

Transport and Works Act Order 1992
Transport and Works (Inquiries Procedure) Rules 2004
Rother Valley Railway (Bodiam to Robertsbridge Junction) Order

Statement of Tom Lewis SUPP/121 - SUMMARY

My name's Tom Lewis. I'm sixty five and I have an Honours Degree in Modern Languages from the University of Southampton. Having floated my business on the LSE in 1999, for the last 20 years, I have been the hands-on proprietor of the Morghew Park Estate, a 2000-acre mainly arable farm at Tenterden.

In common with many farmers of my age, I have no formal farming qualifications, but I have been doing the job successfully for 20 years.

I hope I can be of some use to this inquiry, because two-miles of the K&ESR between Rolvenden and Wittersham passes through Morghew Park, so I have experience of dealing with the railway's managers and operating the four accommodation crossings that allow me to farm the land as one unit.

In addition, between the ages of 13 and 22, I was a volunteer at the K&ESR. Towards the end of my involvement, I worked as a fireman on passenger trains, which gave me experience of accommodation crossings from the perspective of the train crew.

That said, apart from attending one old-boys' reunion a few years ago, my only contact with the K&ESR since 1978 has been as a neighbouring landowner and as an occasional passenger when accompanying my two younger children.

In the context of the inquiry, I wish to make some observations on three subjects of which I have personal experience, as follows:

1. The state of relations between my Estate staff and the K&ESR.
2. The layout and operation of our accommodation crossings.
3. The level of disruption to our farming operations caused by the railway.

When I took over Morghew Park in 2001, I was apprehensive about the railway's potential to interfere with the operation of the Estate, not least because none of the managers I'd known 25 years previously were still in post. My concerns related primarily to lineside fires caused by sparks from the steam engines and the maintenance of fencing. Since these are valid concerns for any landowner, allow me to lay a bit of anecdotal evidence before the Inquiry.

On the subject of lineside fires, the railway has never managed to set a field of wheat on fire during my time at Morghew. There have been a couple of very minor fires immediately adjoining the track, and where these have crept through onto our land, railway staff have been quick to extinguish them, which has sometimes involved a train waiting for 15 minutes while the crew attended to the fire. On one occasion, a member of staff was left behind for several hours in case of any new outbreak of fire.

I have also enjoyed great cooperation from the railway on the subject of fences. The most notable occasion was about four years ago, when we started to let grazing on a field called Tom's Marsh to a neighbouring farmer. The cattle very quickly found numerous weak spots in the fencing, and I had to ask the railway to replace approximately one mile of fence. To my delight, there was no debate about this, and the job was done within weeks.

Finally, there was an occasion when an oak tree standing on our side of a lineside fence fell over and blocked the line. The last train of the day could not finish its journey, and I expected to receive a claim for damages, but I never heard another word about it.

I recognize that these are no more than anecdotes, but I hope they illustrate that the railway's managers I deal with are sensible, friendly and pragmatic people.

They have treated me with respect, and have told me that they regard farmers as the custodians of the scenery that their passengers pay to enjoy.

The Layout and Operation of our Accommodation Crossings.

May I now address the subject of accommodation crossings. In my main statement, I have provided quite a lot of detail which would take me too long to recite now, but it is there on the website if required. We have four such crossings over the course of two miles, which is a comparable situation to the one proposed by RVR at Salehurst. These crossings are all named to avoid misunderstandings.

Harvester Crossing

Most of our traffic uses a crossing called Harvester, which has the benefit of more than 1/3rd mile visibility on either side. This gives my staff confidence in the use of the crossing as they can see the trains coming, and the train crews can see them. In the absence of outright negligence, it is difficult to imagine farm traffic being surprised by the arrival of a train.

At the crossing, the railtop level is approximately 1m above the surrounding field level, and on either side, the two are connected by ramps averaging 20m in length and 8m in width, giving a gradient of 5%. However, on either side of the crossing, the first 8m of the ramps nearest the rails are located on land that would be inside the railway's boundary fence if there were no crossing. For this reason, the amount of productive land lost to the ramp on either side of Harvester Crossing is 12m x 8m = 96 sq m. Multiply this figure by two to cover both ramps, and Harvester Crossing accounts for .05 or 1/20th of an acre.

These dimensions provide us with a crossing that is adequate to enable our combines and 14-tonne grain trailers to cross.

Whenever we are crossing with a combine or larger vehicle, we use mobile phones to call the signalman to ask permission, and he or she will usually reply with something like:

'There will be a southbound train in ten minutes, and after that, nothing for 35 minutes. Please call me back when you have crossed'.

