

S. J. R. FARMING LTD.

- 5 JUL 2017

With the Compliments of
Stuart J R Philpot. B.Sc.Hons

All correspondence to be addressed to:

DOLLYMANS FARMHOUSE
DOUBLEGATE LANE
RAWRETH
WICKFORD
ESSEX SS11 8UD

Office: 01268 762764
Mobile: 07876 443305
E-Mail: lynn@dollymans.co.uk
stuart@dollymans.co.uk

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4th July 2017

Your Ref: TWA/17/APP/05/OBJ/53

Angela Foster
Transport and Works Act Orders Unit
Department for Transport
Zone 1/14, Great Minster House
33 Horseferry Road
London SW1P 4DR

Dear Ms Foster

**RE: CRESSING FARM FOOTPATH WITHAM ESSEX
TRANSPORT AND WORKS ACT 1992: APPLICATION FOR THE PROPOSED NETWORK RAIL (ESSEX and
OTHERS LEVEL CROSSING REDUCTION) ORDER**

Thank you for your letter of 25th May 2017. I have read the information therein and can confirm that I wish to present oral evidence to the inquiry. I have prepared a Statement of Case, please find enclosed.

Firstly, we were never consulted about this footpath properly. We do not want the existing footpath closed. If it has to be closed, please follow the route shown on the plan. We do not want to have a footpath through the middle of an arable field as it obviously gets in the way of our operations. I have estimated the existing footpath to be 70 metres long, the new footpath is 450 metres long. Who is going to pay to install it and maintain it?

Yours sincerely



Stuart Philpot
Director

cc: Winckworth Sherwood LLP, Minerva House, 5 Montague Close, London, SE1 9BB

Secretary of State for Transport, General Counsel's Office, Department for Transport,
Zone 1/18, Great Minster House, 33 Horseferry Road, London, SW1P 4DR

Mr A Prowse BSc (Hons) MRICS, Bruton Knowles, 15 Castle Gate, Nottingham, NG1 7AQ

Mr R Kemsley, Gateley Hamer Limited, One Eleven, Edmund Street, Birmingham, B3 2HJ

