

Further Representation; August 2024

Interested Party Reference No. 20042766

Following the Compulsory Acquisition Hearing of 30th July 2024, where we appeared alongside many other interested parties, I write to add further objections to our initial comments and would request that if a further hearing is held, that Arora wish to speak at any future Hearing.

Negotiation/Dialogue

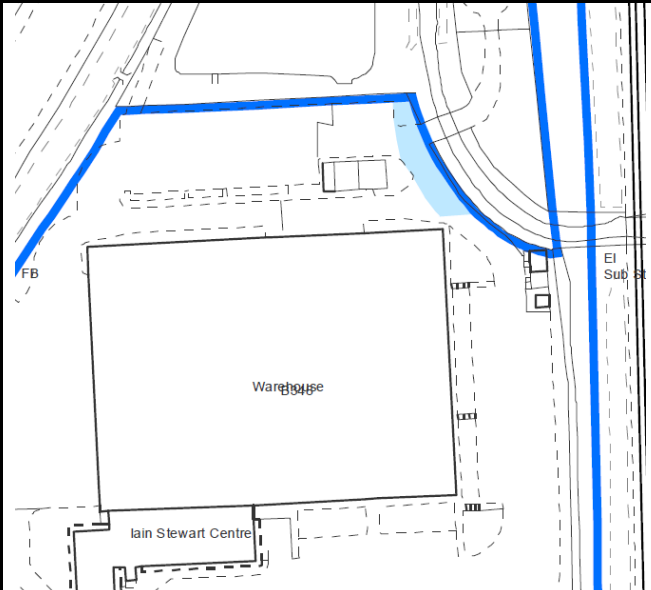
A further meeting was held with GAL as recently as 6th August 2024 to discuss the various landholdings which are the subject of this DCO.

On one site in particular, it remains the case that the design work has not been sufficiently progressed to offer any meaningful discussions/way forward that satisfy the Arora Groups operational needs, this is the Sofitel site, more detail is provided below.

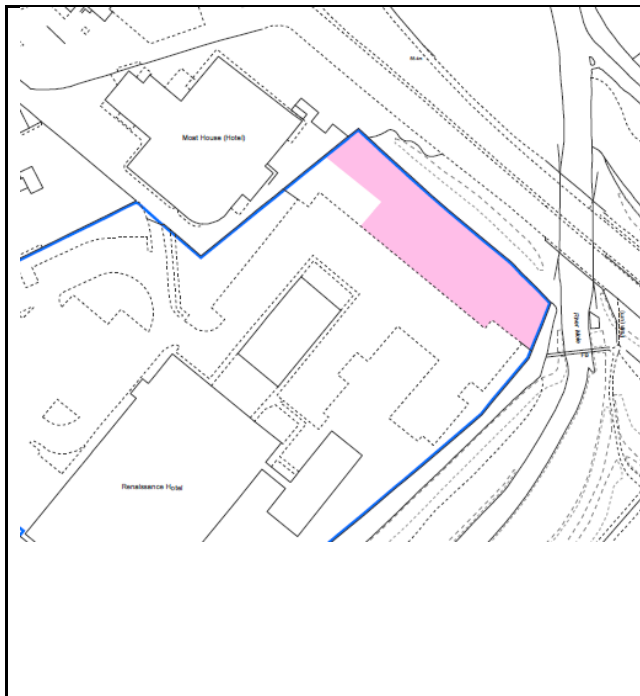
The Arora Group remain in objection to the proposals, details of which are set out below.

Site Specific Issues

- 1) Temporary Parcel of land at Iain Stewart Centre BoR 6/700

	<p><u>Site Facts</u></p> <ul style="list-style-type: none">• 0.044 Acres of land to the north of Iain Stewart Centre. <p><u>Arora comments</u></p> <ul style="list-style-type: none">• Arora group have been issued with draft Heads for this site.• Lawyers have been instructed to negotiate and review the commercial points within the HoTs. <p>No objection to land take in principle. Awaiting agreement of terms only.</p>
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2) Permanent Land take behind Travelodge Site BoR 1/098



