

Department of Transport Inquiry 18th October 2017

Transport and Works Act 1992:Application for the Proposed Network Rail (Essex and Others Level Crossing Reduction)Order.

Proof of Evidence

Ref:E47-Bluehouse (Frinton and Walton Parish)

Introduction

This Evidence is provided by Valerie Roberts (VR) and Douglas Roberts (DR) as the landowners on the North West side of the level crossing, E47.

The land forms part of our 230 hectare dairy and arable farm. The dairy enterprise now plays the dominant role in the financial output of our farming business. The business is run as a partnership with VR, DR and son James Roberts as the three partners.

Personally we never use this crossing and our farm staff has no requirement to use this crossing as part of their work. We do think that the reasons for closing the crossing are invalid.

We do object to Network Rail's proposal to redirect the crossing access down along our field and creating a footpath right of way, 260 metres, approximately. To negate this proposal we want the crossing to remain open to pedestrians.

This evidence complements previous meetings, correspondence and written statements ever since correspondence was first received from Hamer Associates 12th April 2016 and up to an e-mail from Network Rail sent on 8th September 2017 as a result of a site meeting with Bruton Knowles on 6th September 2017.

Background---Crossing

We received a letter, dated 13th February 2017, from Bruton Knowles, Network Rail's new land agents. They quoted four reasons why Network Rail wished to close E47 crossing. These four points were also referred to in the Summary Sheet provided in September 2016 at the presentation at First Site, Colchester.

- A) Improving the safety at level crossings for all users.
- B) Reducing delays to trains, pedestrians and other highway users.
- C) Minimising the operating and maintenance cost of the railway.
- D) Delivering a more efficient and reliable railway on behalf of the UK taxpayer.

My evidence relates only to Crossing E47.

- A) In all the correspondence from Network rail they have never quoted any safety incident with this crossing since this single rail line was built by the Tendring Hundred Railway Company in 1883. The safety at the crossing could be improved with the installation of a phone system either side of the crossing. There is a phone system at the Pork Lane crossing not far away. No independent safety review has been provided only information from a Network Rail assessment (ALCRM).
- B) This is a pedestrian only crossing. What delays have occurred in the past? No evidence of such has been provided. Indeed Network Rail report that between "2011 and 2015 there were no incidents of misuse, no near misses, and no accidents at this crossing". There are no "other highway users".
- C) Closing the crossing will not affect the operating cost of the railway. However there will be a maintenance cost of the proposed footpath which will be incurred by the UK taxpayer rather than the Network Rail passenger. Network Rail will simply pass over the maintenance cost to the County Council.

- D) Closing Crossing E47 will have no effect on the efficiency or reliability on behalf of the UK taxpayer. One train passes here only once every thirty minutes. Network Rail has given no indication how reliability or efficiency will be improved.

Background---Footpath, Public Right of Way

We do not wish to lose our right to use land that we purchased in February 1996 for growing food crops.

A footpath, Right of Way will create problems with pedestrians not keeping to the footpath, dogs allowed to roam over the crops and defecate therein. In reality this is what will happen. (Refer to article on the Neospora parasite and the abortions that it can cause in dairy cows. We have experienced this in our herd.)

The current footpath, Public Right of Way leading from the B1033 road where it runs alongside our field has had no recent maintenance. Where the footpath crosses our field to the E47 crossing we cut down a strip 1.5 metres wide to allow access.

On current evidence no maintenance will be carried to the proposed footpath and vegetation will continue to grow out from the railway embankment. (Refer to photo of current vegetation growth from the railway.) Access to maintain the footpath will only be along its width. Correspondence dated the 8th September 2017 confirms that Network Rail is only concerned with cutting back vegetation to enable trains to run safely. Network Rail has no interest in cutting back vegetation further up the embankment, gorse, brambles, trees and bushes etc.

Vegetation out from the railway will in time cause pedestrians to walk anywhere.

We are uncertain that a fence will keep pedestrians on the footpath once it is overgrown. Who will maintain a fence and who will replace it when it deteriorates? Network Rail has not offered to show us an example of how

the care of a footpath adjacent to arable land and the railway can be managed. Indeed is there such an example anywhere on the network.

