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BY EMAIL AND OVERNIGHT COURIER

Our ref: LGL/115040.01603

29 January 2024

Dear Inspector Lesley Coffey

THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT TO CULHAM THAMES BRIDGE) SCHEME 2022

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) (SIDE ROADS) ORDER 2022

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

- 1.1 As noted in Network Rail's Statement of Case dated 15 December 2023, Network Rail and Oxfordshire County Council are in the process of negotiating private agreements pursuant to which Oxfordshire County Council will seek to modify the CPO to remove all plots of land owned or occupied by Network Rail or over which Network Rail have rights. Network Rail and Oxfordshire County Council are seeking to conclude these private agreements as soon as possible.
- 1.2 In the event that insufficient progress is made regarding the private agreements Network Rail will request to be heard at the public inquiry to explain the impact of the proposals on its railway undertaking.
- 1.3 Network Rail relies on its case as set out in its Statement of Case, rather than submitting a proof of evidence.
- 1.4 Network Rail reserves the right to make further submissions if it is not possible to make sufficient progress with Oxfordshire County Council regarding its private agreements, and Network Rail is obliged to speak at the public inquiry.

- 1.5 As noted in Network Rail's Statement of Case, Network Rail considers that if the CPO was confirmed without modification, it would give Oxfordshire County Council the power to carry out works and acquire land without securing appropriate protections for Network Rail and its railway undertaking. Further, Network Rail considers there is no compelling case in the public interest for the compulsory acquisition of rights over its land.
- 1.6 Network Rail therefore objected to the CPO and Side Roads Order and made representations under section 16 and Schedule 3 part II of the Acquisition of Land Act 1981 on 3 February 2023 to the Department for Transport. Section 16 provides special protection for the operational land of statutory undertakers. Section 16(2) states that compulsory purchase orders shall not be confirmed unless the Secretary of State, in this case the Department for Transport, is satisfied that the land can be purchased and not replaced without serious detriment to the carrying on of the undertaking, or that if purchased it can be replaced by other land belonging to or available for acquisition by the undertaker without serious detriment, and certifies accordingly.

Yours sincerely



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