

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

STATEMENT OF CASE ON BEHALF OF:

Charles Nicholas Gooch
Department of Transport Reference: TWA/17/APP/05/OBJ/157

1. Introduction

- 1.1** This Statement of Case is submitted by Strutt & Parker LLP (S&P) on behalf of Mr Charles Nicholas Gooch in connection with his objection made against the proposed Network Rail (Essex and Others Level Crossing Reduction) Order.
- 1.2** Mr Gooch's original objection can be found in his letter to the Secretary of State for Transport of 11th May 2017, attached as **Appendix A**.
- 1.3** This Statement of Case is submitted in response to a letter dated 25th May 2017 from Angela Foster of the Department of Transport under rule 7(3) of the Transport and Works (Inquiries Procedure) Rules 2004.

2. Background

- 2.1** Mr Gooch is the freehold owner of the land both sides of the Wivenhoe Park, Colchester (E57) Level Crossing. The land is held under Land Registry Title Numbers EX879394 and EX879395.
- 2.2** All of the land at 2.1 is identified on the plan at Appendix B.
- 2.3** All of the land at 2.1 is occupied and farmed by the Partnership of C & C Gooch of which Mr Gooch is a partner.
- 2.4** A licence in favour of Sustrans Ltd allows access for both maintenance of and use of Mr Gooch's land for the National Route 51 for the Harwich to Colchester section.
- 2.5** The Environment Agency also use the level crossing to take access for sea wall maintenance.
- 2.6** We are also aware that Natural England are exploring using this footpath as part of the England Coast Path. We expect therefore they will also require access for maintenance in due course.

3. Impact of Order

3.1 Mr Gooch uses the crossing to reach his land held under Title no. EX879395. This land area amounts to approximately 6.6 hectares (16.33 acres). The land is grazing marsh. The marsh is a UK BAP priority habitat. The land is managed under Natural England's Higher Level Stewardship Scheme and is currently being submitted to the Higher Tier Countryside Stewardship Scheme. To maintain this land Mr Gooch requires to retain access.

3.2 Sustrans Ltd have the right to build and maintain a cycleway on the sea wall. This is used frequently and also gives access to the University of Essex using the Wivenhoe Park Crossing.

There is also a public footpath upon the seawall which extends over the crossing to the University.

3.3 The use of the level crossing is significant. Network Rail's own survey conducted on three days (a Saturday, a Sunday and a Monday) in July 2016 identified 46 pedestrians and 50 cyclists on the Monday and 103 pedestrians and 20 cyclists as an average on each of the weekend days. Network Rail's summary sheet from September 2016 is attached as Appendix C.

We note that this survey was conducted after the summer term of the University had completed (last day 24th June 2016). We suggest that therefore this survey may not be truly representative of the pedestrian and cyclist use of the crossing as we understand that this is a popular route to access the University.

No vehicles were recorded in this survey as it was not necessary for Mr Gooch or other users to access the land during these times.

However, access to the land with machinery is critical for maintenance of the land, cycleway, footpath, seawall and drainage ditches.

3.4 The seawall is maintained by the Environment Agency. To do this they need to get large machinery across for periodic maintenance.

The seawall protects farmland, the railway line and development within the University of Essex. Therefore, its maintenance is critical.

3.5 Sustrans Ltd – Mr Gooch has been in correspondence with Sustrans Ltd and attached at Appendix D are their recent views on this matter. We fully agree with their concerns about vehicles sharing access on the current 2.5 metre-wide cycleway and footpath.

3.6 Mr Gooch has been in correspondence with the Environment Agency in this matter and we attach their most recent correspondence at Appendix E. We understand they will be submitting their own representations in regards to this level crossing.

3.7 We enclose at Appendix F the National Farmers Union initial submission to the Secretary of State on this matter. We would like to draw your attention in particular to their comments on page 2 and page 3 where they request that vehicle access, where an alternative route is

proposed, is no narrower than 5 metres and capable of taking loads up to 60 tons, contains no underbridges which are under 5 metres high or 5 metres wide and contains no junctions or corners which vehicles over 20 metres could not use.

The alternative route proposed by Network Rail is only 2.5 metres wide and has a pinch point on a corner. This is insufficient for the modern agricultural and construction machinery that will need to access this land in the future.

4. Proposed Alternative

4.1 We consider the alternative proposed by Network Rail to be impractical. In particular, we refer to the comments by the National Farmers Union and also the experience of Mr Gooch and the other users of this crossing who have valid concerns for wider public safety. Since the proposal is only to close this crossing for vehicular use we do not see how the stated wider aims of Network Rail in their draft Order are met as there are no proposed changes to the pedestrian or cycle use of the crossing which as shown by Network Rails own survey is substantial.

4.2 The proposed alternative route will have a wider impact on the local community because of the need to travel through developed areas of the edge of Colchester to access the new route to this land. The new route includes passing residential property and University of Essex Student Accommodation (University Quays). At times maintenance by Sustrans Ltd and the Environment Agency will also require the delivery of materials by lorry as well as access for machinery.

Part of the proposed route is not adopted highway and we believe is owned by the University of Essex as part of University Quays. We are concerned about the structural strength of the surface that will have to be traversed and to what standard and weight limits it was designed. We are also unclear as to how a clear and suitably wide route will be maintained through this area.

