

A14 Cambridge to Huntingdon Examination

Thursday 3<sup>rd</sup> September 2015, Third Compulsory Acquisition Hearing.

Re: Miss G E. Grey and Mr A Lammie (and in respect of flood compensation areas Mrs J Newman as Executor for the Late Mr Dick Newman)

Preliminary Statement

by

M. P. Alexander FRICS FAAV,  
Brown & Co Alexanders, Chartered Surveyors.

1. On behalf of Miss Grey and Mr Lammie Representations were made in advance of the March and June deadlines and the Highways England Response is at paras 9 & 5 respectively of HE/A14/EX/53.

On behalf of Mrs J Newman representations were made in advance of the March and June deadlines and the HE response is at para 59 of document 53.

2. The Panel visited Brooklands Farm on Thursday 16<sup>th</sup> July.
3. There have been no attempts to agree SOCG in respect of my clients interests.
4. Miss Grey occupies all of Brooklands Farm at Alconbury as owner occupier as to part and as an AHA Tenant as to the remainder which is owned by her nephew Mr Angus Lammie.
5. Mrs Newman occupies Woolpack Farm at Hemingford Grey as Executor of her late husband's estate.
6. Miss Grey, Mr Lammie and Mrs Newman have pursued a common objection namely to resist the acquisition of land required for flood compensation areas. The relevant plots are as follows:-

Miss Grey	3/7c	= 1.3091 ha
Mr Lammie	2/3, 3/6c & 3/9a	= 9.9065 ha
Mrs Newman	14/3, pt 14/2a, 14/2b	= 12.500 ha

7. Mrs Newman also represented that she had an underlying concern that flood compensation areas might become informal Borrow Pits so that for example where a 1m reduction in ground level was required then potentially 5m of ballast could be removed to be replaced with 4m of other material thereby achieving flood plain compensation and a Borrow Pit in a single exercise.
8. The initial HE responses at doc 53 were not consistent but at 5.4.4. HE indicated in the case of Mr Lammie that there was the prospect of flood compensation being delivered through temporary possession linked to imposition of restrictive covenants. (Repeated at 5.4.11). Despite similar initial representations the response at 5.4.4 has not been repeated at para 19 for Miss Grey or at para 59 for Mrs Newman.

9. In particular the concerns of Mrs Newman at 7 above were avoided completely in the HE response at para 59.
10. Following meetings with HE on 4<sup>th</sup> August 2015 involving the A14 Agents Association and NFU it was felt that progress had been made in respect of matters raised above in particular:-
  - (i) HE indicated willingness to progress proceeding on the basis of temporary acquisition, if landowners so required, of land identified as flood compensation so that instead of being shown pink on the Land Plans can be identified coloured blue being "land to be used temporarily and rights to be acquired permanently". We were asked to identify landowners wishing to retain ownership.
  - (ii) HE confirmed that EA did not require HE to acquire flood compensation land.
  - (iii) HE confirmed that flood compensation areas will not be taken and treated as a Borrow Pit.
11. On the basis of the foregoing we confirmed on behalf of our clients Grey, Lammie and Newman that they wished to retain ownership of flood compensation land.
12. With the exception of a circulated minute of the 4<sup>th</sup> August meeting no confirmation of these points received from HE.
13. At the Hearing on 1<sup>st</sup> September some doubt appears to have been expressed as to the ability to transfer the status of flood compensation land within the Land Plans (ie a revision of the SCO Plans). The suggestion being that temporary possession is inconsistent with land being transformed.
14. My clients understanding is that flood compensation will extend the floodplain from an existing level back into higher ground. In all my clients cases the existing level land is in agricultural use and only floods on a temporary basis so by implication this will be the status of the new flood compensation in which case the nature of the land is not transformed.
15. My clients continue to press for the DCO to be amended with those plots identified at para 6 above being coloured blue on the Land Plans as "land to be used temporarily and rights to be acquired permanently".
16. My clients continue to press for HE to confirm the understanding reached in the meeting on 4<sup>th</sup> August at 10 (ii) above.
17. I revert to subsidiary issues expressed in earlier representations.
18. On behalf of Miss Grey and Mr Lammie concerns have been expressed that the new PMA alongside the southbound carriageway of the A1 should stop short of the current proposals and Plots 5/22b and 5/5D be excluded from the Order. These 2 plots potentially provide a link with an existing roadway alongside the existing A14 eastbound east of Brampton Hut which could potentially provide an undesirable through route. Plots 5/22b and 5/5D do not serve any balancing ponds or other structures. Our clients believe the HE response at 19.3.4 is incorrect.

19. On behalf of Mrs Newman representations were made regarding ownership of Plots 14/2a, 14/2b and 14/3. The HE response at doc 53 para 59.2 deals with plots 14/2b and 14/3 but fails to note the interest of the Executor. Plot 14/2a remains unresolved it comprises an area of 20.10 ha and ownership is incorrectly stated in the latest Book of Reference and it is noted that Land Plan 14 has not been updated.