

**From:** Carla Thompson [<mailto:Carla.Thompson@Brown-co.com>]

**Sent:** 12 June 2015 11:10

**To:** A14 Cambridge to Huntingdon

**Cc:** [REDACTED]

**Subject:** Ref TR 010018 - 10030864 Ann Marion Looker, William John Looker and Charles William Looker - Representation No 470. Deadline 2 Representations

**Ref TR 010018/10030864**

**Ann Marion Looker, William John Looker and Charles William Looker**  
**Representation No 470**

**Deadline 2 Representations**

- 1) We act on behalf of Ann Marion Looker, William John Looker and Charles William Looker, Representation No 470. On behalf of our clients we re-submit their representation (Attachment A) to ensure it carries forward to the next stage of the process.
- 2) Our clients do not intend to submit any further evidence at this stage.
- 3) Our clients will answer any questions that may arise from the planning inspectors.




Michael Alexander FRICS FAAV

**Carla Thompson**  
**Secretary, Land Agency Department**



For full details of all our services, please click on [SERVICES](#)

**For and on behalf of Brown & Co - Property & Business Consultants LLP**

**T 01480 432220**   

**Huntingdon Office, Acre House 70c High Street, Huntingdon, Cambridgeshire, PE29 3DJ**

**Download our CAP APP**



Brown & Co is a limited liability partnership registered in England and Wales with registered number OC302092. The registered office is Granta Hall, Finkin Street, Grantham, Lincolnshire NG31 6QZ. A list of members is open to inspection at our offices.

**CONFIDENTIALITY:** This e-mail and any attachments are confidential and may also be privileged. If you are not the named recipient, please notify the sender immediately and do not disclose the contents to another person, use it for any purpose, or store or copy the information in any medium. Although this e-mail and any attachments are believed to be free from any virus or other defect which might affect any system into which they are opened or received, it is the responsibility of the recipient to check that they are virus free and that they will in no way affect systems and data. No responsibility is accepted by Brown & Co for any loss or damage arising in any way from their receipt, opening or use.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case

of problems, please call your organisations IT Helpdesk.  
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

## A14 Cambridge to Huntingdon Improvement Scheme

Representation No. 470

Received 10 March 2015

From Michael Alexander, FRICS, FAAV on behalf of Ann Marion Looker, William John Looker and Charles William Looker

### **Representation**

Part A

1. Our clients are occupants of plots 10/8, 11/2a and 11/2b having an area of 9.98ha as identified in the Book of Reference.
2. The DCO will contain powers to acquire compulsorily so much of the Order land as is required for the authorised development, or to facilitate or is incidental to it (Article 20 (1))
3. The DCO will contain temporary possession powers (Article 30(1)):
  - a. To enter on and take temporary possession of land specified in columns (1) and (2) of Schedule 7, for specific purposes and any other Order land in respect of which no notice of entry has been served under section 11 Compulsory Purchase Act 1965;
  - b. Remove any building and vegetation from that land;
  - c. Construct temporary works on that land; and
  - d. Construct any permanent works specified in relations to that land in column (3) of Schedule 7, or any other mitigation works
4. Further, Schedule 1 to the DCO additionally specifies constructions compounds and working sites, storage areas and related matters ("Construction Areas")
5. These Outline Representations for our clients are limited to the inclusion of land in the DCO for which compulsory acquisition, and/or temporary possession, powers are sought for the purpose of creating the Construction Areas.
6. The clients contend that the aforesaid use of the Construction Areas are not matters for which powers of compulsory acquisition under Article 20 and/or powers of temporary possession of land under Article 30 can lawfully be included within the DCO.
7. The clients understand that the creation of the Construction Areas, will occur during the course of the construction of the proposed highway improvements; accordingly, for this construction period, powers of permanent compulsory acquisition of land are not required as the affected land is not required permanently.
8. Further, the clients will represent that the Applicant has failed to show that the soil storage areas are required on the scale sought or at all.
9. It follows that the affected land is neither required for the development to which the DCO will relate, nor is required to facilitate or is incidental to that development within the meaning of section 122 (1) and (2) (a)-(b) of the Planning Act 2008. Further there cannot be a "compelling case in the public interest for the land to be acquired compulsorily", that is permanently, within the meaning of section 122(3) of the 2008 Act where the land is only required temporarily, or where the taking of rights only would be sufficient.

10. Further, there is no power in the Planning Act 2008 by which a DCO may include powers of temporary use and possession of land. A DCO may include provisions authorising the compulsory acquisition of land, and for the matters that may be included in a DCO. The issued guidance about the making of a DCO, which may include provisions authorising the compulsory acquisition of land, says nothing about the inclusion of provisions for temporary possession.

11. In respect of the land required for the Construction Areas, the Works proposed for the said areas can be achieved by the taking of rights only and neither permanent compulsory acquisition nor temporary possession powers, if the latter can be lawfully included, are required. The permanent acquisition of land for the such purposes is unnecessary and would invoke the relevant Articles of the European Convention on Human Rights.

12. The clients have been advised by the National Farmers Union (NFU) in connection with these representations and it is their understanding that the NFU will also be making representations in connection with this scheme.

#### Part B

13. The identity of the occupants is not correct in the Book of Reference which currently refers to Ann Marion Looker and William John Looker. Charles William Looker of 5 Earning Street, Godmanchester, Huntingdon, PE29 2JD needs to be added.

14. The address of William John Looker is now 'Chippins', The Street, Kelshall, Royston, SG8 9SJ

15. Our clients note the post scheme access arrangements to severed land north and south of the new road, the arrangements to the south (no 3 on sheet 10 of 28) are accepted. The arrangements to the north (no 2 on sheet 10 of 28) appears to comprise access off a new ramp which will be restrictive and in consequence the access should be located further north

16. Our clients note the temporary access requirements to plot 11/2b for soil storage and is anxious that this area be kept to a minimum as a result of concerns regarding weed control and contamination, vermin and damage to drainage and soil structure.

17. Our clients have noted apparent inconsistencies between the proposal set out on the General Arrangement sheet 8 of 24 and the trunk and side road boundaries identified on the Rights of Way and Access plan sheet 10 of 28. In particular the stopped up highway and adjoining landscaping appears to be outside the requirements of the Highways Agency in which case our clients question who will be responsible for these areas post completion of the scheme.

18. Our clients have concerns regarding the provisions of appropriate fencing alongside highway boundaries and concerns re the effective maintenance of existing drainage schemes.

19. Accordingly our clients will represent that the DCO should be amended to reflect the matters set out above.