Site Facts

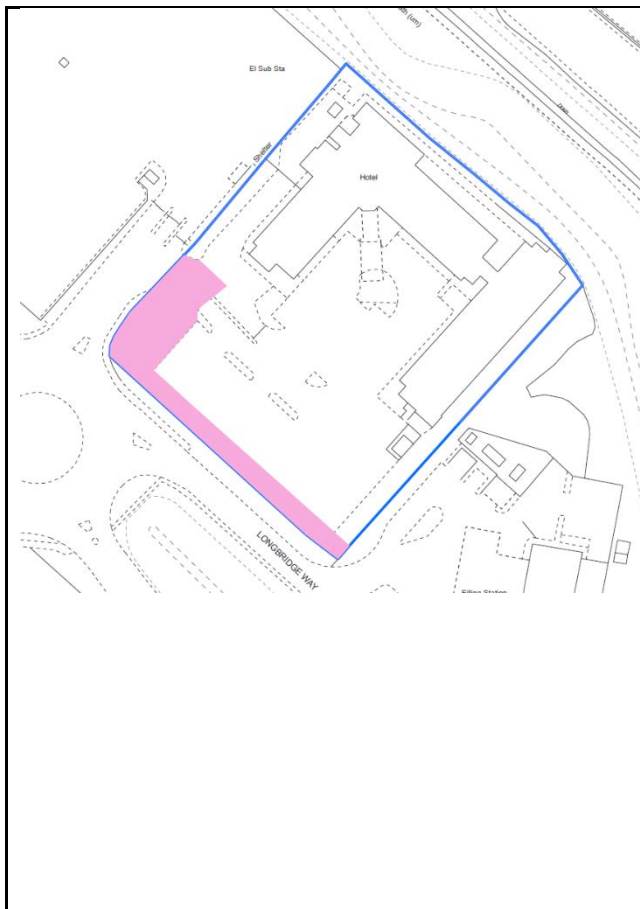
- 3.9 Acres permanent land take
- Parcel of land adjacent to the Travelodge Gatwick.

Arora comments

- Awaiting finalised Sums and Heads of Terms for the site.
- GAL in discussion with the operator, Travelodge.
- GAL to inform Arora when terms have been agreed and the other parties are aligned.

No objection to land take in principle subject to all third parties being in agreement.

3) Permanent Land Take at Premier Inn – Longbridge Way BoR 1/120



Site Facts

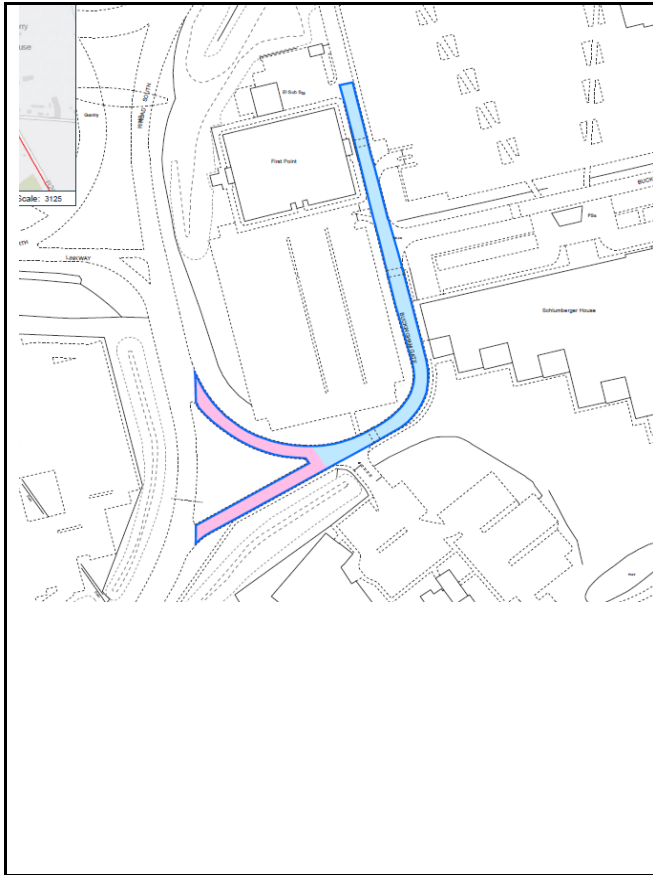
- 0.19 Acres permanent land take
- Covers the pavement and treeline off Longbridge Way **plus** access road into the Premier Inn.

