

SUMMARY OF THE ARGUMENTS PUT FORWARD FOR THE THIRD COMPULSORY ACQUISITION HEARING MEETING

Date of hearing: Thursday 3rd September 2015

Affected Landowners

WG Topham

GW Topham

Miss JM Papworth

Swansley Wood Partnership

Affected Landholdings

Weybridge Farm, Alconbury

Hylands Farm East and West, Alconbury

Debden Top Farm, Godmanchester

1 Summary of the Landholdings Involved

- 1.1 This is the summary of the arguments put forward at the hearing dated the 3rd September 2015 relating to the application for a Development Consent Order by the Secretary of State for Transport identified as the A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 201 [...] (“the DCO”).
- 1.2 The farms noted above are farmed by G W Topham and Sons. This Agri-business farms in excess of 9870 acres (3994 ha) within Cambridgeshire under the farming enterprise G W Topham and Sons. The agri-business farms in a highly productive and productively farmed manner using G W Topham and Sons.
- 1.3 There are two farms directly affected by this proposed development Weybridge Farm (also comprising Hylands Farm East and West) and Debden Top Farm. Both of these farms comprise highly productive and versatile areas and any disruption to these holdings would have a knock on effect on the rest of the business.
- 1.4 The Swansley Wood Partnership comprises the following individuals and Trusts:
 - a) Matthew Thomas Topham;
 - b) George William Topham;
 - c) William George Topham;
 - d) Deborah Jane Cecil Topham;
 - e) Katherine Louise McAuley;
 - f) G W Topham 2002 Settlement;

- g) K L McAuley 2002 Settlement;
- h) M T Topham 2002 Settlement;
- i) W G Topham 2002 Settlement
- j) D J Topham 2002 Settlement

- 1.5 My clients fully support the arguments put forward by the NFU and the A14 Agent's Association and looks forward to seeing the formal response from HE on the points raised at the hearing.
- 1.6 This document raises a number of issues that Camilla Horsfall raised at the hearing; it also raises the outstanding points from the Statement of Common ground which we do not believe have been adequately addressed.

2 Weybridge Farm

2.1 Weybridge Farm (incorporating Hylands Farm East and West) comprise an area of 339.6 ha (839.15 acres). The scheme proposes to take 33.5 ha (82.78 acres) for the road scheme on a permanent basis and 0.6 ha (1.48 acres) on a temporary basis. As it stands we would expect to lose an additional total of 4.5 ha (10.5 ac) from the farmed area once the remaining land has been made suitable for farming by creating straight edges joining fields together.

2.2 Weybridge Farm is a highly productive farmed environment and uses the most modern equipment on the market, much of which is imported from abroad. The size of the equipment used means the most productive arable areas are large square fields which prevent the machinery from making multiple tight manoeuvres which in turn allows the farm to be cultivated to its full capacity.

2.2.1 The farm buildings provide storage for the entire agricultural business, the storage capacity at the farm runs to some 25,000 tonnes of storage for combinable crops. There are approximately 5 Class 1 lorries transporting to and from the farm buildings per day, which reaches a peak of 10 Class 1 lorries per day at peak times.

2.2.2 Also using this road is the operational farm equipment and farm managers who oversee the cultivations, operations and hauliers as well as the staff who live on site, their families and third parties. There are 4 families who live in the other houses in this location.

2.3 Non-Motorised Users (NMU's)

2.3.1 The current proposal encourages NMU's along the new Woolley Road to use Bridle path 19, which crosses the A14 spur road on a red light to join up with Brampton Hut Services. My clients have concerns of the safety of the users on the road, in particular the conflict between the agricultural and heavy goods vehicles travelling to and from the farm, the general traffic and the NMU's on this long straight road. There are also concerns about potential trespassers who will find accessing the farm far easier than at present. This issue has been raised at meetings with Jon Lewel, the Section 42 and Ian Parker Letters of 2014, the Outline Representations and the Detailed Written Representations.