4.3 We consider that Network Rail will need to improve the proposed alternative access so it is suitable for the vehicles that will need to travel over it. This will be a significant undertaking with at least a widening of the seawall and the widening of a culvert to create a suitable and safe surface. This is without finding a way to ensure that the significant numbers of pedestrians and cyclists can also safely use the right of ways at the same times as any vehicle.

4.4 We attach at Appendix G photographs showing:

Image 1 – the area at University Quays through which Network Rail intends to require Mr Gooch and others to take access.

Image 2 – the start of the current cycleway, illustrating its width.

Image 3 – the sluice gate where the corner is tight for vehicles.

4.5 Network Rail have stated that future maintenance “would be for the user of the route”. This will pass further costs onto Mr Gooch or to Sustrans Ltd. We do not consider this reasonable although accept it could be addressed under a compulsory purchase compensation settlement.

5. Issues with the draft Compulsory Purchase Order

- 5.1** Plot 4 – this is shown in the Order as being acquired. Mr Gooch has raised this with Network Rail who have confirmed that they only require Plot 4 on a temporary basis.
- 5.2** Plots 12 and 15 – Network Rail seek to acquire rights in land for these plots. Network Rail have advised that rights are required for railway maintenance. We would like further explanation on why this is required?

Correspondence with Network Rail is in Appendix H.

5 Summary

Overall we consider Network Rail's proposal to be poor. We understand that there has never been an incident involving vehicles crossing at the Wivenhoe Park Crossing and the proposed alternative does not provide a viable or safe access.

We request that you reject Network Rails request

Signed for and on behalf of Mr Gooch:



.....
Alexander Creed for Strutt & Parker LLP
3rd July 2017

Appendix A: Objection Letter 11th May 2017

Appendix B: Site Plan

Appendix C: Network Rail summary sheet of September 2016

Appendix D: Sustrans Ltd's correspondence

Appendix E: Environment Agency correspondence

Appendix F: National Farmers Union initial submission

Appendix G: Photos

Appendix H: Network Rail correspondence

WIVENHOE PARK ESTATE OFFICE

FEN FARM
ELMSTEAD MARKET
COLCHESTER CO7 7ER

The 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

11th May 2017

Dear Secretary of State

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

I am writing to make representations and objections to the proposals being made to you by Network Rail Infrastructure Ltd with regard to crossing E57, Wivenhoe Park, Colchester, Essex as part of their Anglia Level Crossing Reduction Strategy.

I am the owner of Plots 4, 5, 6, 7, 9, 11(x2), 12, 14, 15, 22 and 23 and this letter concerns the Notices I have received for these plots.

GENERAL

From the time the railway was constructed, our family have used the Wivenhoe Park Crossing to gain access from our land east of the railway line to our grazing land to its west as there is no alternative access. The grazing land in question is low-lying marsh on the banks of the River Colne which is protected by a sea wall.

About 20 years ago, we granted Sustrans the rights to build and maintain a cycleway on the sea wall, which is now part of the National Cycle Network and is frequently used by cyclists. The cyclists travel between Colchester and Wivenhoe and also gain access to the University of Essex using the Wivenhoe Park crossing.

A public footpath exists on the sea wall which also extends over the crossing to the University, which is heavily used.

Natural England are currently planning the opening of a Coastal Path under the Marine and Coastal Access Act 2009, which is likely to involve some physical improvements to the current path.

Our marsh is of significant value to wildlife and is a UK BAP Priority Habitat. We manage it to conserve and encourage wildlife under Natural England's Higher Level Stewardship Scheme and have recently included the area in a new application for Higher Tier Countryside Stewardship.

ACCESS OVER THE CROSSING

2.

At present, a pair of locked gates are situated at my private vehicular access. When vehicular access is needed, we use a fixed Network Rail telephone to obtain permission to cross. Network Rail wish to extinguish these rights if they can establish the proposed alternative access.

A pair of styles allow access for walkers and Network Rail propose that pedestrian rights will remain open.

During the consultation process, Network Rail advised that they would be willing to erect cycle gates at the crossing to enable cyclists to cross the railway line more easily. This would be logical as cyclists will cross anyway by lifting their bicycles over the styles. However, I note that in Network Rail's Design Freeze Proposals of March 2017 (attached) the reference to cycle gates has been removed so I am assuming that this offer has been withdrawn.

Network Rail have carried out studies to establish the numbers of users of the crossing and it is clear that there is a need to keep the crossing open for cyclists and walkers.

My concern is that Network Rail's proposed alternative vehicular access is ill-considered and an over-reaction to alleged risks.

Our vehicular access is infrequent, perhaps occurring twice a year on average, but, when it occurs, it involves large machinery such as tractors with trailers and/or implements. The cycleway requires maintenance every few years and Sustrans needs to be able to access the path with diggers, heavy equipment and lorries carrying stone for repairs. An area for temporary storage of stone and other materials will also be needed as the location currently used will not be accessible. We do not know at this stage how much work will be required to open the Coastal Path, nor do we know how much work will be needed in the future to maintain the sea wall (which protects farmland, the railway line and development within the University). Adequate provision needs to be made for all these.

