

Angela Foster

OBJ 30

**From:** Mike Holland <mike.holland@hollandlp.co.uk>  
**Sent:** 24 April 2017 18:45  
**To:** TRANSPORTANDWORKSACT  
**Subject:** E&K BENTON LIMITED - PROPOSED NETWORK RAIL (ESSEX AND OTHERS LEVEL CROSSING REDUCTION) ORDER - OBJECTION TO PROPOSED ADDITIONAL PUBLIC RIGHTS OF WAY  
**Attachments:** Letter to Secretary of State for Transport 24.04.17.pdf; Copy Network Rail Plan.pdf  
**Importance:** High

Dear Sirs

On behalf of our clients, E&K Benton Limited, please find attached a letter objecting to proposals contained within the Proposed Network Rail (Essex and Others Level Crossing Reduction) Order in respect of additional public rights of way.

A hard copy of our letter and enclosures has been sent by post.

Yours faithfully

M R Holland MRICS  
HOLLAND LAND & PROPERTY  
Mobile: 07885 643341  
Email: mike.holland@hollandlp.co.uk

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---



090/30



25 Main Street  
Lyddington  
Oakham  
Rutland  
LE15 9LR

24 April 2017

By post and email to: [transportandworksact@dft.gsi.gov.uk](mailto:transportandworksact@dft.gsi.gov.uk)

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

Dear Sirs

**E & K BENTON LIMITED**  
**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 CROSSING REDUCTION) ORDER**

We act for E & K Benton Limited who own and farm land at Horndon on the Hill and Stanford le Hope, Essex.

Our clients have received four Notices (Notice Reference Nos. 1184, 1188, 1195 and 1200) in respect of the above proposed Network Rail Order and which affect land in their ownership.

These proposals include a proposed additional footpath immediately to the south of the A13 truck road and the Stanford Interchange which would increase significantly the public access on our client's land.

The proposals give no regard to the existing footpath network marked as Footpaths 36, 83 and 34 as coloured pink on the attached copy plan, which could be joined with the proposed footpath coloured brown (between points A-B) and then linked to the existing footpath (no.36 to point C).



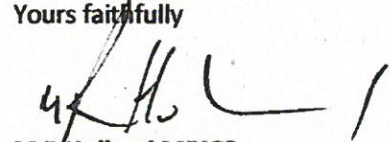
Furthermore, the additional proposed route of public would create an additional liability to third parties for our client, in an area of increasing unauthorised access not just by those walking/riding over this land but also by motorbikes and fly tippers.

Public access would be maintained by following the route A-B-C on the attached plan without any requirement for further access along the proposed route as hatched black on our client's land.

Our client therefore formally objects to the proposals for an additional footpath along the routes hatched black and we look forward to receiving a response from your Department in this respect.

If you have any immediate queries, please do not hesitate to contact me.

Yours faithfully



**M R Holland MRICS**

**Holland Land & Property Ltd (As Agents for and on behalf of E&K Benton Limited)**

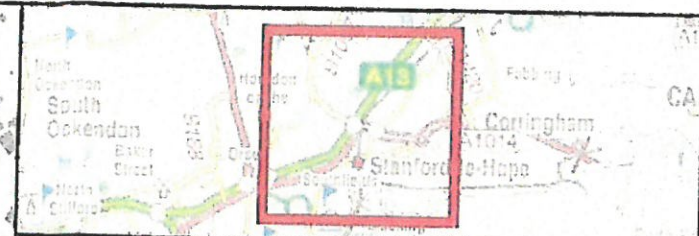
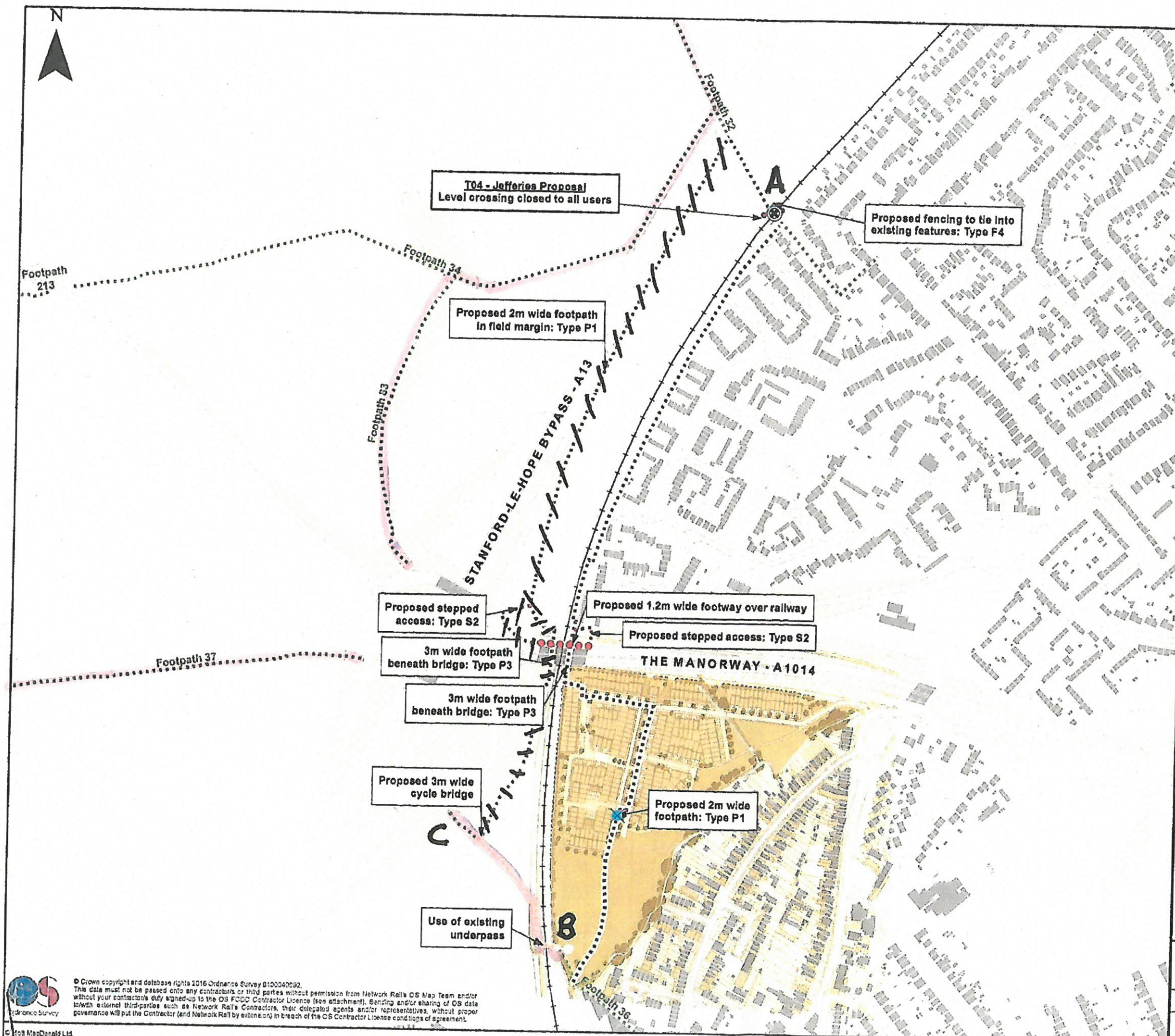
**Mobile: 07885 643341**