2.3.2 We would like to propose an alternative route for the NMU's which uses the added route as identified within the Non Material Amendments document at item DR1.66. This route takes NMU's north from the corner of Woolley road between Huntingdon Life Sciences and the A1 to the Alconbury Junction and south on the east side of the A1 using the proposed maintenance roads. This is a far safer route for the NMU's, removes the conflict from the traffic and would allow the design of a safe access route across the A14 to the east of the Brampton Hut roundabout.

2.3.3 My client was alarmed at the comment made on behalf of Highways England at the hearing when they suggested that the alternative they would consider was to continue to put the NMU's on the verge of the A1 where they have an existing right. The suggestion made on behalf of my client was purely made in relation to the safety of the NMU's and the comment from HE was not satisfactory or conducive to continued, amicable discussions.

2.4 The Access Track at Weybridge Farm

2.4.1 Highways Agency have proposed to use the main farm track (Rights of Way Plan: Road marked as '3') as an access track to be used as access to the borrow pits 4.1 and 4.2. HE have stated that this road is no longer required to be the main haul road for the removal of the minerals from borrow pits, however we still have concerns about the health and safety aspect of numerous vehicles using this road, security concerns regarding third parties going through the middle of the farm yard and the potential disruption to the haulage and agri-businesses with other parties in the farm yard.

2.4.2 There is another existing access point to the south at Hylands Farm which would be safer for the Highways Agency to use. This has been offered to them, but has not been given due consideration.

2.4.3 The proposed route at Weybridge farm utilising the farm access road is a very busy private access for a number of different parties. There are approximately 5 Class 1 lorries transporting to and from the farm buildings per day, which reaches a peak of 10 Class 1 lorries per day at peak times. Also using this road is the operational farm equipment and farm managers who oversee the cultivations, operations and hauliers as well as the staff who live on site, their families and third parties. There are 4 families who live in the other houses in this location.

2.4.4 The route Highways England has proposed runs past a number of residential properties owned by our clients and third party owners respectively. There are young children in some of these residential properties so the health and safety aspect cannot be overlooked.

2.4.5 The Health and Safety issue with a greater number of vehicles using farm access tracks cannot be underrated. Noise, lights from the traffic, vibration, dust and inconvenience and the danger posed to the young families that live here cannot be underestimated. WGT would not want this route to be used at all for either preliminary works or during the construction due to the health and safety implication, an alternative access point has been suggested at Hylands Farm.

2.4.6 There is a new road proposed to come from the new roundabout into the south of the farm. This road would be used to access the two proposed areas of borrow pits. My client would propose the initial access to be made through Hylands Farm for the preliminary works and the new road from the roundabout to be used thereafter

2.4.7 Highways have proposed to temporarily stop up the farm entrance and move the private means of access further back to take into account the road works on the Woolley Road. This is the only safe entrance to the 1000ac working farm; unrestricted access is needed at all times. WGT would prefer use of the newly proposed access in the south during this period. Also, any new accesses need to be suitable for agricultural vehicles.

2.4.8 If this route is required a full record of condition must be undertaken prior to the use commencing. The road must be repaired to the same high standard as it is currently in.

2.5 Flood Alleviation Zone 4

2.5.1 WGT does not believe that the land take is proportionate to the flooding risks posed, nor in the public benefit and not all reasonable alternatives have been explored. The design as it is shown takes a large amount of grade 2 land out of agricultural production as not only is the flood alleviation area removed from production the surrounding field is no longer as economical to farm due to the difficult shape that remains and the smaller field size.

2.5.2 Existing flood alleviation and drainage systems are in place from when the A1 was constructed. We have seen no evidence that these have been taken into account within the hydrological assessment.

2.5.3 The extent of the anticipated 1 in 100 flood and the volume of water this area is expected to hold have not been made available.

2.5.4 The Environmental Statement in Paragraph 4.11.2 states that there will be no significant increased risk of flooding- so why is the mitigation in this location so extreme? We have not been given a supported answer to this and await further hydrological information from HE.

2.5.5 If the Flood Alleviation Area is required, why is the shape a 10.7 acre (approx.) circular area within the middle of a field with Grade 2 quality land? We can see no reasonable justification why the shape can't be akin to a ditch, or follow a more linear shape as has been designed in the area of land directly to the east of the A1 (Flood Alleviation Zone 3)? This would allow the flood zone to follow more closely the linear feature of the new Woolley Road, which would take considerably less agricultural land out of production in both the flood alleviation area and the shape of the field remaining to farm.