The existing vehicular crossing can only be used after calling for permission by fixed telephones located at the gates, after which the gates can be unlocked and a crossing made. I contend that the risks of a collision by this occasional, but vital, use is small to non-existent, whereas the risk by unfettered access by walkers and cyclists, of which there are many, is significant. Yet, Network Rail want to see the vehicular access closed.

THE PROPOSED ALTERNATIVE ACCESS

I am advised that, should the Orders be confirmed, Network Rail will have to grant me a legal right of way over the proposed alternative vehicular access. No confirmation of this has been received.

Network Rail's agents advised me on 19th April (as attached) that Network Rail would "make such alterations as are reasonably necessary, there may be a need to firm up some of the land to allow full access. Once on the land, it has been assumed that access would be sufficient as all land is currently accessible for cutting on a periodical basis". I have inspected Sheet 42, which details the areas of land over which rights are required for access and it appears that Network Rail do not intend to widen the existing cycleway, which is approximately 2.5 metres wide. To do so would be a huge undertaking requiring the widening of the sea wall and the widening a culvert at the sluice gate. Without those improvements, access by tractors with trailers and other implements, stone lorries and the like will be impossible, particularly as the cycleway and footpath are constantly in

3.

use. I would add that "to firm up" some land (presumably Plots 9 and 10 on Sheet 42) would not be adequate. The marsh floods frequently and we need an access that is accessible at all times as well as an area to temporarily store stone and other materials. I contend that "firming up" part of a marsh will be insufficient.

I attach photographs of the areas in question. Image 1 is the residential area through which Network rail intends that we will have access, Image 2 is the start of the cycleway and Image 3 is the sluice gate. You will note that there is a corner at the sluice gate so further widening will be required for a tractor and trailer or a lorry to pass this point in safety.

Furthermore, Network Rail have confirmed that future maintenance "would be for the user of the route" thereby passing further costs onto me or Sustrans. I attach Sustrans' letter to you dated 21st April 2017.

NOTICES SERVED FOR RIGHTS PROPOSED TO BE ACQUIRED

I have the following comments to make:

1. Notices for Plots 5, 6, 7, 11(X2), 14, 22 and 23 have been served for the temporary use of land, which is logical as presumably Network Rail would need a working area during the works.
2. The Notice for Plot 4 is for the right to acquire rights in land compulsorily. Bearing in mind all the other plots above are for temporary use, I fail to understand why Network rail should wish to acquire rights in land for Plot 4. I sought clarification from Network Rail's agents on 31st March, suggesting that it might be an error, but have not received a response (see previously referred to attachment). I therefore object to this Notice.
3. Notice for Plots 12 and 15. These Notices seek to acquire rights in land. Again, I sought clarification from Network Rail's agents on 31st March, asking what rights they were seeking to acquire. Again, I have not received a response. I assume that they seek a right of way but I am concerned that they wish to acquire a permanent right of way for a temporary use of land. This is illogical and needlessly disadvantages me and I accordingly object to Notices 12 and 15.
4. Notice 9 deals with the extinguishment of my private rights over the crossing. Unless Network Rail provides me with a proper alternative, which their proposals fail to do, I object to this Notice.

In conclusion, I consider Network Rail's proposals to be ill-conceived and a significant over-reaction to a perceived risk caused by vehicular traffic, as no incidents with vehicular traffic have ever occurred at this location to my knowledge. As such, I consider it reasonable to object to the proposed Orders in totality.

I hope that you will consider my letter favourably.

Yours faithfully



C N GOOCH

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, 21st 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 31st 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 'Matth Easter'.

Matthew Easter
England Director, Midlands and East

Level Crossing Proposals

E57 – Wivenhoe Park

Wivenhoe Parish – EX/127/236

Network Rail has been working hard to better manage its level crossings and the risks they pose, and has developed proposals for the possible closure or change to public rights of way at over 130 of its level crossings in Anglia. Closing or modifying level crossings can help to bring about a number of benefits:

- Improve the safety of level crossing users
- Deliver a more efficient and reliable railway, which is vital in supporting the regional and UK economy
- Reduce the ongoing operating and maintenance cost of the railway
- Reduce delays to trains, pedestrians and other highway users
- Improve journey time reliability for all railways, highway and other rights of way users



The level crossings in this initial phase of the Anglia Level Crossing Reduction Strategy do not include any new bridges or underpasses, and offer benefits which are currently affordable and deliverable.

Wivenhoe Park is one of the level crossings in Essex County. It is located in Wivenhoe Parish and has the postcode C07 9HU. This is a stop, look and listen public footpath level crossing where the user has to decide whether it is safe to cross. There is also an adjacent private vehicle user worked crossing with a telephone. The railway at this crossing carries passenger and freight trains. A photograph of the crossing is shown above.

Our proposed change: Is to close the level crossing to all vehicles but retain the crossing for pedestrians. To cross the railway the following is currently proposed (shown on the drawing overleaf):

Red Route - Pedestrian users would be able to continue to use footpath EX/127/236 and the level crossing to link with the riverside footpath EX/127/130. Private vehicle users requiring access to the fields and riverside would be diverted along Colchester Road and the A133 to the crossing point on the A134. Access to cycleway NCR51 (rights for specific vehicle users to be provided) would be gained through university land thus giving access either side of the proposed crossing closure.