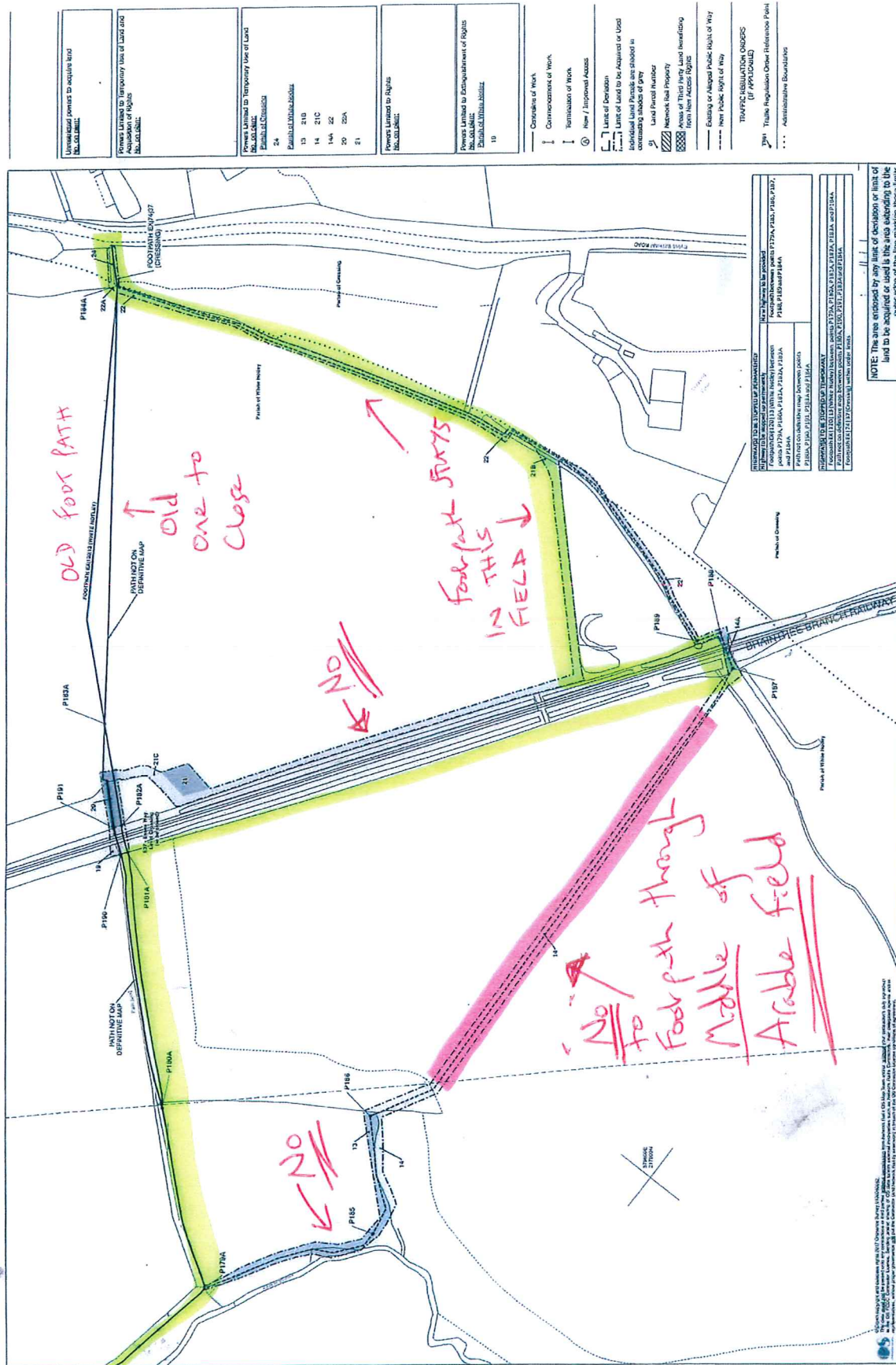
Elizabeth Jones, Ardent, White House, Wilderspool Business Park, Greenalls Avenue,
Warrington, Cheshire, WA4 6HL

Transport and Works Act 1992

The Network Rail (Essex and Others Level Crossing Reduction) Order

COUNTY OF ESSEX, DISTRICT OF BRAINTREE

Sheet 28
E37 - Essex Way
Level Crossing



PLAN

NOTE: The area enclosed by any limit of deviation or limit of land to be acquired or used is the area extending to the outer edge of the line marking these limits.

HORIZONTAL SCALE FOR PLAN 1:1250

0 25 50 75 100 125 METERS

Preferred route not through field

We don't want foot path moved to the left, if it has to yellow is better.

Red Pen
Nestings from
Landowner
SDR Farming Ltd
Dellymans Farm
Dallgate Lane
Wainford
Essex
SS11 8UD.
STUART
PHILLOT
07876
443305

Shah

5th May 2017

Your Ref: TWA/17/APP/05/OBJ/53

Angela Foster
Transport and Works Act Orders Unit
Department for Transport
Zone 1/14
Great Minster House
33 Horseferry Road
London SW1P 4DR

Dear Ms Foster

TRANSPORT AND WORKS ACT 1992: APPLICATION FOR THE PROPOSED NETWORK RAIL (ESSEX and OTHERS LEVEL CROSSING REDUCTION) ORDER

Thank you for your letter of 2nd May 2017. Having spoken to your colleague today regarding the above I would be very grateful if you could forward on to me contact details for Network Rail to enable us to fight against the potential moving of the footpath and the closing of the level crossing.

We will be instructing Strutt and Parker to represent us in this matter and we would require Network Rail to provide the legal aid needed for us to do this. Please do not delay in sending us all the necessary information to enable us to proceed. You can email me at stuart@dollymans.co.uk. My telephone number is 07876 443305, should you wish to speak to me.