2.5.6 The proposed depth is 3.1m deep. This is almost as deep as the proposed borrow pits on the farm. The depth and shape of the flood alleviation zone would preclude the flood zone area from being farmed. We would like to see the depth and size of this area reconsidered.

2.5.7 Alternatively HE has been offered a field to the north of the farm, where Balancing Pond 3 is located. A ditch could be dug to allow the water to access this area and the field levels could be reduced and planted to enhance ecology and biodiversity.

2.6 Borrow Pit 7

- 2.6.1 My client fully backs all the comments made by our barrister and the NFU and Agent's Association. The comments made below are made in the event the borrow pits form part of the DCO.
- 2.6.2 Table 3.1 of the Environmental Statement of document number 6.1 the use of borrow pit 7 includes restoration of borrow pit/ other landscaping. We would like some clarification on what this phrase means and some further details on the use of the mineral within the proposed borrow pit.
- 2.6.3 The Borrow Pits Restoration and Aftercare Proposals Document (Number HE/A14/EX/104) states that the area around Borrow Pit 7 is to be used for environmental enhancement, however figure 6f of the Indicative Restoration Cross Section diagram states that the use is 'informal recreational'. We would like to have a definition of 'informal recreational' and how this would work with the environmental options proposed.
- 2.6.4 This farm enjoys its privacy and there is no public access available to the existing old Borrow Pits. The landowner will strongly resist any recreational activity from third parties imposed upon it by Highways England.
- 2.6.5 The response to the second written questions mentions a 'borrow pit stakeholder group' but no mention of who will form part of this group we are aware that the NFU have since been invited to represent the landowners, but can we be made aware of who else will form this group?

2.7 The use of a stopped up access point

- 2.7.1 The Stopped up access point is to the east of Weybridge Farm buildings and are identified as GA 02, plot 3/5a south end.
- 2.7.2 The landowners are concerned about the security of the farm from opening up this access point, and burden of extra liabilities, such as who would be responsible for fly-tipped waste or what would happen in the event of people using this track to access the farm. Which they feel has not been adequately addressed by Highways England.

2.8 Drainage Attenuation Ponds

- 2.8.1 The attenuation ponds are located at Woolley Road- Plot 3/5a north end and Plot 3/5a south end GA 02.
- 2.8.2 The landowner has asked for these ponds to be re-designed so they take up less of the farmable area and the shape around them allows for efficient farming practises to continue.
- 2.8.3 We are still waiting for the amended hydrological information to be released further to the response to our detailed written representations.

3 Debden Top Farm

3.1 Introduction

- 3.1.1 Debden Top Farm is located to the south of Godmanchester and accessed using a single track bridle-path. It comprises an area of approximately 160 ha (400 acres). The scheme will not remove any land permanently but there will be some disruption during the construction process
- 3.1.2 The new A14 will be within 400m of the properties on the farm, with some of the land adjacent to the landscaping areas and the proposed Silver Street bridge.
- 3.1.3 Debden Top Farm is a highly productive farmed environment and GW Topham and Sons use the most modern equipment on the market, much of which is imported from abroad. The size of the equipment used means the most productive arable areas are large square fields. The size of the machinery used is not able to safely, or efficiently, make multiple tight manoeuvres.

3.2 Access to Debden Top Farm along Silver Street

- 3.2.1 The access to Debden Top Farm uses the single track, long distance bridle path, Silver Street. The new A14 has been designed to cross the existing Silver Street. Highways England have proposed to build a bridge to allow all existing users to cross the A14
- 3.2.2 Highways England have assured my clients that this bridge will be able to accommodate the large farm machinery G W Topham and Sons currently use and that future, larger machinery, would be able to cross this bridge providing the equipment is road legal.
- 3.2.3 During the construction of this bridge my client would like to be assured that unrestricted access will be provided using the proposed maintenance road leading from the A1198 to Silver Street.
- 3.2.4 It still remains unclear if this proposed bridge will be a 'green' bridge. Can someone kindly confirm?