This summary sheet and a questionnaire are available at the public exhibitions and on the project website at: www.networkrail.co.uk/anglialevelcrossings. Please complete the separate questionnaire using the level crossing identification number **E57** and your feedback will be considered before the proposals are finalised.

To contact our team, please email us at: anglialevelcrossings@networkrail.co.uk or phone the helpline: **03457 11 41 41**. We thank you for your time and providing your comments on the Anglia Level Crossing Proposals.

Anglia Level Crossing Proposals

E57 – Wivenhoe Park (Wivenhoe Parish)

Private Level Crossing

Network Rail has been working hard to better manage its level crossings and the risks they pose. It has developed proposals for the possible closure or change to public rights of way at around 130 level crossings in Anglia. Closing or modifying level crossings can help to bring about a number of benefits:

- Improve the safety of level crossing users
- Deliver a more efficient and reliable railway, which is vital in supporting the regional and UK economy
- Reduce the ongoing operating and maintenance cost of the railway
- Reduce delays to trains, pedestrians and other highway users
- Improve journey time reliability for railway, highway and other rights of way users

The level crossings in this Initial phase of the Anglia Level Crossing Reduction Strategy do not include any new bridges or underpasses, and offer benefits which are currently affordable and deliverable.

Wivenhoe Park is one of the level crossings in the County of Essex. It is located in Wivenhoe Parish and has the postcode CO7 9HU. This is a private user level crossing with a telephone for users to request permission to cross the railway with a vehicle. There is also an adjacent stop, look and listen public footpath level crossing where the user has to decide whether it is safe to cross. The public footpath level crossing will remain open and is not affected by the proposals for the private level crossing. The railway at this crossing carries passenger trains with a line speed of 60 mph. There are generally 94 trains passing through this level crossing per day.

Network Rail's level crossing risk assessments are supported by use of the All Level Crossing Risk Model (ALCRM). This produces a score for the 'individual risk' presented as a letter ranging from A to M, where A is the highest risk and M is the lowest. In addition 'collective risk' is based on the number of people who use the crossing, and is presented as a number ranging from 1 to 13, where 1 is the highest risk and 13 is the lowest. Wivenhoe Park level crossing currently has an ALCRM score of B4, which is considered high risk. Key issues relate to gates being left open, short sighting time, large numbers of users, frequent trains and sun glare. There were 2 incidents of misuse, 4 near misses and no accidents at this crossing between 2011 and 2015.

Public consultation was undertaken in June on initial options for changes at this level crossing. At this level crossing, seventy-one questionnaire responses were received. For Wivenhoe Park, a summary of the questionnaire responses is shown below (route colours refer to the June 2016 Stage 1 consultation plan – please see the project website for details):

- 4 % of responses agreed with the proposals
- 4 % of responses were neutral towards the proposals
- 92 % of responses disagreed with the proposals

- 17 % of responses preferred the red route
- 81 % of responses preferred another route to those shown
- 2 % of responses did not state a preference

Requests were made to have the stile removed and replaced by a crossing gate, to allow easier access for cyclists, prams and wheelchair users. One respondent suggested that there is no practicable alternative to access their property, which is an important area for nature conservation, and without the crossing it

would become difficult to manage. Another request was made to keep the level crossing open to farm vehicles, as the integrity of the river wall may be compromised if access was lost.

As part of the consultation process a wide range of statutory consultees, landowners and user groups were also consulted. The responses received have been taken into account when determining the preferred option.

During June and July of this year, Network Rail undertook new census surveys of the number and type of level crossing users. A three day census was undertaken (Saturday, Sunday and Monday) and the daily usage was as follows:

Weekday (Monday)	46 pedestrians	50 cyclists	0 equestrians	0 vehicles
Weekend (average daily)	103 pedestrians	20 cyclists	0 equestrians	0 vehicles

The consultation feedback together with a range of other factors such as user safety and convenience, environmental impacts and economic factors were used to determine a preferred option. In this case, proposals are still being considered for alternative access routes, which include those shown at the June 2016 Stage 1 consultation.

Our preferred option is to extinguish the private user rights and remove vehicular crossing provision, if a suitable alternative access for current users can be found. If an adequate solution to these issues cannot be found or requires funding outside of this project scope then the crossing would be removed from this project. The public footpath status would be retained with the provision of a cycle friendly gates.

Photo 1: Existing level crossing



Rec'd at presentation on 20/9/16.

