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Monday, 20<sup>th</sup> March 2023

Dear Sirs

## PROJECT: HIF 1

### THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT ROUNDABOUT), A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON HAMPDEN BYPASS) COMPULSORY PURCHASE ORDER 2022 (“THE COMPULSORY PURCHASE ORDER”)

Carter Jonas is instructed by the United Kingdom Atomic Energy Authority (“UKAEA”) to provide advice in relation to the above-mentioned Compulsory Purchase Order, being promoted by Oxfordshire County Council (“the Promoter”). UKAEA is the owner of land at Culham Science Centre, Abingdon Road, Culham, Abingdon, registered at HM Land Registry under title number ON216210 (“the Property”). The Compulsory Purchase Order includes powers for the acquisition of part of the Property to deliver the Clifton Hampden Bypass (“the Project”) between the A415 at Culham Science Centre and B4015 north of Clifton Hampden.

The UKAEA, owner and operator of the Culham Science Centre, has a clear strategy to develop the campus as a leading global centre for the development and realisation of fusion energy. Already an internationally recognised centre for fusion research and development and home to a community of related businesses, a major programme of development and investment is now underway at the campus that forms the centrepiece of the UK’s ambitions to deliver sustainable fusion energy with associated scientific and economic impact.

UKAEA is highly supportive of the Project as it will deliver much needed transport capacity and mode choice improvements that support UKAEA’s aspirations to grow and improve the facilities within the Culham Science Centre. Agents for the Promoter have had limited engagement with UKAEA with a view to addressing practical concerns around the delivery of the Project and no binding agreement has been reached to protect UKAEA from the impact of the proposed compulsory purchase.

The grounds for UKAEA’s objection are as follows:

- 1 **Grounds of objection: that there have been inadequate attempts to acquire interests by agreement.**
  - 1.1 UKAEA’s foremost concern is access to their retained property. The existing main entrance comprises a short private access road from the A415 Abingdon Road that leads to the main security-controlled entrance

to the campus, as well as to a perimeter road that connects to the remainder of the site, including the nursery. The perimeter road is vital to the security and servicing of the site, construction traffic and emergency vehicle access.

- 1.2 The Compulsory Purchase Order includes powers for the compulsory acquisition of land that forms part of the Property and that is located north of the A415 Abingdon Road and south of the security entrance to the site. Acquisition of this land will totally sever access between Culham Science Centre and the A415, which is the only available access to the site. It is understood from discussions with the Promoter's agents that the intention is to maintain access during the Project works with the potential for short term disruption while access is switched from the existing road to the new road. It is understood that specific access and traffic management arrangements will be arranged during construction. However, UKAEA cannot accept any situation in which access (including to the perimeter track road) will be prevented, even on a temporary basis and seeks a form of undertaking that access will be maintained at all times.
- 1.3 UKAEA is willing to transfer the land that is permanently required for the Project subject to agreement of terms, including the maintenance of access to the Property.

## **2 Grounds of objection: the manner of implementation of the scheme is challenged.**

- 2.1 The Compulsory Purchase Order includes powers for permanent acquisition of land that it is understood is required on a temporary basis for construction purposes only. UKAEA's own construction plans require some of the same land. It is anticipated that both projects can be successfully integrated if the parties work together to plan phasing and UKAEA is willing to discuss granting the Promoter temporary rights in the relevant land. Compulsory purchase would be a blunt instrument and could have a serious detrimental impact on UKAEA's project, which is subject to government funding led programme targets and has construction contracts in place to deliver those targets. UKAEA seeks agreement on appropriate construction rights to be granted to the Promoter on request with compulsory purchase powers to be used only if those rights are not granted as requested.
- 2.2 The Compulsory Purchase Order also includes powers for the permanent acquisition of land to provide for a new access road to UKAEA's retained site within land owned by UKAEA. The positioning of the new access roads is not correctly aligned with UKAEA's development plans. UKAEA does not consider there to be any need to acquire the new access road, which it is understood will remain a private right of way and maintained by UKAEA. UKAEA seeks assurance that the Promoter will make reasonable endeavours to agree with UKAEA the location of the access road, to the extent that it will be delivered as part of the Project, and that compulsory purchase powers will not be used to acquire land that will remain part of UKAEA's private access.
- 2.3 UKAEA and the Promoter completed a planning obligation agreement dated 28<sup>th</sup> April 2022 in relation to development under planning application reference number P21/S1257/FUL. Included with that agreement was a plan, reference CSCA-BSP-ZZ-XX-DR-D-0024, Rev P06. The plan sets out the land to be transferred to the Promoter and land where temporary rights will be granted. This plan forms the basis of the position that UKAEA would like to agree with the Promoter.

Yours faithfully



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