Kind regards

Yours sincerely

Stuart Philpot
Director

25th April 2017

Secretary of State for Transport
c/o 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

Dear Sirs

Re: Anglia level Crossing Strategy, Phase 2 (E37 Essex Way)
Crossing Farm Witham Road Crossing Essex CM77 8PD

We are writing to object to the above proposed work and attach our correspondence outlining our concerns if this was to go ahead. If the footpath runs directly through the middle of our arable field then it will cause disruption to our cropping throughout the cropping year. The most sensible option is for it to run around the edge of the field.

I understand that this work needs to be done and am willing to co-operate in the best way I can. Any future maintenance of the footpath, I understand, will be carried out by Network Rail themselves.

I enclose a map showing the most preferred route for the footpath.

If there is any way of meeting with you on site to discuss this further then please do let me know.

Kind regards

Yours faithfully

Stuart Philpot
S J R Farming

25th April 2017

Mr A Prowse BSc (Hons) MRICS
Bruton Knowles
15 Castle Gate
Nottingham
NG1 7AQ

Dear Mr Prowse

**TRANSPORT AND WORKS ACT 1992
THE TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)(ENGLAND AND WALES)
RULES 2006
PROPOSED NETWORK RAIL (ESSEX AND OTHERS LEVEL REDUCTION) ORDER**

Further to your letter dated 30th March 2017, please find attached correspondence relating to these proposed works. You will see that I have detailed our concerns about this and hope that, yet again, these will be taken into consideration when the plans are finalised.

As requested in February, if there is a way of meeting on site to discuss this further then please contact me and we can arrange a convenient date and time.

I also enclose a map indicating the preferred route to avoid disturbing our arable field and disruption to our cropping which as a farmer and a landowner is the most important issue.

Kind regards

Yours sincerely

Stuart Philpot
S J R Farming Ltd

Enc

8th February 2017

Mr R Kemsley
Gateley Hamer Limited
One Eleven
Edmund Street
Birmingham B3 2HJ

Dear Mr Kemsley

**Re: Anglia Level Crossing Reduction Strategy, Phase 2 (E37 Essex Way)
Cressing Farm, Witham Road, Cressing, Essex, CM77 8PD**

I am writing to you once again regarding the proposed footpath which looks set to continue at Cressing Farm, Witham. I am sure you understand that if this runs directly through the middle of our arable field then it will cause disruption to our cropping throughout the cropping year. If there is any way at all that the path could be diverted to run around the edge of the fields then it would be a more sensible option.

Ideally, from a Farmers point of view, this plan would not be going ahead but as it seems likely that it will then your assistance would be greatly appreciated.

If there is any way of meeting you on site to discuss this further, then please do let me know.

I look forward to hearing from you shortly.

Many thanks

Yours sincerely

Stuart Philpot
S J R Farming Ltd

cc: Elizabeth Jones, Ardent, White House, Wilderspools Business Park, Greenalls Avenue,
Warrington, Cheshire, WA4 6HL

13th January 2017

Mr R Kemsley
Gateley Hamer Limited
One Eleven
Edmund Street
Birmingham B3 2HJ

Dear Mr Kemsley

**Re: Anglia Level Crossing Reduction Strategy, Phase 2 (E37 Essex Way)
Cressing Farm, Witham Road, Cressing, Essex, CM77 8PD**

Further to your letter dated 21st November 2016, I apologise in the delay in replying. I have read and understand what needs to be done but have some concerns regarding this. It is important that the footpath, if moved, does not go through the middle of our arable land, which are arable fields and need to be accessed and worked on throughout the year. I have enclosed a copy of our cropping for 2017 indicating the area and crop grown. The footpath which will then run around the edge of the fields will need to be maintained and I would like confirmation that this maintenance will be carried out by Network Rail at a cost to themselves.

Finally, if this Public Footpath is confirmed and carried out then I would need to be assured that we would not incur any Agents fees or any other fees which may arise.

I thank you for taking into consideration my points and concerns and look forward to hearing from you in due course. Please forward all correspondence to S J R Farming Ltd and if you wish to speak to me directly please contact me on 07876 443305.

