

TRANSPORT AND WORKS ACT 1992

THE TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

THE PROPOSED ROTHER VALLEY RAILWAY (BODIAM TO ROBERTSBRIDGE JUNCTION)  
ORDER

SUMMARY PROOF OF EVIDENCE OF DAVID GILLETT

Introduction

1. My name is David Gillett. I am the Project Manager overseeing the application for the Rother Valley Railway (Bodiam to Robertsbridge Junction) Order which would authorise the construction, operation and maintenance of the reinstated Rother Valley Railway (the **Order scheme**). I assumed this role in 2013 and have been closely involved in securing planning permission for the Order scheme and applying for statutory powers.

Statement of Matters

2. Each paragraph of the Statement of Matters is addressed in RVR's evidence:
  - 2.1 *Paragraph 1 - the aims and the need for the proposed Order and the justification for the particular proposals in the draft Order, including the anticipated transportation, environmental and socio-economic benefits of the project*
    - 2.1.1.1 The Order scheme would reinstate the historic railway between the existing Kent & East Sussex Railway and the main line rail network at Robertsbridge. It would bring significant economic, transportation and tourism benefits, including jobs, to an area in need of economic stimulus.
    - 2.1.1.2 My evidence on paragraph 1 is supported by Tom Higbee [RVR/W2/1], Shaun Dewey [RVR/W9/1], Robert Slatcher [RVR/W5/1] and Giles Coe [RVR/W6/1] and the Economic Impact Report (RVR 09).
  - 2.2 *Paragraph 2 - the main alternative options considered by the promoter and the reasons for choosing the proposals comprised in the scheme*
    - 2.2.1.1 The Order scheme is the reinstatement of a former railway along its historic alignment. A comprehensive study of options for crossing the three affected roads was undertaken by Arup, which concluded that level crossings are the only reasonably practicable crossing options.
    - 2.2.1.2 My evidence on paragraph 2 is supported by Jonathan Portlock [RVR/W4/1] and David Keay [RVR/W8/1].
  - 2.3 *Paragraph 3 - The likely impacts of the exercise of the powers proposed in the draft Order on landowners, tenants, local residents, businesses and statutory undertakers, including: (a) the impact of the three new level crossings on safety, traffic flows and congestion, particularly in relation to the A21 and future plans for*

*this road (b) the impact of the scheme on roads, footpaths and bridleways including the impact on access to property and amenities, (c) the effects on flood risk, air quality, water and waste discharge and noise (d) impact on heritage assets, the surrounding natural habitats, fauna and flora and the High Weald Area of Outstanding Natural Beauty (e) parking provision*

2.3.1.1 I commissioned two reports on the impacts of the Order scheme on the Landowners' farming businesses. They concluded that residual adverse impacts were slight and capable of being fully compensated. Extensive work has demonstrated that the level crossings can be operated safely, with little impact on traffic. The Order scheme does not significantly increase flood levels elsewhere, and flood risk to the railway can be managed. There are no future plans for the A21 anywhere near the railway.

2.3.1.2 Tom Higbee [RVR/W2/1] addresses impacts on residents, businesses and statutory undertakers. Peter Hodges [RVR/W10/1] considers impacts on the farming businesses, including access to farm properties. Evidence about footpaths and the bridleway crossing is given by David Keay [RVR/W8/1] and Philip Hamshaw [RVR/W3/1]. Impacts on amenities generally is given by Rob Slatcher [RVR/W5/1]. RVR will ask the Secretary of State to include in the Order agreed protective provisions for drainage authorities, the Environment Agency and Highways England. A report by Temple confirms that there are no likely significant air quality impacts (RVR 60) Waste discharge and noise impacts on heritage assets, the surrounding natural habitats, fauna and flora and the High Weald Area of Outstanding Natural Beauty are covered in the evidence of Robert Slatcher, Giles Coe and Shaun Dewey. Parking is covered in my evidence and by Tom Higbee and Shaun Dewey.

