

Network Rail Level Crossing Closure Orders Essex

STATEMENT OF CASE

Background

The London Liverpool Street to Cambridge line runs broadly east west through our farm, between Roydon and Harlow, roughly splitting the farm in half, with approximately 100 acres south of the railway and 100 acres north of the railway.

The farm lies on the south side of the valley of the river Stort, which the railway is broadly following. The footpaths in the area generally run east west in the valley, north of the railway, following the line of the river, and north south across the valley to meet the east west paths in the valley bottom. Most footpath users on the north south paths are walking between Harlow and the river Stort.

There are four crossings across the railway that are on our farm:

- E01, Old Lane - footpath crossing.
- Wildes (which has not been given an E number on the Network Rail maps) - footpath crossing.
- E02, Camps - footpath crossing and a crossing for our farm vehicles (our only access for farm equipment to get to the land north of the railway).
- E03, Sadlers - footpath crossing.

Network Rail Proposals

1. To close E01 and path EX / 203 / 13.
2. To close the footpath crossing at E02 and part of path EX / 185 / 75.
3. To create a path far to the south of the railway, out of the valley, running east west, connecting path EX / 185 / 122 to path EX / 185 / 78.

There is also much opinion that these proposals are only a first step towards closing all the crossings and so the above proposals need to be seen in the context of plans that we do not have the detail of but which are likely to eventually shut all the north south paths.

Objections to the immediate proposals

1. Closing public crossing rights at E02 will push more walkers to E03, which is the most dangerous crossing of the four; it is dangerous because it is where Cannons Brook passes under the railway and the noise of rushing water obscures the sound of trains, and it is on a curve in the line where trees obscure the view to the east.
2. The proposed path to the south is not an acceptable alternative to part closure of EX / 185 / 75 as to get to the same points involves a very much longer route.
3. The proposed path to the south crosses the farm drive, which has heavy traffic to a concrete re-cycling plant; up to 70 lorry movements per day on the drive, plus farm traffic, will mean that a footpath crossing will be dangerous and will involve potential liability for accidents occurring on a private road.

4. The proposed 2 metre wide path to the south runs entirely on Agri-environment scheme land which is part of a ten year agreement with Natural England; this agreement will be broken by allowing public access to land which contains delicate flora such as Bee Orchids, causing environmental damage and economic impact to the farm business.
5. Throughout the alleged consultation process Network Rail's various consultants have written to our deceased parents incorrectly, sent us the wrong maps, ignored what we have told them about the ownership of the land, ignored our alternative proposals, put up incorrect and incomplete notices on the land and generally acted as though no one else exists.

Objections to the likely long term proposals

1. Closing public crossing rights at E02 leaves the farm vehicle crossing as a private crossing only, which we understand is easier for Network Rail to close, so only closing E02 public crossing in the first phase seems to mask the longer term objective; what is the point in closing E02 rather than E03?
2. Closing E02 as a vehicle crossing for the farm will have a massive economic impact - it will not be possible to farm half of the acreage (approximately 100 acres); it is not possible to access this land with machinery any other way; farming on the water meadows north of the railway involves maintaining the Site of Special Scientific Interest (SSSI) land, which needs machinery, and much of this land is also in agri-environment schemes which require hay cutting and other machine operations; when hay making there can be up to twenty vehicle movements a day on the crossing, with fewer movements at other times.
3. The proposed south path (which runs east west) would appear to really be an attempt to remove the need to get to the east west paths in the valley bottom; it is not acceptable as such an alternative - people want to get to the river, the open access common land north of the railway and the ancient paths that cross it.

Proposed alternatives

1. Instead of creating a path far to the south of the railway, out of the valley, running east west, connecting path EX / 185 / 122 to path EX / 185 / 78, a path should be created that runs from where EX / 185 / 122 joins EX / 185 / 73, north to where there is an underpass under the railway, then west to join EX / 185 / 74. This would allow footpath users to cross the line in safety using an existing underpass and is a shorter, more direct route than the existing paths. The underpass will require a small amount of work to make it more useable for walkers but the cost will be minor in relation to the safety achieved. This will allow E03 and EX / 185 / 74 south of the railway to be closed.
2. If desired, closing the footpath crossing at E02 and path EX / 185 / 75 south of the railway in the original proposals could also be carried out, with the alternative being to create a footpath on the north side of Cannons Brook from EX / 185 / 75 north of the brook, eastwards to join EX / 185 / 74 - this being a route that is no longer than the existing paths.
3. In times of heavy flooding all the paths north of the railway are liable to closure, and although this will apply to the proposed paths north of the railway, at these times none of the paths are useable so there is no extra negative effect in the same applying to the new paths.
4. A commitment to keep the E02 farm vehicle crossing open.