Many thanks

Yours sincerely

Stuart Philpot
S J R Farming Ltd

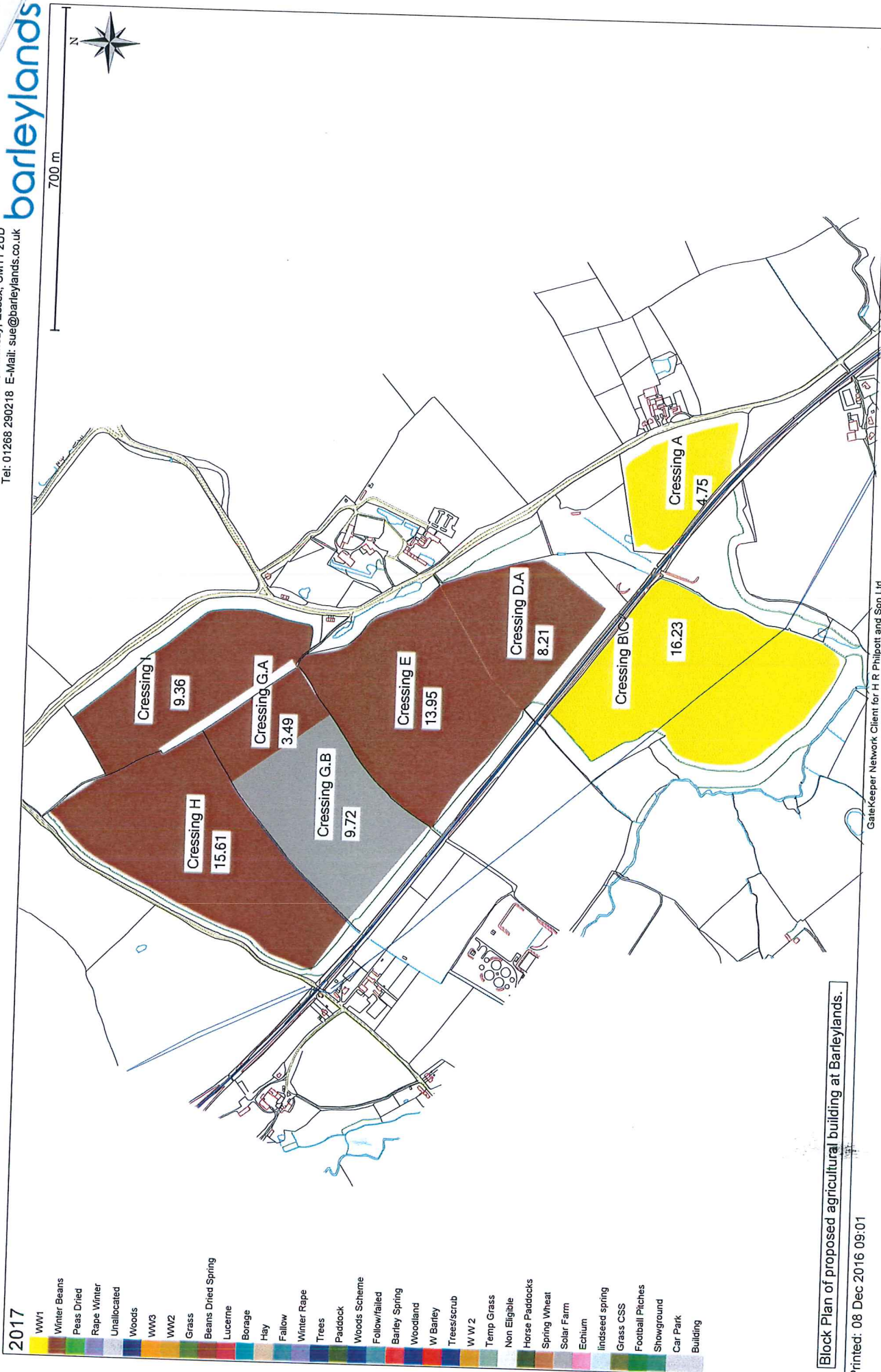
cc: Elizabeth Jones, Ardent, White House, Wilderspool Business Park, Greenalls Avenue,
Warrington, Cheshire, WA4 6HL