2.4 *Paragraph 4 - measures proposed to mitigate any adverse impacts of the scheme including any protective provisions or other measures to safeguard the operations of utility providers or statutory undertakers*

2.4.1.1 Mitigation of environmental impacts is addressed in the Environmental Statement (RVR 24-27) and Further Environmental Information (RVR 70-73) and the evidence of Rob Slatcher [RVR/W5] and Giles Coe [RVR/W6/1]. My evidence describes the protective provisions for the Environment Agency and Highways England. The proposed Order includes standard protection for statutory undertakers that has ample precedent in TWAOs. There are no outstanding objections to the Order scheme by utility providers or other statutory undertakers.

2.5 *Paragraph 5 - the extent to which the proposals in the TWA Order are consistent with the National Planning Policy Framework, national transport policy and local transport, environmental and planning policies.*

2.5.1.1 These matters are dealt with in my evidence, as relates to transport, by Phil Hamshaw [RVR/W3/1] and in relation to environmental policies by Robert Slatcher [RVR/W5/1].

2.6 *Paragraph 6 - the adequacy of the environmental statement (ES)*

2.6.1.1 The ES submitted with the application complied with the requirements of the Scoping Opinion (RVR 64). The evidence of

Robert Slatcher [RVR/W5/1] considers the adequacy of the environmental information.

2.7 *Paragraph 7 - compliance with the statutory procedural requirements*

2.7.1.1 RVR has complied with all statutory procedural requirements.

2.8 *Paragraph 8 - the purpose and effect of any substantive changes to the draft Order proposed by RVR or other interested parties, and whether anyone whose interests are likely to be affected by such changes has been notified*

2.8.1.1 Substantive amendments have been made to the draft Order, and a Filled Order will be provided to the Inquiry. All persons likely to be affected by such changes have been notified.

2.9 *Paragraph 9 - having regard to the criteria justifying compulsory purchase powers in paragraphs 12 to 15 of the MHCLG Guidance on "Compulsory Purchase and the Crichel Down Rules for the disposal of surplus land acquired by, or under threat of compulsion": (a) whether there are likely to be any impediments to the exercise of the powers contained within the Order, including the availability of funding, (b) whether the land and rights in land for which powers are sought are required in order to secure satisfactory implementation of the scheme (c) whether there is a compelling case in the public interest for compulsory powers for the purposes of the scheme (d) whether the purposes for which compulsory powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected*

2.9.1.1 Impediments to the exercise of the powers contained within the Order are not considered likely. Throughout the restoration of the railway to date, the applicant has benefited from consistent philanthropic donations to fund works and to pay for expert consultants and advisors. Further financial security for the project is provided by the planning conditions and the protective provisions for Highways England. The powers sought in the Order are necessary to implement the Project. The economic benefits of the scheme for which compulsory powers are required are explained in the evidence of Tom Higbee and the Economic Impacts Report (RVR 09) and make a compelling case in the public interest.

### **3. Conclusions**

3.1 Planning permission for the Order scheme was unanimous. The Order scheme is consistent with planning policy. Work to date has been carried out with care and attention to detail. The new station will provide an attractive new visitor destination for Robertsbridge, conveniently situated adjacent to the existing main line station.

3.2 The Order scheme will bring significant economic and wider public transport and societal benefits without any major disbenefits and with no call on the public purse. The evidence presents a compelling case in the public interest for the grant of compulsory powers.

3.3 The environmental information submitted with the application complied with the statutory requirements and the Scoping Opinion. Since then, additional work has been carried out as a result of engagement with the ORR and Highways England, as part of a revalidation exercise of the original ES and to comply with the Rule 17 direction given by the Inspector appointed to hear the Inquiry. It is robust and up to date.

- 3.4 The proposed level crossings have been scrutinised by the Office of Rail and Road, which is satisfied that each one meets its exceptional circumstances criteria. There will be a limited number of train movements for only part of the year. The crossings will be controlled to ensure that all risks are as low as reasonably practicable. Collaboration with Highways England has resulted in agreed, comprehensive protective provisions and detailed technical work has been carried out to meet Highway England's requirements and to ensure that the safety and efficiency of the A21 will be preserved.
- 3.5 There has been a high level of commitment by donors. There is no reason to suspect this will not continue. I fully expect the Missing Link to be constructed as soon as is reasonably practicable following the making of the Order, bringing investment and job creation to the area in the wake of the coronavirus pandemic.