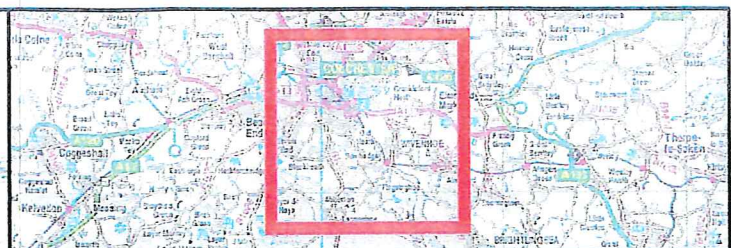
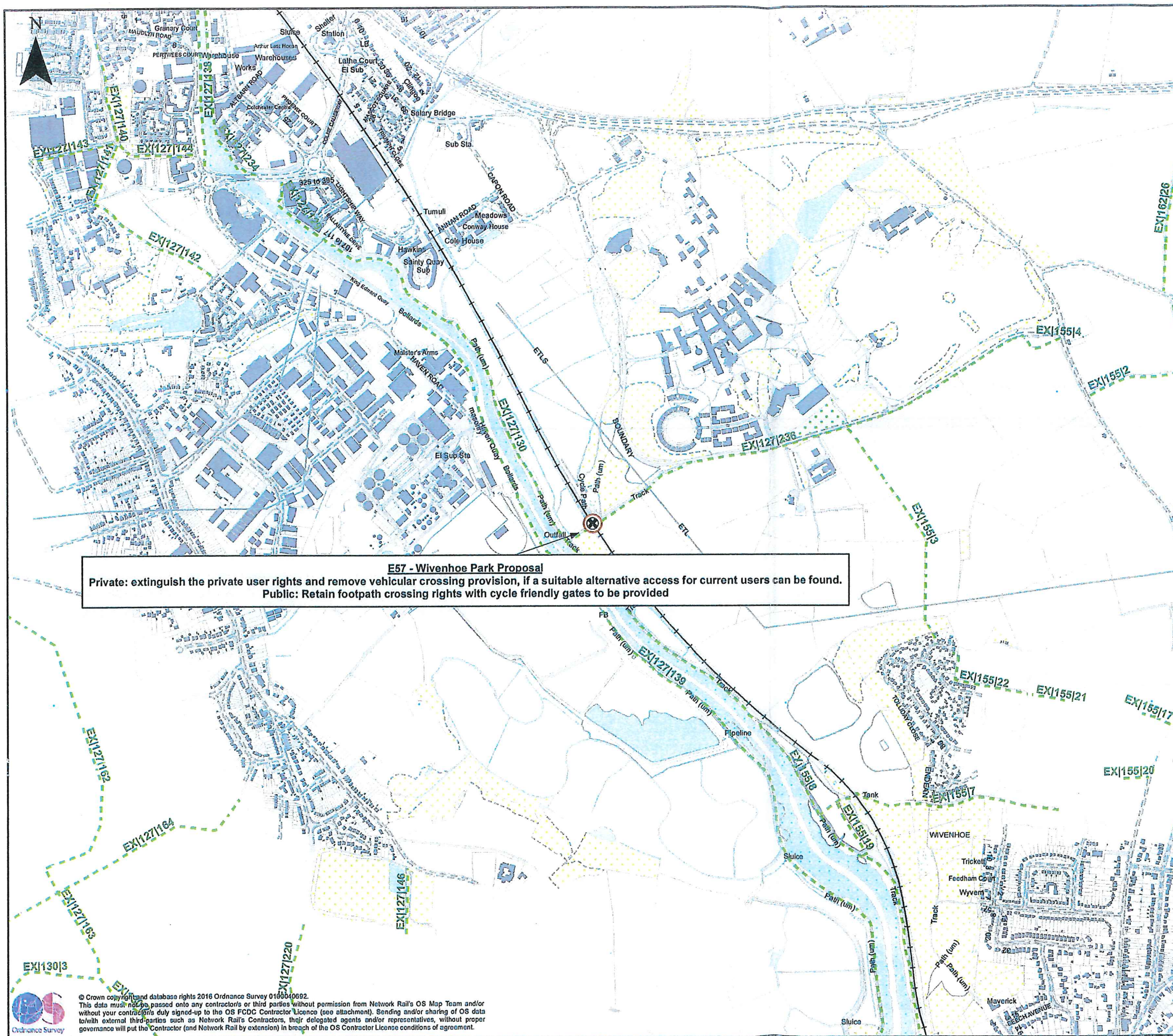
Complete objection

Received kindly explanation that we would keep on crossing

Photo locations are shown on the plan overleaf.

This summary sheet and a questionnaire are available at the public exhibitions and on the project website at: www.networkrail.co.uk/anglialevelcrossings. Please complete the separate questionnaire using the level crossing identification number **E57** and your feedback will be considered before the proposals are finalised ahead of submitting a Transport and Works Act Order to the Secretary of State.

To contact our team, please email us at: anglialevelcrossings@networkrail.co.uk or phone the helpline: **03457 11 41 41**. We thank you for your time and providing your comments on the Anglia Level Crossing Proposal



- ### 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)
- The line styles above indicate the type of right of way or other route proposed.

- ### 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
- The colours below indicate the nature of the proposal.

- ### Photographs
- Photograph Location (with no. - see Summary Sheet for details)

Network Rail Anglia Level Crossing Reduction Strategy

Round 2 Public Consultation Proposal

E57 - Wivenhoe Park Essex Wivenhoe CP						
P1	16/08/2016	For Information	WC	DW	SJT	JAS
Rev	Date	Description	Dwn	E Chk	Ch'kd	App'd
Scale at A3 1:10,000		Drawing No. MMD-367516-E57-GEN-003				

Alexander Creed

From: Peter Bate <Peter.Bate@sustrans.org.uk>
Sent: 22 June 2017 13:45
To: Charles Gooch; Alexander Creed
Subject: RE: FW: Level crossing E57, Essex & the Wivenhoe Trail
Attachments: Sustrans Network Rail Anglia Level Crossing Reductions TWA Order letter of 21st April.docx; Dept trans and works app for proposed network rail.pdf

Dear Charles,

I've attached the letter that the Regional Director sent in response to the proposals and you've already seen the comments I made.