**Email: [mike.holland@hollandlp.co.uk](mailto:mike.holland@hollandlp.co.uk)**

Enc.

c.c. E&K Benton Ltd





**SECTION 1: LEVEL CROSSINGS**

⊗ Rights to be modified as part of this project  
 ⊙ Rights not modified as part of this project

The above symbols indicate existing level crossing locations.  
 The ring colours are as per section 4 below.

**SECTION 2: TYPE OF RIGHT OF WAY** (excluding adopted highway)

--- Footpath (public)    +++ Byway open to all traffic (public)  
 --- Bridleway (public)    ◆◆◆ Road / Track (private)  
 --- Restricted byway (public)

The line styles above illustrate the type of right of way extant or proposed.  
 The colour is per section 4 below.

**SECTION 3: PROPOSED USE OF ADOPTED HIGHWAY**

●●●● Footway Walking    ○○○○ Carriageway Walking  
 ●●●● Verge Walking

Where the proposals may divert users onto an adopted highway, the above symbols denote where a footway is available, a verge only, or if neither a footway or verge is available and pedestrians would need to walk in the carriageway.

**SECTION 4: PROPOSED STATUS CHANGE**

■ No change and not part of diversion    ■ Closure of existing right of way  
 ■ Use of existing right of way as part of diversion    ■ Creation of new right of way  
 ■ Change of status to existing right of way

The above colours apply to sections 1, 2 and 3 above.

**SECTION 5: ASSOCIATED INFRASTRUCTURE**

**This Project**    **Third Party Projects**

--- Fencing    ■ Future Developments where planning details are available  
 --- Gates  
 ◆ Stile

1. The layout shown on this drawing is indicative and may be subject to change at detailed design.

**Network Rail** Anglia Level Crossing Reduction Strategy

**MOTT MACDONALD** Design Freeze Proposals

T04 - Jefferies Thurrock Unitary Authority, Thurrock (B)						
P2	Nov 2016	For Information	WC	SRP	SJT	JAS
Rev	Date	Description	Dwn	E Chk	Ch'k'd	App'd
Scale at A3 NTS		Drawing No. MMD-367516-T04-GEN-005				

© Crown copyright and database rights 2016 Ordnance Survey 0100040092.  
 The data must not be passed onto any contractors or third parties without permission from Network Rail's OS Map Team and/or without your contractor's duty signed-up to the OS FGDG Contractor Licence (see attachment). Sending and/or sharing of OS data to third external third parties such as Network Rail's Contractors, their delegated agents and/or representatives, without proper governance will put the Contractor (and Network Rail) in breach of the OS Contractor Licence conditions of agreement.

© Mott MacDonald Ltd.  
 This document is issued for the party which commissioned it and for specific purposes connected with the captioned project only. It should not be relied upon by any other party or used for any other purpose.  
 We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, or containing any error or omission which may lead to an error or omission in data supplied to use by other parties.

P:\Local\Easton\387516 - GRIP 2-4 - Anglia Level Crossings\AS\GIS\Design\Draw Freeze Plans\04 MXDs\2016\1127 New Formal DFP\2\387516 Design Freeze Proposal Plans  
 a Format Essex et al.mxd



