

# M25 junction 28 improvement scheme

TR010029

## 9.118 Position statement with Glebelands Estates Ltd and Luddington Golf Ltd

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

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# Infrastructure Planning

## Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

### M25 junction 28 scheme

### Development Consent Order 202[x ]

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| <b>Author:</b>                                | M25 junction 28 scheme, Project Team,<br>Highways England |

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## 1. Introduction

- 1.1.1 This document provides Highways England's position statement on the status of the tri-party agreement between Highways England, Glebelands Estates Ltd (GEL) and Luddington Golf Ltd (LGL). This has been shared with GEL and LGL and Highways England is awaiting comments.

## 2. Summary of agreement

- 2.1.1 As the ExA is aware, Highways England is currently negotiating a tri-party agreement with Glebelands Estates Limited (GEL) as the freehold owner of Maylands golf course and adjoining land and with Luddington Golf Limited (LGL), which has a leasehold interest in and operates the course. The purpose of the agreement is to record in a legally binding manner the arrangements that have been developed and agreed between the parties in respect of accommodation works to be carried out to the course on account of the DCO scheme.
- 2.1.2 Part of the golf course is required for the DCO scheme and specifically to divert a gas pipeline. As the ExA will recall, originally Highways England had proposed an alternative golf course reconfiguration design. However, following further discussions with LGL and GEL, Highways England submitted change request no. 7 in order to accommodate a reconfiguration of the course in a manner preferred by LGL and GEL. This reconfiguration involves an enlargement of the area subject to the dDCO and amendments to land plots 1/14, 3/21 and 3/23. This change was accepted by the ExA on 26 May 2021.
- 2.1.3 The golf course reconfiguration works are intended to be carried out by contractors appointed by LGL and so as to ensure that the operation of the course is not interrupted on account of the accommodation works.
- 2.1.4 The draft agreement seeks to resolve a number of land issues. Highways England has proposed that LGL be granted a new lease of the newly reconfigured golf course as an area to be added to it, the freehold of which is owned by GEL, is currently outside LGL's lease demise. Highways England is also proposing that LGL surrender the part of its lease which is subject to the DCO works.
- 2.1.5 Highways England circulated a draft agreement to both LGL and GEL in April 2021 and LGL and GEL's agents have provided comments on it.
- 2.1.6 Although good progress has been made and a draft agreement is in circulation, a number of details are yet to be agreed. These include the terms of the property agreements and details around the appointment of LGL's building contractor. The maximum financial commitment to which Highways England will be subject to is also under discussion.
- 2.1.7 Highways England expects and hopes that these matters can readily be resolved, and the agreement made before the end of the examination if possible.

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Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ  
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