Basically Sustrans wants to see the ability to use the crossing by dismounted cycles retained which seems to be the case with the recent works and we are also concerned that:

- a) the path isn't wide enough to take the proposed vehicles and the potential for conflict with other users
- b) Damage to the path caused by the vehicles. This is both due to their weight and the effect of turning movements. If NR win this point then Sustrans expects them to pick up the additional maintenance costs

I have asked our regional head of engineering for an opinion of the damage that could be caused to the path by vehicles.

I intend to attend the inquiry and give oral evidence so I am preparing a statement of case. What I don't have is the brief guide as that was sent to the Regional Director and has not been passed to me despite requesting it.

I agree that it is important that we work together on this as neither you, Sustrans or the University want the changes proposed by NR.

Regards
Peter

Peter Bate
Sustrans

Network Development Manager SMids: Beds, Herts, Milton Keynes, Cambs, Northants & Rutland
Land Manager: Beds, Herts, Cambs, Norfolk, Suffolk, Essex

I work four days a week: Monday, Tuesday, Wednesday & Thursday

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Leighton Buzzard
LU7 1HZ

Tel: 07721 303448
Email: peter.bate@sustrans.org.uk
Twitter (Herts): [SustransHerts](#)
Twitter (Beds & MK): [SustransBedsMK](#)



From: Charles Gooch [mailto:charles@estateoffice.org.uk]
Sent: 21 June 2017 16:19
To: Peter Bate; Alexander Creed
Subject: Re: FW: Level crossing E57, Essex & the Wivenhoe Trail

Dear Peter

Do you have an update on Sustrans' position please? Statements of Case need to be with the Inspector in 2 weeks and I am keen to get my ducks in a row.

I look forward to hearing from you.

Kind regards

Charles

On 01/06/2017 15:40, Charles Gooch wrote:

Dear Peter

Noted. I have copied this reply to Jamie Burns of the University.

Kind regards

Charles

On 01/06/2017 15:35, Peter Bate wrote:

Dear Charles,

Thank you for the information. From the pictures I have it looks like a stile only so I think the small gates must be very new. It was clearly work in progress on the 24th.

I have two objectives:

1. Retain cyclist access even if dismantled only to the Uni. Would you mind giving me your contact at the Uni.
2. To avoid having vehicles on the Wivenhoe trail as it isn't wide enough and the path structure was not designed to take the weight. There is therefore a safety of users issue, both drivers and pedestrians & cyclist as well as the cost & inconvenience of repairing any damage

It is possible that the details of the inquiry have been sent to our Regional Director.

Regards

Peter

Peter Bate

Sustrans

Network Development Manager SMids: Beds, Herts, Milton Keynes, Northants & Rutland

Land Manager: Beds, Herts, Cambs, Norfolk, Suffolk, Essex

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Twitter (Beds & MK): [SustransBedsMK](#)



From: Charles Gooch [<mailto:charles@estateoffice.org.uk>]

Sent: 01 June 2017 15:24

To: Peter Bate

Subject: Re: FW: Level crossing E57, Essex & the Wivenhoe Trail

Dear Peter

Just been down to look. They have erected a pair of small gates and a new crossing which would appear to be fine for pedestrians or cyclists. So far so good, but why did they remove reference to these gates on their plan I wonder.

The question remains whether the new access proposal is acceptable or not. My view is that it isn't. The University have objected to the scheme as well.

I haven't got a date from the EA yet but hope to meet them soon.

I attach my letter of the 26th May, which gives you the address details

Kind regards

Charles

On 01/06/2017 13:08, Peter Bate wrote:

Dear Charles,

I hadn't heard but I'm not all that surprised about that.

Certainly Sustrans doesn't want the crossing closed or restricted to able bodied pedestrians & we don't want vehicles damaging the path. My colleague Philip Broadbent-Yale was in the area last week and took some pics for me. It seems NR have already started work on the LC.

The University must be a key ally as the route is well used by cyclists to access the campus.

Is the address for representations the same as on your letter of 11th May?

When do you expect to meet the EA?

Regards

Peter

Peter Bate

Sustrans

Network Development Manager SMids: Beds, Herts, Milton Keynes,
Northants & Rutland

Land Manager: Beds, Herts, Cambs, Norfolk, Suffolk, Essex

I work four days a week: Monday, Tuesday, Wednesday & Thursday

12 Beaudesert

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Twitter (Herts): [SustransHerts](#)

Twitter (Beds & MK): [SustransBedsMK](#)



From: Charles Gooch [<mailto:charles@estateoffice.org.uk>]

Sent: 01 June 2017 13:00

To: Peter Bate

Subject: Re: FW: Level crossing E57, Essex & the Wivenhoe Trail

Dear Peter

I hope you have also heard that this is going to a local inquiry, with further representations needing to go to the Dept of Transport by 6th July.

