

TRANSPORT AND WORKS ACT 1992**TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004****THE NETWORK RAIL (CAMBRIDGE RE-SIGNALLING) ORDER****PROOF OF EVIDENCE – KILVERSTONE ESTATE****STATEMENT OF MIKE STANCLIFFE****15 March 2023****1. INTRODUCTION**

- 1.1 I, Mike Stancliffe, am the Principal Development Manager for the Eastern Region at Network Rail Infrastructure Limited (**Network Rail**) of 1 Eversholt Street, London NW1 2DN. My role at Network Rail as the Principal Development Manager began on 5th July 2021 and consists of managing property disposals and land transactions relating to the Network Rail estate. I am a Member of the Royal Institution of Chartered Surveyors and have 35 years' experience of property transactions relating to the sale, development and purchase of land for railway and third-party projects for Network Rail and its predecessors.

2. INVOLVEMENT WITH THE PROJECT AND PURPOSE OF THIS STATEMENT

- 2.1 Network Rail proposes re-signalling of the Cambridge station interlocking area and the upgrade of a number of level crossings (**Project**), as further described in the Statement of Case and Ms Heria's Proof of Evidence. My role in the Project has consisted of negotiating with the landowners in relation to the proposed acquisition of land and rights over land required for works to Croxton Level Crossing.
- 2.2 The Order includes a number of powers, which are described in detail in Mr Gilbey's Proof of Evidence. The primary focus of this Statement is to outline engagement undertaken with the Kilverstone Estate (**Estate**) in relation to the proposed acquisition of land and powers over land parcels 900, 903, 905, 906, 907, 908 and 909 (together referred to as **Land Parcels**).
- 2.3 I am advised that the Order did initially also include land parcel 904. However, this land parcel is no longer required due to the relocation of the Road Traffic Light Signal further north following discussions with Norfolk County Council. Revised land plans will be submitted to the Inspector. However, in the meantime, I confirm that I have not undertaken any negotiations in relation to the land parcel 904.

3. ESTATE'S LAND INCLUDED IN THE ORDER AND POWERS SOUGHT

- 3.1 The registered freehold owners of the Land Parcels are as follows:
- a. The Right Honourable Patrick Vavasour Fourth Baron Fisher of Kilverstone;
 - b. Honorary P.V. Fisher 1986 Children's Trust;
 - c. Gary John Bowman (in relation to land parcels 900 and 903 – 907 (inclusive) only);
 - d. 1989 Settlement Trust and Mills & Reeve Trust Corporation Limited (in relation to land parcels 908 and 909 only); and
 - e. C. Hoare & Co (as mortgagee)

(together the **Estate**).

- 3.2 Powers sought in relation to the Land Parcels and the justification for their inclusion in the Order are described in detail in Network Rail's Statement of Case and Mr Gilbey's Proof of Evidence. Mr Gilbey's Proof of Evidence also sets out provisions in the Order which provide for compensation to be paid to the landowners and considers any interference with human rights which may be caused by the Order.

4. SUMMARY OF ENGAGEMENT

- 4.1 While Network Rail has appointed Brown & Co LLP to undertake most negotiations with the parties affected by the Order, I have been responsible for liaising with the Estate in relation to the Land Parcels and outline engagement undertaken to date below.
- 4.2 Network Rail approached the Estate in early 2021 with a view to acquiring the Estate's land required for the proposed upgrade of Croxton Level Crossing.
- 4.3 In response to Network Rail's Request, the Estate's agent has requested that rights are granted to the Estate for a bridge crossing as part of the Estate's Thetford Sustainable Urban Extension Development. The Estate's agent has also issued Heads of Terms documenting the proposed arrangements.
- 4.4 The Heads of Terms were subsequently agreed in September 2021 and the arrangements agreed between the parties considered a number of issues, including land take and rights required by Network Rail for the Project.
- 4.5 As at the date of this Statement, the final provisions of the agreement to be entered into with the Estate are still to be agreed. However, most points are understood to be agreed and completion is anticipated to occur in due course (subject to the Estate securing the necessary approvals).
- 4.6 Once the agreement for the voluntary acquisition of the land and powers over land has been completed, the Land Parcels will be transferred to Network Rail pursuant to the provisions of that agreement. In that event, Network Rail will not need to rely on the powers included in the Order in relation to the Land Parcels.