CRESSING 2017

Scale: 1:10,375

H R Philpott and Son (Barleylands) Ltd
Barleylands Road, Billericay, Essex, CM11 2UD
Tel: 01268 290218 E-Mail: sue@barleylands.co.uk

We are
barleylands



- 2017**
- WW1
 - Winter Beans
 - Peas Dried
 - Rape Winter
 - Unallocated
 - Woods
 - WW3
 - WW2
 - Grass
 - Beans Dried Spring
 - Lucerne
 - Borage
 - Hay
 - Fallow
 - Winter Rape
 - Trees
 - Paddock
 - Woods Scheme
 - Follow/faild
 - Barley Spring
 - Woodland
 - W Barley
 - Trees/scrub
 - WW2
 - Temp Grass
 - Non Eligible
 - Horse Paddocks
 - Spring Wheat
 - Solar Farm
 - Echium
 - Indseed spring
 - Grass CSS
 - Football Pitches
 - Showground
 - Car Park
 - Building

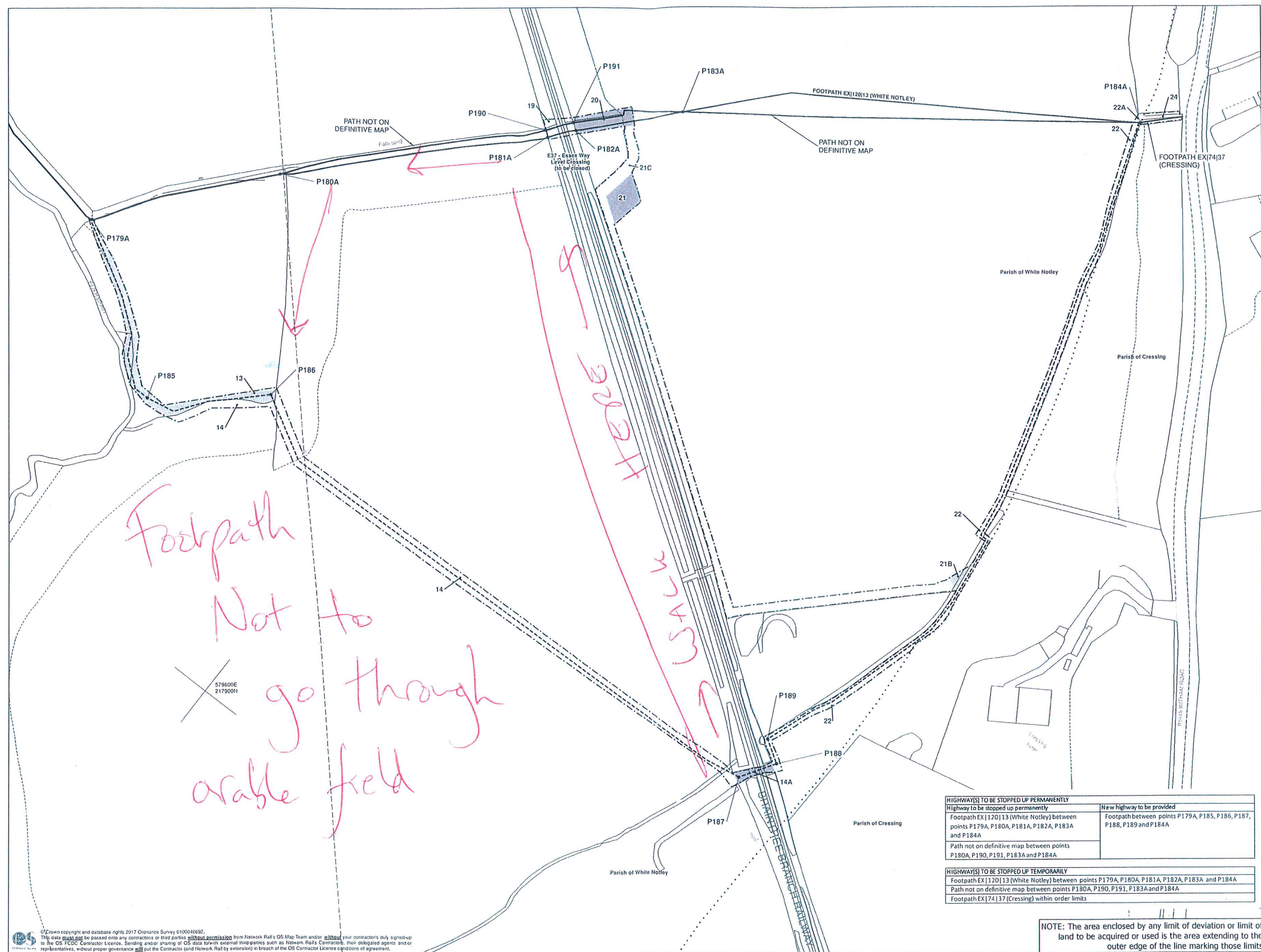
Block Plan of proposed agricultural building at Barleylands.