I am in contact with the Environment Agency and hope to meet them on site soon to discuss the suitability of the sea wall for heavy vehicles.

Will Sustrans be making further reps do you think?

Kind regards

Charles

On 16/05/2017 10:03, Peter Bate wrote:

Dear Charles,

Below is my email to Ms Edwards about level crossing E57. Unfortunately I haven't yet been to the site as I have not been in this role that long although I have been with Sustrans as an Area

Manager (same role as Kris Radley was) for Beds & Herts since 2012.

I will be inspecting the Wivenhoe Trail licence land later this year.

Regards

Peter Bate

Sustrans

Network Development Manager SMids: Beds, Herts, Milton Keynes, Northants & Rutland

Land Manager: Beds, Herts, Cambs, Norfolk, Suffolk, Essex

I work four days a week: Monday, Tuesday, Wednesday & Thursday

12 Beaudesert

Leighton Buzzard

LU7 1HZ

Tel: 07721 303448

Email: peter.bate@sustrans.org.uk

Twitter (Herts): [SustransHerts](#)

Twitter (Beds & MK): [SustransBedsMK](#)



From: Peter Bate

Sent: 16 May 2017 09:53

To: 'Laurie.Edwards@brutonknowles.co.uk'

Cc: Philip Broadbent-Yale

Subject: Level crossing E57, Essex & the Wivenhoe Trail

Dear Ms Edwards,

I am concerned about the changes between the design freeze drawing (MMD-367516-E57-GEN-005) dated March 2017 and the original consultation drawing (MMD-367516-E57-GEN-003) dated 16/8/2016.

1. The cycle friendly gates have been removed from the design. This is despite the fact that the Network Rail user census shows a significant number of cyclists using the crossing and the fact that it provides a valuable traffic free access to Wivenhoe Park. The freeze drawing does not explain how cyclists are to access the Wivenhoe Park via a traffic free route. DfT surveys

have shown that people are very unwilling to cycle with traffic

2. Routing vehicles along the cycle track that would previously have used the level crossing. Some of the land is licenced by Sustrans from the landowner. Under the terms of this licence Sustrans has a duty to maintain the path and we would clearly need access via level crossing E57 to be able to bring plant onto site.

The track is not that wide, certainly no more than 2.5m (see these typical views <http://www.essexwalks.com/walks/wivenhoe.html#page=page-3>) and was not constructed to allow use by agricultural & construction vehicles. Typically at agricultural crossovers Sustrans build a concrete crossing to allow heavy equipment to cross without damage to the path. I am concerned that the proposed changes in use would lead to unacceptable damage to the path which would then fall on Sustrans to repair.

I would be grateful if you would record Sustrans' objections to the proposals and ensure that we are included in any further consultations regarding this crossing. The freeze drawing changes were brought to our attention by the landowner rather than Network Rail or their agents.

Finally, can you let me know what the next steps in this process will be.

Yours sincerely

Peter Bate

Sustrans

Network Development Manager SMids: Beds, Herts,
Milton Keynes, Northants & Rutland

Land Manager: Beds, Herts, Cambs, Norfolk, Suffolk,
Essex

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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, 21st 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 31st 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,



Matthew Easter
England Director, Midlands and East

Alexander Creed

From: Charles Gooch <charles@estateoffice.org.uk>
Sent: 26 June 2017 09:35
To: Cooper, Guy
Cc: Cole, James C; Alexander Creed
Subject: Re: Level Crossing Wivenhoe Park

Dear Guy

Thank you for your email.

I'm not sure whether we can ask for our objection to be held until the Environment Agency can reply. We have to get our Statement of Case in by the 6th July. If James doesn't think your position will be finalised by then, all I can do I think is to submit your email below and say that your detailed response will be available by the time of the Inquiry.

Your view on the importance of keeping the level crossing open as well as the risk to the sea wall by driving large vehicles on it are noted.

Kind regards

Charles Gooch

On 23/06/2017 15:57, Cooper, Guy wrote:

Dear Mr Gooch,
Following our telephone conversations I have had a discussion with my colleague James Cole in our Estates Team. They are currently dealing with 130 of these level crossing consultations from Network Rail.

Due to the volume of queries for so many individual proposals the Estates department are still compiling all the information and specifically objections to any of the proposed crossing closures so that we send a single response for them all to Network Rail. We aren't sending individual responses to each one. James said that, as with a couple of other objections from other parts of the Region, he is happy for you to include in your objection to Network Rail that you want your objection held while you wait for the final coordinated response from us.

As I said on the phone when we spoke a week or so ago, currently we access the sea wall for general maintenance and small repairs by tracking vehicles down from the B&Q end at Colchester. This is only possible when it involves small vehicles. If a larger repair were needed in the future or following a tidal surge and we needed to access the wall with larger plant then we would either have to carry out extensive works to strengthen certain stretches such as the crossing over Salary Brook or use the existing crossing over the railway line. The second option would still require some site preparation to ensure any vehicles used didn't do any damage to the crossing but would be more efficient in terms of access and reduce the potential to damage the sea wall. As the sea wall protects your land then clearly it benefits you as well for us to continue to have access to carry out repairs to the sea wall if required.

