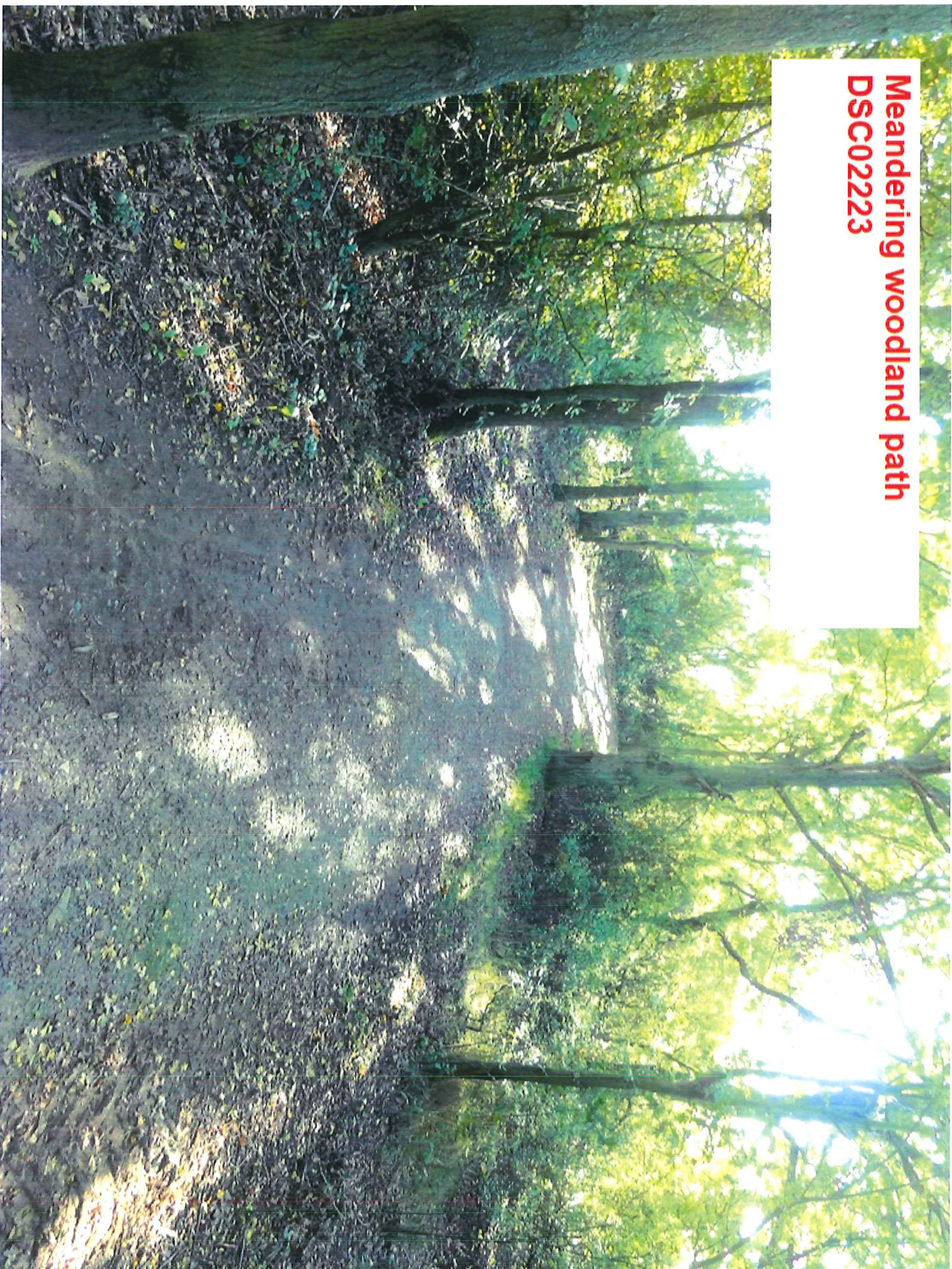


**Culvert clearance work place 3 191015**  
**IMG\_20151019\_080410696\_HDR**





**Meandering woodland path**  
**DSC02223**





**Path edge damage**  
**DSC02221**





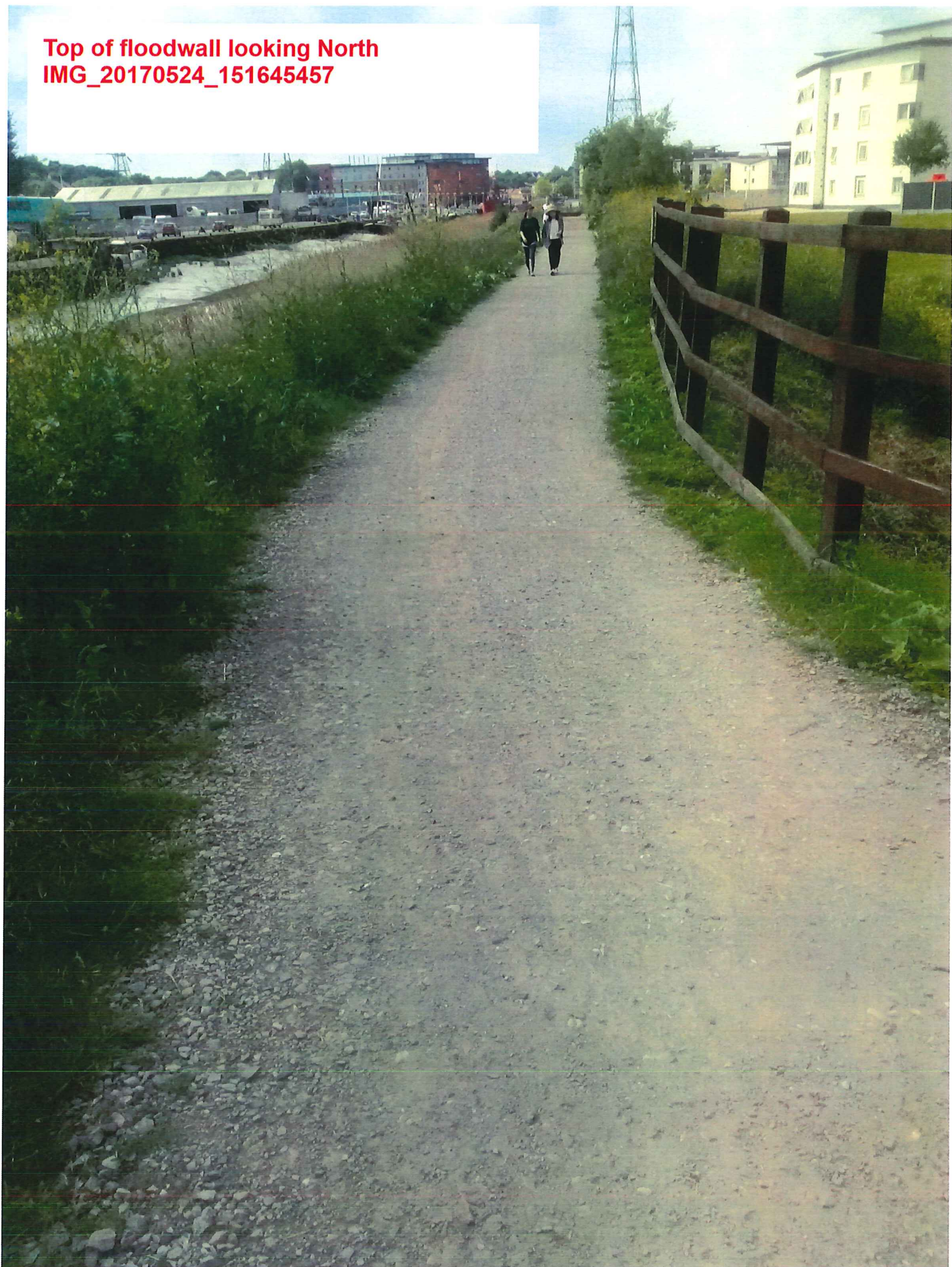
**Start of path on floodwall looking South**

**IMG\_20170524\_152256152**





Top of floodwall looking North  
IMG\_20170524\_151645457





Top of floodwall looking South around EA sluice  
IMG\_20170524\_151833269

