

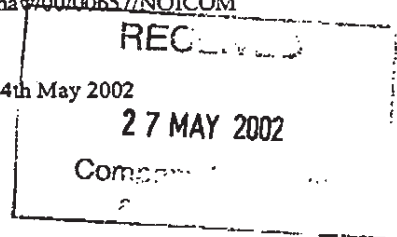
Community Services Director : Kristen Paterson



The Company Secretary
 Railtrack PLC
 Railtrack House
 Euston Square
 London
 NW1 2EE

Direct Line: 227278
 Ask for: Mr Webb
 Your ref: C46/00/011:KE
 My ref: may/00/00657/NOICOM
 Email:

Date: 24th May 2002



Dear Sir

Noise nuisance from Train Horns – Otford, Kent
Environmental Protection Act 1990.

The Council being satisfied a noise nuisance is being caused to local residents from the sounding of train horns south of Otford Station serves upon you the enclosed notice under the provisions of Part III of the Environmental Protection Act 1990 requiring you to abate the nuisance within six months.

Please read the notice and attached notes relating to appeals carefully.

Yours faithfully,

Malcolm Webb
 Senior EHO.



ENVIRONMENTAL PROTECTION ACT 1990, SECTION 80
Abatement Notice in Respect of Statutory Nuisance

To: The Company Secretary

Of: Railtrack PLC
Railtrack House, Euston Square, London, NW1 2EE

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Sevenoaks District Council being satisfied of the existence of a statutory nuisance under section 79(1)(g) of that Act at the premises known as:

The railway line south of Otford Station, near Sevenoaks, Kent, marked in yellow on the attached plan.

within the district of the said Council arising from :

The repeated sounding of train horns on the approach to the public footpath crossing the line immediately to the south of the station, marked in red on the attached plan.

Hereby REQUIRE you to abate the nuisance.

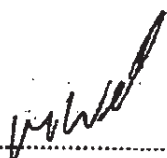
And

Hereby PROHIBIT the recurrence of the same.

This notice shall be complied with within six months from the date of service of this notice.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale*, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Signed : 

Dated : 24th May 2002

Malcolm Webb
Authorised Officer

Please address any correspondence to :

Sevenoaks District Council
Community Services
PO Box 182
Sevenoaks
TN13 1HG
Tel : 01732 741222
Fax : 01732 742339

N.B. The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the notice. See the notes on the reverse of this form.

* Currently £5000, subject to alteration by Order.