In general terms, if you needed to access any of your land with large vehicles via the sea wall then there is the risk of damaging the wall and, as we discussed previously, if that were to happen then

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

Date: 05 May 2017

Circulation: Essex Group Secretaries

Ref: Network Rail Level Crossing Closures

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.

Image 1



The residential area through which Network Rail intends to require Mr Gooch and others to take access

Image 2



The start of the current cycleway, illustrating its width.

Image 3



The sluice gate where the corner is tight for vehicles.

Alexander Creed

From: Charles Gooch <charles@estateoffice.org.uk>
Sent: 21 June 2017 16:13
To: Alexander Creed
Subject: Fwd: Re: Network Rail Level Crossing Reduction Project - E57

Dear Alexander

Good to see you today. See below my latest email exchange with Network Rail.

As I said, I am still waiting to hear from the Environment Agency regarding the proposed access on the sea wall as well as from Sustrans who maintain the cycleway on the sea wall.

If you could keep my file safely, I am sure I can get it back from you in the near future.

Kind regards

Charles

----- Forwarded Message -----

Subject: Re: Network Rail Level Crossing Reduction Project - E57
Date: Tue, 13 Jun 2017 16:44:47 +0100
From: Charles Gooch <charles@estateoffice.org.uk>
To: Boulton Jonathan <Jonathan.Boulton@networkrail.co.uk>

Dear Jonathan

Thank you for your reply.

1. A "Notice to acquire rights in land compulsorily" has been served on Plot 4, whereas the other plots around it were served with Notices to "Temporarily Use Land". As you have confirmed, Plot 4 is only required temporarily so it seems that the Notice for Plot 4 was incorrectly served?
2. Regarding Plots 12 & 15, I would be grateful to learn why it is that a permanent right is being sought. If the Notices are successful, surely there will be no crossing to maintain?

Kind regards

Charles

On 13/06/2017 16:03, Boulton Jonathan wrote:

Charles,

Further to your email below and with apologies for the delay in replying, in response to your queries:

- 1) Plot 4 – Network Rail would only take temporary possession if it required exclusive use of the track. As Network Rail only require a right to use the track for a short period to dismantle the crossing, and as this use would not affect other people's use, so the notice served seeking a right is correct.
- 2) Plots 12 & 15 -Network Rail are taking (confirming) a right of access through these plots. As such Network Rail will be responsible for maintaining the road so that it is suitable for its usage. The only obligation on yourself will be not to do anything which is incompatible with Network Rail's use of the road.

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: Charles Gooch [<mailto:charles@estateoffice.org.uk>]

Sent: 26 May 2017 12:13

To: Boulton Jonathan; Laurie Edwards

Subject: Re: Network Rail Level Crossing Reduction Project - E57

Dear Jonathan

Thank you for your email in response to the questions I raised in my email of 31st March.

Plot 4 - I assume that as Network Rail only needs this plot temporarily, they will withdraw the notice that has been issued? Please advise.

Plots 12 & 15 - as you should be aware, these plots are not on a ploughed field, but on an existing farm track. The highway authority are not responsible for its maintenance. Will Network Rail be taking on its maintenance during and after the proposed works?

Yours sincerely

Charles Gooch

On 22/05/2017 12:42, Boulton Jonathan wrote:

Charles,

Further the correspondence you have had to date with Laurie at Bruton Knowles in relation to this project. I am just writing on behalf of the project team to confirm that Plot 4 (Parish of Wivenhoe) is indeed only required on a temporary basis. Plots 12 (Parish of Wivenhoe) & 15 (Borough of Colchester) on sheet 43 are required permanently as they are required not only to carry out the works but also subsequently for railway maintenance.

In relation to your queries on maintenance; footpaths across ploughed fields must be reinstated by the landowner. Any other path, e.g. along a road, will be maintained by the highway authority to the appropriate standard.

I hope this helps address your concerns, should you have any further queries please do not hesitate to contact the project team at ALCross@networkrail.co.uk

Kind regards

Jonathan



Jonathan Boulton
Surveyor (Anglia)
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E jonathan.boulton@networkrail.co.uk
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registered office Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

Subject: Re: Network Rail Level Crossing Reduction Project - E57
From: Charles Gooch <charles@estateoffice.org.uk>
Date: 26/05/2017 12:12
To: Boulton Jonathan <Jonathan.Boulton@networkrail.co.uk>, Laurie Edwards <laurie.edwards@brutonknowles.co.uk>

Dear Jonathan

Thank you for your email in response to the questions I raised in my email of 31st March.

Plot 4 - I assume that as Network Rail only needs this plot temporarily, they will withdraw the notice that has been issued? Please advise.

Plots 12 & 15 - as you should be aware, these plots are not on a ploughed field, but on an existing farm track. The highway authority are not responsible for it maintenance. Will Network Rail be taking on its maintenance during and after the proposed works?

Yours sincerely

Charles Gooch

*Why do they need permanent access if
entry will be closed in future?*

On 22/05/2017 12:42, Boulton Jonathan wrote:

Charles,

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I hope this helps address your concerns, should you have any further queries please do not hesitate to contact the project team at ALCross@networkrail.co.uk

Kind regards

Jonathan

NetworkRail

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