

From: [Sean Hedley](#)
To: [A19 Downhill Lane](#)
Cc: "[A19 Downhill Lane Junction Improvement](#)"; "[Peter Razaq \(P.Razaq@kansandkandy.co.uk\)](#)"
Subject: A19 Downhill Lane - DCO Examination- Compulsory Acquisition Hearing 1 (CAH1)
Date: 15 October 2019 15:04:17
Attachments: [image002.png](#)
[HE_TAFP_Position_Statement_for_CAH1_15.10.19.pdf](#)

Dear Sir

I write in connection with the Compulsory Acquisition Hearing 1 (CAH1) programmed to take place this Thursday. On behalf of my client Town End Farm Partnership (TEFP) and interested Party and a landowner I set out below progress with Highways England.

In the background we have been in correspondence with Highways England to agree terms which we both find acceptable (See attached). We have now agreed to the attached terms in principle and will continue to monitor the position as the DCO progress through examination.

Please accept this email as confirmation that we will no longer be attending the hearing (CAH1) to make representations on behalf of my client. We ask that the Inspectors attention is drawn to the agreement on Thursday during proceedings.

Should you or the Inspector have any queries we will gladly make contact and update you. In the meantime can you ensure we are kept in the loop regarding progress, we shall continue to monitor the Planning Inspectorate website.

Kind regards

Sean Hedley
Hedley Planning Services Ltd

DD: 0191 5805101

M: [REDACTED]

www.hedleyplanning.co.uk

From: Place, Thomas <Thomas.Place@highwaysengland.co.uk>
Sent: 15 October 2019 12:26
To: Sean Hedley <Sean@hedleyplanning.co.uk>
Cc: 'Peter Razaq (P.Razaq@kansandkandy.co.uk)' <P.Razaq@kansandkandy.co.uk>; 'John Jones' <John.Jones@colliers.com>; 'Phil Emison ' <phil.emison@costain.com>; Apps, Helen <Helen.Apps@highwaysengland.co.uk>; Scatchard, Andrew <Andrew.Scatchard@highwaysengland.co.uk>
Subject: RE: A19 Downhill Lane - DCO Examination [TWLLP-UKMATTERS.FID5088748]

Hi Sean,

Thanks for speaking with us.

Please see amended agreement which now references the version of the Land Plan revision which you agree to.

If you are happy with the attached version, could you let me know. We will then send it to the Planning Inspectorate and let them know that we have come to an

agreement. If you could then respond to my email to them to confirm your position, it would be appreciated.

Give me a ring if you have any further questions.

Kind Regards,
Tom

Tom Place

A19 Testo's and Downhill Lane

Regional Investment Program (RIP) (North)

Highways England | Lateral | 8 City Walk | Leeds | LS11 9AT

Desk Phone: 0300 470 2705

Mobile: [REDACTED]

Web: <http://www.highways.gov.uk>



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A19 Downhill Lane Junction Improvement Scheme – Joint Statement on behalf of Town End Farm Partnership (“TEFP”) and Highways England (“HE”)

This statement has been prepared for the Compulsory Acquisition Hearing scheduled for 17 October 2019 (CAH1) and has been agreed by TEFP and HE. It sets out the status of the discussions between the parties.

TEFP has provided a number of responses to both statutory and non-statutory consultation as described in paragraphs 4.11.13, 4.11.14, Table 4.12 and 8.1.4 of the Consultation Report (**Application Document Reference: TR010024/APP/5.1**).

HE has met with representatives for TEFP on a number of occasions during the pre-application stages of the scheme. In these meetings HE has presented details of the scheme which have included the preliminary design, programme and temporary land requirements of the scheme. HE has also described the DCO process and potential mechanisms for the acquisition and temporary possession of land within the DCO boundary. TEFP has provided HE with details of its own potential development proposals on its land. These discussions resulted in some changes to the maintenance access to Pond 8 and a reduction in the permanent scheme footprint in the earlier stages of scheme development.

The applicant submitted a letter prepared by TEFP prior to Examination in order to clarify the status of the relevant representation submitted by Town End Farm Partnership. HE has not pursued a Statement of Common Ground with TEFP on the basis that such a requirement did not form part of the procedural decisions reflected in the Rule 8 letter, following the discussion on these matters at the Preliminary Meeting.

TEFP’s land within the DCO boundary

The following table sets out all the plots of land which are owned by TEFP along with an explanation of the reasons for their inclusion in the DCO boundary, and any relevant discussions between TEFP and HE.

The plots in the table below refer to those plots in the Land Plan (Application Document Reference: TR010024/APP/2.3 – Revision 0).

<p>1/3a</p>	<p>Highways England has described the need for temporary land in this location for the full duration of the construction programme (see further Appendix D of the Applicant’s Response to the ExA’s Written Questions). TEFP has accepted and does not object to the powers included in the draft DCO for the temporary possession of this plot.</p> <p>HE and TEFP will continue to negotiate temporary possession of this plot by agreement for the full duration of the construction programme but temporary possession powers in the draft DCO are necessary in the event an agreement is not reached.</p>
<p>1/3b</p>	<p>Highways England has described to TEFP the features of the preliminary scheme design, particularly Works 1,2,3 and 8. At the request of TEFP, HE has considered the principle of a number of options for Pond 8 during preliminary design. HE has agreed to explore an alternative arrangement within this plot during the detailed design of the scheme but this will not affect the land required nor the powers sought under the DCO based on the preliminary scheme design. TEFP has accepted and does not object to the powers included in the draft DCO for the acquisition of this plot.</p> <p>HE and TEFP will continue to negotiate terms for the acquisition of this plot by agreement but HE considers the compulsory acquisition powers in the draft DCO are necessary in the event an agreement is not reached.</p>
<p>1/3c</p>	<p>Highways England has described to TEFP the features of the preliminary scheme design, particularly Works 1 and 18. TEFP has accepted and does not object to the powers included in the draft DCO for the acquisition of this plot.</p>

	HE and TEFP will continue to negotiate terms for the acquisition of this plot by agreement but HE considers the compulsory acquisition powers in the draft DCO are necessary in the event an agreement is not reached.
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Status of Discussions

HE's District Valuer has met with TEFP and has explained the method and process of valuation.

HE and representatives acting for TEFP will meet over the coming months to progress option agreements (heads of terms). It is the intention of both parties to reach agreement in order to avoid the use of compulsory powers to expedite the construction of the scheme, subject to Secretary of State approval of the DCO application.