

31 October 2023

The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**A122 LOWER THAMES CROSSING (REF: TR010032)  
DEADLINE 6 WRITTEN RESPONSES TO ISH10 ACTION POINTS**

**E AND K BENTON LIMITED (AP1717)  
THE MOTT FAMILY (AP1308 & AP1369)**

On behalf of our above clients, E and K Benton Limited and the Mott Family, we write further in response to Action Points 8, 9 and 11 arising from ISH10 Traffic & Transportation.

We also refer the ExA to our D6 written submissions (as submitted for each of our above clients separately) in respect of the PROW matters following CAH3 which should be read in conjunction with these responses.

In respect of Action 8, we attach photographic evidence of damage and unauthorised access as presented at ISH10.

In respect of Action 9, please see attached two tables identifying the relevant PROWs using the same references as set out in the Applicant's document, REP2-073 9.6 Supplementary Walking, Cycling and Horse Riding (WCH) Maps (Volume B) and our comments as requested. One table has been prepared on behalf of each of our above clients.

In respect of Action 11, we attach a copy of the British Horse Society ('BHS') Advice Note (May 2023) '*Advice on Vehicle Barriers on routes used by riders and carriage drivers in England and Wales*'. This is a helpful note on the measures that may be taken and the issues that arise from the use of such barriers for general application and some of the issues that may arise for horses and their riders if such structures are in place.

As explained at ISH10, whilst this may represent good practice, it has not been our client's experience that these measures are sufficient to prevent unauthorised access. As the ExA will note, the BHS advise that few barriers are wholly effective in deterring motorbikes. In assessing the potential success or otherwise of these structures when used, it is also relevant to consider the geography and the extent of unauthorised access that is evident to a particular area.

The BHS advice is general to the whole of England and Wales but unfortunately, there are exceptions. For the reasons explained at ISH10, it is the case in this part of south Essex, near to a large urban conurbation and easy main routes of road access that the pressure from unauthorised users is evidently of such a degree that when barriers such as those suggested by the BHS have been used, they have been damaged.

With reference to the BHS Advice, we are of the opinion that none of the solutions provided in that advice will be effective in preventing unauthorised access by motorbikes and as has been experienced by our clients at East Tilbury, e-scooters/e-bikes.

For example, bridleway gates were installed on the BR219, the Mardyke Way, last year and fencing was erected along the route to prevent unauthorised access. Unfortunately, the gates were vandalised and removed with electric power tools; with one found thrown into the Mardyke as shown in the photographs below:





Where bridleway gates are put in place, off-road vehicles have merely destroyed fences or hedgerows further down the field boundary in order to be able to drive around the obstacle. In another incident, a deep ditch was filled with old Christmas trees and a mattress to create a bridge and gain access.

This has been a greater issue on the Orsett fen as it is a largely open area and fairly remote which makes it impossible to completely secure.

These issues are also a contributory factor in respect of other illegal activity, for example fly-tipping and unauthorised metal detecting, as where wider points of access are required for legal use, any illegal removal of barriers or gates opens up the land.

We look forward to hearing further from the Applicant and ExA once they have further considered these responses.

Yours faithfully

[REDACTED]

M R Holland MRICS  
Director  
HOLLAND LAND & PROPERTY LTD  
(Agents for the above-named Affected Parties)

Holland Land & Property Limited, [REDACTED]  
[REDACTED]

Enc.

Action Point 8 Photographs (See below)

Action Point 9 E and K Benton Ltd Table of PROWs (enc. separately)

Action Point 10 Mott Family Table of PROWs (enc. separately)



**LOWER THAMES EXAMINATION**

**ISH10 – ACTION POINT 8 PHOTOGRAPHS ON BEHALF OF E AND K BENTON LTD (AP1717) AND THE MOTT FAMILY (AP1308 & 1369)**



Holland Land & Property Limited, [REDACTED]  
[REDACTED]

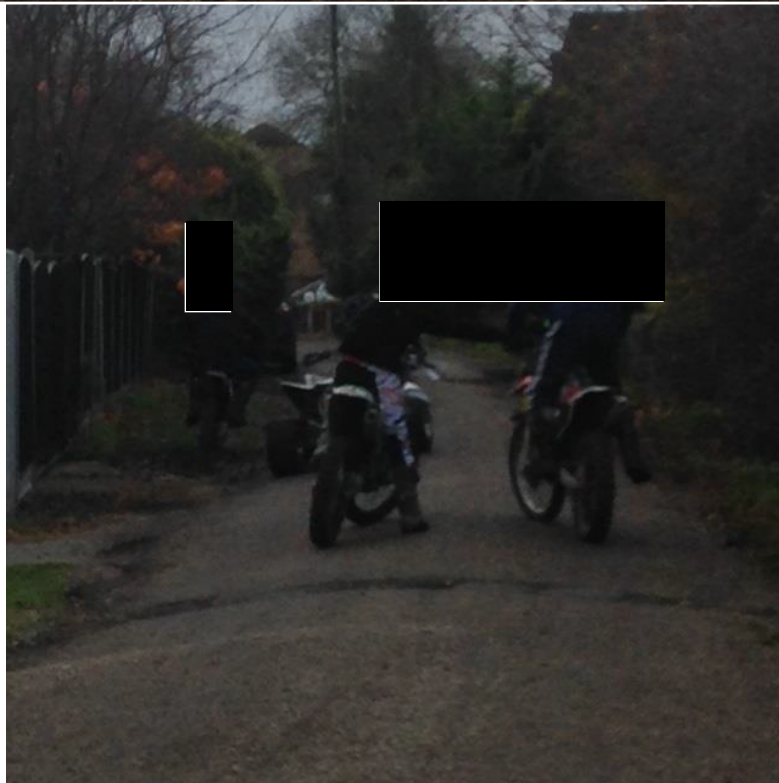


Holland Land & Property Limited, [REDACTED]  
[REDACTED]



Holland Land & Property Limited, [REDACTED]  
[REDACTED]





Holland Land & Property Limited, [REDACTED]  
[REDACTED]





Holland Land & Property Limited, [REDACTED]  
[REDACTED]





Holland Land & Property Limited, [REDACTED]  
[REDACTED]



Photos 1. and 2. are of the bridleway gate installed on BR219, the Mardyke Way, at Davy Down (marked A on map). Motobikes have torn down the chainlink fencing to get around the bridleway gate and straight onto or off of Stifford Hill / Pilgrims Lane.

1.



2.



Photos 3. and 4. show the other side of the road, marked B on the map below. You can see the extensive fencing the Council have had to erect to keep motorbikes out. This is not economically practicable on farmland (we understand this 'estate' type fencing is in the region of £62-£98 per metre), where kilometres of field edges would need to be fenced to stop bikes driving round the bridleway gates. Even going to these lengths, it's very easy to 'bump up' a scrambler bike over the low bar of the bridleway gate and gain access. There are signs at the park saying "No motorbikes" and there are track marks all over the grass so even with these barriers the bikes are still accessing the bridleway and neighbouring land.

3.



4.







Holland Land & Property Limited, [REDACTED]  
[REDACTED]



Signage at Davy Down.