If it's just a tractor and trailer, then the driver checks for trains, opens both gates, drives across and then closes them again.

A week before the beginning of harvest, we notify the signalman that the harvest and drilling season, which lasts from July to October, is about to begin, and he activates an arrangement that warns train crews at the beginning of a shift to take particular care at the crossing. Finally, during harvest time, we sometimes employ a student to act as a crossing keeper to operate the gates.

During my time at Morghew, we have never had to herd sheep or cattle over the line, preferring to use a cattle trailer behind a tractor. If herding cattle over Harvester Crossing were to become necessary, I'm sure the railway would be obliged to install cattle grids to prevent straying, and before herding cattle across the line, we would liaise with the signalman as described above.

In my written document, I go on to describe our three other crossings, of which Newmill Channel is satisfactory, Willows Curve less so, and Pope's Cottage requiring extreme care.

The point I'm trying to make by listing the deficiencies in my own crossings is this. Over the course of two miles, I have only one good accommodation crossing. This contrasts substantially with the RVR's proposal, as I understand it, to provide the Salehurst landowners with four or five crossings, most if not all of which will have fantastic visibility over straight track in both directions, and free of trees to obstruct the view for farmers or train crew. For reasons of visibility, these should be optimal examples of the safety that can be achieved in accommodation crossings.

The Level of Disruption to our Farming Operations Caused by the Railway.

Now, on this subject, I could take a lead from the Salehurst landowners and become melodramatic. I could use emotive language of the sort that's been attributed to them in the press, and complain bitterly that the railway '*slices*' through the middle of my land – because it does. I could point out that like the Salehurst landowners, I too have fields that have been *chopped into ... pieces, bisected and trapped* between the railway and in my case not the River Rother,

but the River Ashbourne. You see, I too could hope to convince people that the railway that crosses my Estate has

‘a materially detrimental impact on my farming business’.

But it isn't true.

Now, I cannot comment on subjects such as any disruption caused by the railway reconstruction work, or the cost, presumably covered by compensation, of a small acreage of Parsonage Farm being lost, and another small acreage downgraded from arable to grazing.

However, what is of greater impact is the long-term damage to the Salehurst landowners' farming operations if and when the railway is reinstated. Given the paucity of detailed farming information contained in the landowners' Statement of Case, I assume that the

‘materially detrimental impact’

of which they speak relates substantially to the fact that they will, on occasions, need to cross a railway line to move cattle, produce and machinery between the various areas of their farms.

From my own experience of farming on both sides of the same railway, what the railway actually delivers to Morghew Park is no more than a *‘very minor level of inconvenience’*.

And even that *‘minor inconvenience’* needs to be measured against the backdrop of a farming industry that routinely suffers massive *‘detrimental impact’* from the wrong sort of weather, ever-changing subsidy regimes and the difficulties caused whenever more agrochemicals are removed from the permitted lists of pesticides.

These are real *‘detrimental impacts’*, alongside which the inconvenience of occasionally crossing a railway is, for us, no more than an unwelcome but entirely trivial consideration.

In financial terms, occasionally having to cross a railway line will never make the difference between a good year and an average year on our farm, or an average year and a poor year.

It is one of the more trivial challenges that some farmers have to take into account when they decide whether or not to farm a piece of land.

Let me put this another way. There is no doubt in my mind that the railway that crosses Morghew Park is infinitely less problematical than a country lane following the same course. It takes up no more land than a lane, and it is less likely to be littered with burnt-out stolen cars or the remains of fly-tipped kitchens and bathrooms. Moreover, railway formations are fantastic wildlife habitats and corridors, which cannot be said for narrow lanes.

One final piece of anecdotal evidence. When I was considering purchasing Morghew Park 20 years ago, I took advice on my plans from land agents, lawyers and others. And how many of them mentioned that the presence of the railway and its accommodation crossings would exert a

‘materially detrimental impact’

on my proposed farming operation, or even mentioned it as a negative factor to be considered?

The answer is ‘None’.

Conclusion

So, in conclusion, may I list three take-away points that I hope emerge effectively from my submission.

1. My experience suggests the Salehurst landowners have nothing to fear from the K&ESR’s managers, who are competent, pragmatic people.
2. The RVR’s proposed accommodation crossings will be vastly superior in terms of visibility and safety to mine,

3. Compared to the other threats that regularly bedevil farming, primarily climate change, I believe that occasionally needing to cross a railway would introduce no more than a trivial level of inconvenience into the landowners' farming operations.

Finally, I have not the slightest doubt that if the railway were to be reconstructed, Parsonage Farm would continue to thrive handsomely, and make its owners even more wealthy than I presume they are today.

It is my opinion that they do protest too much.