Printed: 08 Dec 2016 09:01

GaleKeeper Network Client for H R Philpott and Son Ltd

Transport and Works Act 1992
The Network Rail (Essex and Others Level Crossing Reduction) Order
COUNTY OF ESSEX, DISTRICT OF BRAINTREE

Sheet 28
E37 - Essex Way
Level Crossing



Unrestricted powers to acquire land
No. on plan:

Powers Limited to Temporary Use of Land and
Acquisition of Rights
No. on plan:

Powers Limited to Temporary Use of Land
No. on plan:

Parish of Crossing
24
Parish of White Notley
13 21B
14 21C
14A 22
20 22A
21

Powers Limited to Rights
No. on plan:

Powers Limited to Extinguishment of Rights
No. on plan:

Parish of White Notley
19

— Centreline of Work
— Commencement of Work
— Termination of Work
A New / Improved Access

Limit of Deviation
Limit of Land to be Acquired or Used

Individual Land Parcels are shaded in
contrasting shades of grey
Land Parcel Number
Network Rail Property
Areas of Third Party Land Benefitting
from New Access Rights

Existing or Alleged Public Right of Way
New Public Right of Way

TRAFFIC REGULATION ORDERS
(IF APPLICABLE)

TRO1 Traffic Regulation Order Reference Point
Administrative Boundaries

HIGHWAY(S) TO BE STOPPED UP PERMANENTLY	
Highway to be stopped up permanently	New highway to be provided
Footpath EX120/13 (White Notley) between points P179A, P180A, P181A, P182A, P183A and P184A	Footpath between points P179A, P185, P186, P187, P188, P189 and P184A
Path not on definitive map between points P180A, P190, P191, P183A and P184A	
HIGHWAY(S) TO BE STOPPED UP TEMPORARILY	
Footpath EX120/13 (White Notley) between points P179A, P180A, P181A, P182A, P183A and P184A	
Path not on definitive map between points P180A, P190, P191, P183A and P184A	
Footpath EX74/37 (Crossing) within order limits	

