

From: [REDACTED]
To: [M25 Junction 28](#)
Subject: M25 Junction 28 improvement scheme - TfL attendance at Compulsory Acquisition Hearing 1
Date: 24 February 2021 13:38:22

Dear Sirs,

TfL notes the proposed agenda for Compulsory Acquisition Hearing 1 for the M25 Junction 28 improvement scheme examination and that matters concerning TfL's land interests are not proposed for discussion at the hearing.

TfL wishes to make clear to the Examining Authority (ExA) that there are matters regarding the acquisition of rights over TfL's land where TfL and the Applicant are not in agreement. TfL is concerned that the decision of the ExA to not consider matters concerning TfL's land at the hearing may have been influenced by the Applicant's response to Written Representations (TR010029/EXAM/9.36), which stated for the issues with references REP2-036-9 and REP2-036-39 that "TfL has confirmed their acceptance to the changes to the rights put forward by Highways England with the exception of Plot 1/6." TfL wishes to make clear that while it welcomes the subdivision of plots included in the revised Land Plans and Book of Reference submitted by the Applicant at Deadline 3a, there are issues remaining where TfL is not in agreement with the rights sought, not just for Plot 1/6.

The specific issues remaining which are of concern to TfL are:

- Plot 1/1a – acquisition of permanent rights and temporary possession is sought by the Applicant. TfL remains unclear of the reasons why permanent rights are sought over the majority of this plot rather than just temporary possession and no need or justification has been provided to TfL by the Applicant. TfL considers that the only part of this plot where permanent rights may be required is a small part of the plot affected by the diversion of the gas pipeline. The Applicant shared the draft Land Plans with TfL on 11 February and TfL responded on 12 February welcoming the sub-division of plots but raising this concern about rights sought over Plot 1/1a. TfL is therefore not in agreement with the Applicant on this matter.
- Plot 1/3 – acquisition of all interests and rights is sought by the Applicant. This land is wholly in TfL ownership and is required to deliver the new A12 eastbound off slip road which the draft DCO specifies will be TfL's responsibility. TfL is therefore unclear why acquisition of all interests and rights in this plot of land is required to deliver the Proposed Scheme, since it is currently in TfL's ownership and will need to be in TfL's ownership following completion of the Proposed Scheme.
- Plot 1/6 – acquisition of permanent rights and temporary possession is sought by the Applicant. TfL welcomes its addition as an occupier (as highway authority) in the updated Book of Reference. However, TfL is unclear of the reasons why permanent rights are sought over this plot rather than just temporary possession as TfL will remain the highway authority over this plot following the development.

TfL requests that the ExA considers further whether these issues should be considered at Compulsory Acquisition Hearing 1 on Monday 1 March, at which TfL is able to speak on these matters if required, or whether the ExA would prefer these matters to continue to be dealt with through written submissions. TfL would welcome the advice of the ExA on this matter.

Kind regards,

Matthew Rheinberg

Matthew Rheinberg | Major Projects Manager

Transport for London | City Planning | Projects, Consents & Urban Design

 Floor 9, Endeavour Square, London E20 1JN



I work flexibly, often working outside of core office hours, and I fully respect your privacy and work/life balance. If you receive this message outside of your working hours, I have no expectation that you read or respond to it until your working hours.

The contents of this e-mail and any attached files are confidential. If you have received this email in error, please notify us immediately at postmaster@tfl.gov.uk and remove it from your system. If received in error, please do not use, disseminate, forward, print or copy this email or its content. Transport for London excludes any warranty and any liability as to the quality or accuracy of the contents of this email and any attached files.

Transport for London is a statutory corporation whose principal office is at 5 Endeavour Square, London, E20 1JN. Further information about Transport for London's subsidiary companies can be found on the following link: <http://www.tfl.gov.uk/corporate/about-tfl/>

Although TfL have scanned this email (including attachments) for viruses, recipients are advised to carry out their own virus check before opening any attachments, as TfL accepts no liability for any loss, or damage which may be caused by viruses.