5. OBJECTION

- 5.1 On 22 September 2022 the Estate objected to the Order [OBJ 15], querying a number of points, including the proposed compulsory acquisition of the Land Parcels. In this Statement I only deal with Ground 1 – Compulsory acquisition of land.
- 5.2 In its objection, the Estate has questioned the extent of land proposed to be acquired pursuant to the provisions Order, noting that:

"Compulsory acquisition of land should always be a last resort, meaning that acquiring authorities are expected to try and acquire land by agreement before resorting to compulsory acquisition. Moreover, compulsory acquisition should only be proportionate to the Scheme and no more than is absolutely necessary."

"It has not been made clear to the Estate Owners why such a significant part of their land needs to be acquired and how it is proportionate to the Croxton level crossing works that are envisaged."

5.3 In relation to that, I am advised that the land parcels included in the Order (with the exception of land parcel 904, as further described above) are required to enable implementation of the proposed level crossing upgrade at Croxton level crossing as part of the Project, as follows:

- The permanent acquisition of land parcel 906 (519 m²) is necessary to provide a permanent railway compound that will house a Relocatable Equipment Building, control and power supply apparatus, as well as a second modular building containing a generator, which provides an uninterrupted power supply to the railway and for the upgraded barrier equipment, to ensure the safe running of the railway. The footprint of this equipment is approx. 180m² with approx. 20 m² for retaining structures, upgraded fencing and other ancillary works. Parking for on-site attendance for Network Rail staff, and access for generator replacement and maintenance will be provided within the compound to allow for up to two maintenance vehicles to access, park and manoeuvre within the compound (approx. 320m²). The parking area will be utilised exclusively for maintenance purposes on an intermittent basis as required by Network Rail staff. The area will be fenced off to prevent access to the infrastructure and the live railway;
- The permanent acquisition of land parcel 908 (126m²) is necessary to allow the installation of the upgraded barrier equipment, upgraded fencing, below ground infrastructure and retaining structures along the northern boundary of the land parcel. Amendments to the footway that runs parallel to the highway in the north-west corner of the level crossing are also proposed;
- The permanent acquisition of rights over land parcel 900 (602 m²) is necessary to provide permanent vehicular access (approx. 7.5m wide) from an existing entrance off the adopted highway (Thetford Road (A1075)) to the proposed compound to be located on land parcel 906 (approx. 50m in distance), allowing access for Network Rail staff vehicles as part of the maintenance regime;
- The permanent acquisition of rights over land parcels 905 and 907 is necessary to provide permanent pedestrian access (1.5m to 2m wide approx.) around the exterior perimeter of the level crossing barrier equipment and to and around the proposed compound to be located in land parcel 906 for use by NR staff as part of the maintenance regime;
- The permanent acquisition of rights over land parcel 909 is necessary to allow pedestrian access for Network Rail staff to access the level crossing signalling and scanner equipment in the north-west corner of the level crossing; and
- The temporary use of land parcel 903 is necessary to provide temporary access for contractor staff and construction vehicles, along with a sufficient construction area to facilitate the placement of permanent railway infrastructure in the compound at land parcel 906 and the upgraded barrier equipment to be located in the south-east corner of the level crossing.

5.4 As outlined above, negotiations are ongoing with the Estate with a view to securing the necessary land take by way of a private agreement and at the date of this Statement the agreement is almost in an agreed form. Accordingly, I trust that the Estate's concerns raised in their objection have been addressed and dealt with.

6. CONCLUSION

6.1 Overall, the intention has always been to acquire the Land Parcels by way of an agreement with the Estate and negotiations have been ongoing since September 2021. The Land Parcels have

been included in the draft Order due to the negotiations being protracted. However, as at the date of this Statement, Network Rail anticipates that it will complete the agreement with the Estate in the near future, thereby enabling Network Rail to acquire the necessary land and powers over land without exercising powers in the Order.

7. WITNESS DECLARATION

- 7.1 This proof of evidence includes all facts which I regard as being relevant to the opinions that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- 7.2 I believe that facts I have stated in this proof of evidence are true and that the opinions expressed are correct.
- 7.3 I understand my duty to the Inquiry to help it with the matters within my expertise and I have complied with that duty.



MIKE STANCLIFFE

Dated: 15 March 2023