Pedestrian safety is important to Network Rail but only on their property. This footpath will cause pedestrians to exit onto Pork Lane, partly single carriageway, close to a blind corner. Vehicles, cars, double decker buses, lorries, motor bikes all use this lane. I have witnessed vehicles travelling at speed on this corner whilst travelling up and down carting animal feed with a tractor and trailer. The current footpath using crossing E47 allows much safer access and visibility elsewhere onto Pork Lane.

There is total lack of railway fencing along the whole length of the proposed footpath. Anybody including children can easily access the railway track, compromising their safety. Even if adequate fencing is erected there is little evidence that this short length of single track will have any priority for maintenance.

Finance

This proposed footpath will devalue this field. Will Network Rail discuss this aspect with us? Our loss of capital value.

There has been no discussion with Network Rail as to the future land status of the area occupied. How will it be registered with the Land Registry? Will we be financially compensated for the loss of land?

Conclusion

In the light of our points we ask that Network Rail keep the E47 crossing open and the existing footpath kept.

As neighbours of Network Rail over several miles of track we have always tried to cooperate with them. We agreed three crossing closures in the past. We provide good access, day and night, for Network Rail, their staff and contractors, through the farm on well maintained tracks. We have always cooperated on capital works.

Thank you.

Dog muck caused up to 18 cows to abort.



Irresponsible dog walkers blamed for cow abortions

► Neospora parasite ingested from dog faeces

By Lauren Dean

A FARMER whose cattle aborted due to the neospora parasite has called for dog owners to be more responsible when walking through the countryside and to pick up after their pets.

David Talbot, of Lower Alston Farm, Ribchester, Lancashire, made the plea after more than a dozen of his prize pedigree Holstein Friesian cows aborted their calves.

The neospora parasite is often found in dogs' faeces. If they foul on grazing land and pregnant cattle ingest it, it will often cause them to abort or give birth to calves infected for life.

Mr Talbot said early abortion foetus tests came back positive for the parasite.

He said: "We have had probably 17 or 18 cows abort their calves now.

"I think people are probably just not aware; their dog runs off but they are not going to walk across a field to pick up its poo."

Neospora is the most commonly diagnosed cause of abortion in cattle, with those infected up to seven times more likely to abort.

Major issues

Mr Talbot said it had caused major issues with his farm productivity and costings, leaving selective breeding his only future option.

"We have culled about half of the infected cows," he added.

"It is hard because it is out of our hands. The cows will always be a carrier of the disease now and are likely to pass it onto their offspring.

"We are going to have to try and eradicate it by breeding it out."

The parasite was last year added to the Cattle Health Certificate

Standards, which helps to control and eradicate diseases alongside improving cattle health and welfare.

Ian Nanjiani, of South West-based Westpoint Farm Vets, warned of the dangers of the 'tiny, invisible-to-the-eye' parasite neospora and urged dog owners to respect where they walk.

He said: "The reservoir of infection is mainly from dogs and the

contact with their poo is what does the harm.

"It is a huge problem because there is no available treatment or vaccine, so once cattle are infected often they remain with it for life.

"If we as dog owners – when walking on farm fields or public footpaths through farms – pick up poo and take it with us, it would substantially reduce the risk of infection."

Keep ban on neonicotinoids, wildlife groups urge Government

SEVENTEEN of the UK's biggest environmental groups, including Friends of the Earth, the RSPB and the Soil Association have called on the UK Government to retain the ban on neonicotinoid pesticides and extend it to all crops.

On the third anniversary of the EU ban, the organisations have written an open letter to Ministers which says there is now 'more than enough evidence' to support the ban and it is essential to keep it to reverse the decline of bees and other pollinators.

The latest position on neonicotinoids from Farming Minister George Eustice was given on October 26, when he said the Government was keeping emerging evidence under 'active review'.

In May this year, he rejected appli-

cations from the NFU and AHDB to allow farmers to use the seed treatments.

At the time, NFU vice-president Guy Smith said the rejection was a 'blow for arable farmers across the country' and the union would continue to look into making further applications.

Trouble

The Soil Association found itself in trouble last year when it allowed its growers to use azadirachtin to deal with pests.

The 'natural' pesticide, which is extracted from the Indian neem tree, was found to harm bumblebee reproduction and cause deformities, even at concentrations 50 times lower than those used by farmers.

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