

HERMES PROPERTY UNIT TRUST A LIMITED

HERMES PROPERTY UNIT TRUST B LIMITED

WRITTEN SUMMARY OF ORAL REPRESENTATIONS AT CAH1

ON 6th DECEMBER 2022

1. Isabella Tafur, of counsel, instructed by BCLP, appeared on behalf of Hermes Property Unit Trust A and B Limited (“**HPUT**”), trustees of the Federated Hermes Property Unit Trust and freehold owners of the Campus site which lies to the east of Newmarket Road, as shown on sheet 16 of the land plans [REP2-003] and in figure 1 of HPUT’s Written Representation [REP2-144].
2. Within the Campus site, plots 16-04; 16-05; 16-06 and 16-07 are subject to the acquisition of rights associated with works 4 and 9, which, in summary, allow the laying and maintenance of electrical cables; construction laydown areas; highway works and access rights. The DCO also authorises Sunnica to take temporary possession of those plots on 14 days’ notice.

Agenda Item 4: Alternatives

3. In their Written Representation [REP2-144], HPUT identified a number of potential alternatives; first to the proposed cable corridor in the vicinity of the Campus and second, to the access arrangements currently proposed through the Campus.
4. Alternatives to the proposed cable route are discussed in section 8.3.2 of HPUT’s Written Representation. HPUT considers that there are two potential alternatives that would have lesser impacts on the Campus operations, as follows:
 - a. Option 1 (as identified in Chapter 4 of the ES [APP-173]), which would route the cable corridor to the west and south of the campus site, only encroaching on an area of undeveloped land within HPUT’s ownership (as shown on Figure 7 of HPUT’s Written Representation).

- b. A variation of Option 1, pushing the cable route slightly to the south so as to avoid the Campus site altogether (as shown on Figure 8 of HPUT's Written Representation).
5. HPUT has seen the recent responses from Sunnica at REP3A-035, which purport to identify constraints that justify the rejection of Option 1 and a southerly variation to Option 1. HPUT does not accept that those provide adequate justification for rejecting those cable route options and will respond in further detail at Deadline 5 on 13 January 2023, prior to the next compulsory acquisition hearing. At this stage, HPUT simply note that Chapter 4 of the ES [APP-036] includes a table 4-4 which identifies various constraints associated with the cable corridor options and which does not appear to identify any 'show-stoppers' that justify the rejection of Option 1. Indeed, para 4.8.5 of Ch.4 indicates that cable route option 1 was selected as the preferred cable route corridor. It is not clear why that option was amended in a way that directly affects the main Campus site.
6. As to access alternatives, HPUT considers that there are two alternatives to the proposed access through the Campus site assuming the current cable route remains unchanged (as discussed in section 8.3.3 of HPUT's Written Representation), namely:
 - a. Access from land to the north of the Campus, via plots 16-12; 16-09; 16-08 and 16-04, all of which are already subject to the acquisition of rights (as shown on Figures 11 and 12 of HPUT's Written Representation).
 - b. Access from the roundabout on the A142, to the north of the Campus site, via plots 16-10; 16-09; 16-08 and 16-04 all of which are already subject to the acquisition of rights (as shown on Figure 11 of HPUT's Written Representation).
7. The Applicant has belatedly proposed an alternative route for HGV traffic to avoid using the Campus access, as set out in its response to our Written Rep – REP3A-035 (shown in green on page 285 of that document). HPUT are not clear why that option was not proposed as part of the original application given the obvious implications of

using the Campus access for construction traffic and nor does it understand why it is not possible to route all traffic through that alternative access, avoiding the Campus altogether. Those are matters of continuing discussion with the Applicant.

8. In the absence of any proposed Protective Provisions (“PPs”) from the Applicant, HPUT’s solicitors have prepared draft PPs which have been shared with the Applicant. A response to those PPs is awaited.
9. In order for HPUT to remove its objection, PPs will need to be agreed and a separate legal agreement concluded. It is unfortunate that substantive efforts to conclude those matters have been made only belatedly by the Applicant. However, HPUT are hopeful that the Applicant will engage proactively to finalise those matters prior to CAH2 in February 2023.