

## **Pegasus Prested Investments Ltd representations to the Compulsory Acquisition Hearing of the A12 Chelmsford to A120 widening DCO proposal - 27 June 2023**

Representations have been made previously by Holmes and Hills LLP on behalf of the Pegasus Prested Investments Ltd group ('The Pegasus Group') which owns and operates the following businesses from Prested Hall; -

- Wedding and event hire
- Serviced apartments
- Private members health club
- Spa

The most recent update on status of negotiations- compulsory acquisition schedule (rep 6-080) provides in relation to the objection of Bluemoor Properties Limited (a member of the Pegasus Group) that:-

*Status of Objection The Applicant has responded to the points raised through the relevant representation and written representation through the documents submitted at Deadline 1 and Deadline 3 respectfully, 'The Applicant's Response to Relevant Representations' [REP1-002] and 'The Applicant's Comments on Written Representations' [REP3-009]. The following matters remain under discussion:*

- *Business impact mitigation.*
- *Compensation mechanisms.*

*A meeting was held with the Interested Party on 28.03.23 to discuss these issues. A further meeting was held with the Interested Party on 01.06.23 to present more detail on timings, mitigation proposals and to discuss in more detail the compensation mechanisms. The Applicant is hopeful this provided some reassurance and will continue to engage with the Interested Party on these matters.*

Meetings have indeed taken place on 28 March and 1 June 2023, but various actions remain outstanding/ progress has been stalled in the following ways:-

National Highways had previously indicated they would bring along someone to the meeting on 1 June 2023 with experience in business blight. The District Valuer was in attendance; it is not clear whether he was there in the capacity of a business blight expert. National Highways did not agree to the costs of both our clients' surveyor and solicitors attending this meeting.

National Highways said they would prepare a glossy brochure which our client could share with clients to help reassure them of the proposed access arrangements during construction. This does not yet appear to have materialised. Our client is currently struggling to get wedding/event guests to confirm bookings as a result of uncertainty around the widening scheme.

There was confusion about the likely start date of the works affecting Prested Hall. Our client was told at the 1 June 2023 meeting that this would happen in second quarter 2024 at the earliest and yet the National Highways website still refers to 2023-2024 (in line with original consultation

documents). This is confusing for all, including potential wedding/event customers who are seeking certainty before committing for a booking.

Information on the impact on journey times for those accessing Prested Hall was promised after the meeting in March 2023. It is not apparent that this has yet been made available to our client.

Finally The District Valuer has stated that he is willing to engage on the issue of business disturbance now; however he is not in a position to make any commitment on behalf of National Highways towards costs in this regard ahead of vesting. Our client is suffering business loss now through lost bookings ahead of the confirmation of powers of compulsory acquisition and needs professional advice as regards the disturbance claim and how to best mitigate losses in the context of the complex corporate structure in place. Our client is not in a position to incur professional costs in this regard and the position taken by National Highways has prevented effective engagement on this issue to date, at a time when our client still has the opportunity to take action to mitigate his losses. Confirmation was provided on 27 June that National Highways will meet some limited costs in this regard – but not the full amount.