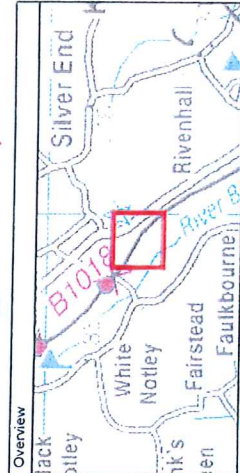
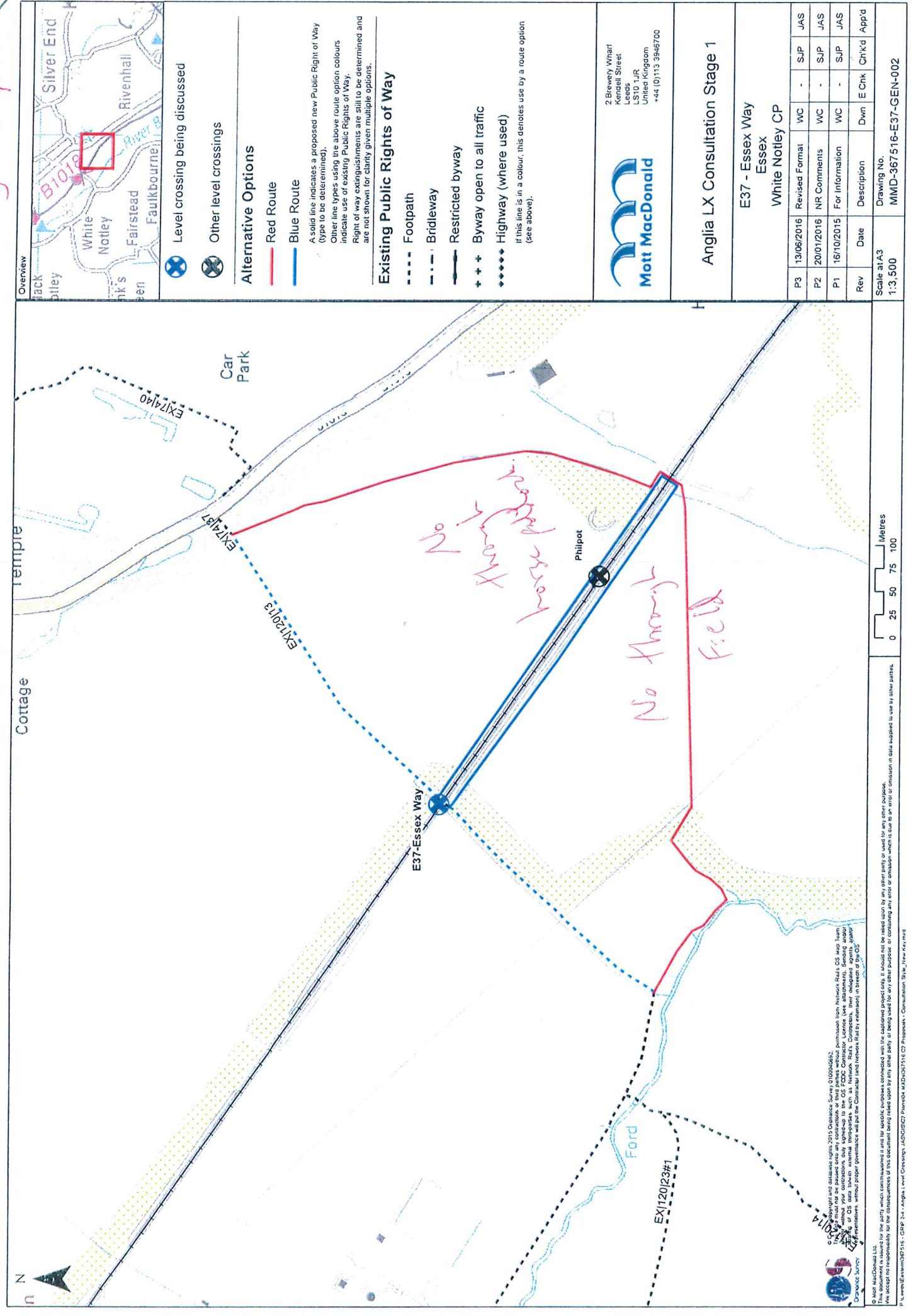
NOTE: The area enclosed by any limit of deviation or limit of land to be acquired or used is the area extending to the outer edge of the line marking those limits.

PLAN

25 0 25 50 75 100 125 Metres
HORIZONTAL SCALE FOR PLAN 1:1250

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crossing by path



- Level crossing being discussed**
- Level crossing being discussed
- Other level crossings**
- Other level crossings
- Alternative Options**
- Red Route
 - Blue 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).



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Anglia LX Consultation Stage 1

E37 - Essex Way
Essex
White Notley CP

Rev	Date	Description	Dwn	E Chk	Chk'd	App'd
P3	13/06/2016	Revised Format	WC	-	SJP	JAS
P2	20/01/2016	NR Comments	WC	-	SJP	JAS
P1	16/10/2015	For Information	WC	-	SJP	JAS

Scale at A3
1:3,500

Drawing No.
MMD-367516-E37-GEN-002

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P:\mmd\367516 - G3p 24 - Anglia LX and Crossings - JAS\GEN02 Plan004 MMD367516 CD Proposals - Consultation Stage 1 New Key.rvt