

## LUKIES Oliver

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**From:** LUKIES Oliver  
**Sent:** 06 January 2023 09:44  
**To:** [REDACTED]  
**Cc:** 'Matt Cloke'; 'Paul Fosh'; ROUT Edward  
**Subject:** RE: A12 Landowner Meeting - Churchmanor / Gooding / Witten  
**Attachments:** RE: [EXTERNAL] RE: A12 - Proposed TM Recovery Yard- STC; 2022-01-21 - 2022-11-18 Gooding + Ashby-Witten - A12 Interim fee.xls

Dear All

Happy New Year

Apologies for chasing but we would appreciate responses/an update on the below points made in my email.

I look forward to hearing from you.

Kind regards

Oliver

**Oliver Lukies BSc (Hons)**

Assistant Surveyor,  
[REDACTED]

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**From:** LUKIES Oliver  
**Sent:** 05 December 2022 16:45

[REDACTED]  
**Subject:** A12 Landowner Meeting - Churchmanor / Gooding / Witten

**Without Prejudice and Subject to Contract**

Dear All

Further to our most recent meeting,

I have discussed our conversations with Paul and we wanted to make the following points;

- With regards to the attached proposal we have submitted to you for the land you have allocated for a **recovery yard/compound**, this proposal was submitted in good faith on our part and with the understanding that National Highways were wanting to establish their occupation of the land via agreement as opposed to going down the line of using their CPO powers (once acquired). Therefore, our proposal was submitted on a fair commercial basis. However, on our call Simon suggested that he would not be able to recommend our proposal to Highways as in his opinion any claim resulting from their occupation was likely to cost them less than if they

were to occupy the land by agreement. We feel that if this is Highways position then this should have been communicated to us prior to being asked to table a proposal. Furthermore, as I outlined in the call, the idea of moving forwards by agreement was to mitigate compensation claims and time spent on the matter, whilst also providing certainty to all parties. For our understanding going forwards, Simon please can you confirm Highways position on the matter including what terms they would offer, if any, should they be willing to move forwards by agreement.

- With regards to the land you have designated for Land Acquisition (**parcel 7/14a**), I will leave this with Matt Cloke (copied in) to provide commentary on what was discussed as he is leading on this matter.
- With regards to the **Replacement Land Proposals**, as Paul has outlined previously – in principal he does not believe that our clients would have an issue with the acquisition of “open space land”. He and Matt suggested previously that it could be transferred to the council or National Highways, providing the clients were compensated appropriately, prior to DCO acceptance to make the process smoother for all parties. As discussed at the meeting, Simon please could you table some dates and times for a Teams meeting to enable us to discuss this further/arrange next steps i.e. issuance of HOT’s.
- On the matter of professional fees – please see attached interim fee timesheets for S&P to 2022-11-18 for Simon’s review. I understand Paul will be following up with his own timesheets in due course. S&P’s year end is 9<sup>th</sup> December this year so I would appreciate a quick response to enable us to get our interim fee raised in time – apologies for the quick turnaround required.

Kind regards

Oliver

**Oliver Lukies BSc (Hons)**

Assistant Surveyor,