Arora comments

- Heads of terms received on 10/07/2024.
- Arora reviewing – legal call to be arranged in due course.
- Lawyers have been instructed to negotiate and review the commercial points within the HoTs.

No objection to land take in principle. Subject to confirmation of continual access for building occupier with the occupier's agreement and confirmation parcel of land will be handed back and treated as temporary.

4) Schlumberger House – Permanent and Temporary Land Take at Buckingham Gate_BoR 4/539 and 4/544



Site Facts

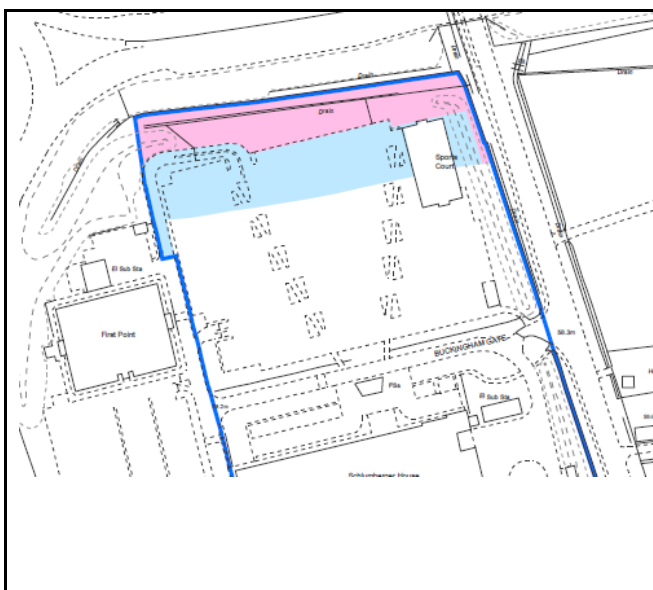
- 0.19 Acres permanent land take
- 0.32 Acres temporary land take

Arora comments

- Dispute remains over the ‘offer’ for both permanent and temporary land parcels;
- GAL confirmed temporary parcel of land is to be handed back to Arora.
- Lawyers have been instructed to negotiate and review the commercial points within the HoTs.

No objection to land take in principle subject to confirmation of continual access along Buckingham Gate to prevent ‘ransom strip’ issues and confirmation parcel of land will be handed back and treated as temporary.

5) Schlumberger House – Permanent and Temporary Land Take in the Car Park-BoR 4/492 and 4/496



Site Facts

- 0.75 Acres permanent land take
- 0.91 Acres temporary land take

Arora comments

- Dispute remains over the ‘offer’ for both permanent and temporary land parcels due to the market value of the site.
- No dispute over the principle of land take, only the sums are in dispute.

OBJECTION REMAINS as set out above.

6) Sofitel Drop Off Points; BoR- 1/209

Whilst the GAL team have provided some indicative proposals, along with a Memorandum of Understanding, the proposals cause operational difficulties to the Sofitel Hotel. GAL is unable to give further clarity on the detailed design for the forecourt or the utilities works required to facilitate the project. Despite setting up a call on 6th August 2024, there were still no plans available. There were 'guarantees to maintain the access at all times' but no real detail of how this can be achieved. Verbal assurances at this late stage offer no comfort to Arora that the works will not cause operational restrictions to the Sofitel hotel.

We have been offered terms to minimise noisy works to certain hours but there are no details of what these entail. Whilst there appears to be a Construction Environmental Management Plan that GAL have sight of, this has not been shared with the Arora team as of the morning of 7th August 2024.

OBJECTION REMAINS to this proposed land take, permanent or temporary, as it results in an inability to operate the Sofitel Hotel.

Legal Drafting Presented in the Heads of Terms

GAL have recently issued draft legal agreements for a few of the sites that we no longer in dispute over. However, the commercial terms within the HoT's are unacceptable in their current form. The key matters that the legal agreement raises is:

- 1) Duration of the Option Period;
- 2) Proposed lease length;
- 3) Restrictions of selling the assets;
- 4) Inability to object to other parcels of land within Arora ownership and subject to the DCO;

The terms are excessive and unreasonable and not commercially viable terms. Is this a matter that the Inspectorate can explore? We would be happy to issue a copy of the HoTs should the Inspectors wish to view them, please note that for confidentiality reasons they are not appended to this representation.

END