

TRANSPORT AND WORKS ACT 1992**TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004****SUMMARY OF PROOF OF EVIDENCE OF MIKE STANCLIFFE****KILVERSTONE ESTATE****15 March 2023****1 INTRODUCTION**

- 1.1 My name is Mike Stancliffe. I am the Principal Development Manager for the Eastern Region at Network Rail. This role at Network Rail began on 5 July 2021 and consists of managing property disposals and land transactions relating to Network Rail's estate.
- 1.2 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 ESTATE'S LAND INCLUDED IN THE ORDER AND POWERS SOUGHT

- 2.1 The proposed Network Rail (Cambridge Re-Signalling) Order includes a number of powers, including the power to acquire compulsorily land and rights over land of the Kilverstone Estate (as described in detail in my Proof of Evidence).
- 2.2 The powers included in the Order, as well as the associated compensation provisions, are described in detail in Mr Gilbey's Proof of Evidence. My Proof of Evidence only considered land negotiations undertaken to date with the Kilverstone Estate in relation to the proposed works at the Croxton level crossing.

3 SUMMARY OF ENGAGEMENT

- 3.1 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 Kilverstone Estate in relation to the proposed acquisition of land and rights over land in respect of land parcels 900, 903, 905, 906, 907, 908 and 909.
- 3.2 Network Rail initially approached the Kilverstone Estate in early 2021 with a view to acquiring their land to enable the proposed Croxton level crossing upgrade. Heads of Terms were subsequently agreed in September 2021 and addressed a number of issues including, amongst other things, the land and rights required by Network Rail for the Project.
- 3.3 At the date of this Statement, the final provisions of the agreements to be entered into with the Estate are almost finalised and completion is anticipated to occur in due course.

4 OBJECTION

- 4.1 Notwithstanding the above, at the date of my Proof of Evidence, the objection submitted on behalf of the Kilverstone Estate remains outstanding.
- 4.2 The objection raises a number of points, which are considered in detail in my colleagues' Proofs of Evidence. In relation to the proposed acquisition of land and rights over land, the objection reads as follows:

"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."

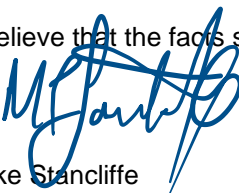
- 4.3 Whilst I have limited knowledge of the Project and/or its requirements and have only been appointed to liaise in relation to the acquisition of land and rights over land required for the Project, I am advised that the powers included in the Order are necessary to deliver the proposed Croxton Level Crossing upgrade, as further outlined in my Proof of Evidence. Accordingly, they are crucial for the Project and the Project cannot be delivered as proposed without the rights being secured.
- 4.4 As outlined above, negotiations are ongoing with the Kilverstone Estate with a view to securing the necessary land and rights by private agreement and, at the date of my Proof of Evidence, the agreement is almost in an agreed form. Accordingly, I trust that the Kilverstone Estate's concerns raised in their objection have been addressed and dealt with. On this basis, I expect the objection to be withdrawn in due course.

5 CONCLUSION

- 5.1 Overall, the intention has always been to acquire the Kilverstone Estate's land, as well as the necessary rights over their land, by agreement. Negotiations in relation to the same have been ongoing since September 2021 and the Order only includes the relevant land due to the negotiations being protracted.
- 5.2 At the date of my Proof of Evidence, Network Rail anticipates that it will complete the agreement with the Kilverstone Estate in due course, thereby enabling Network Rail to acquire the necessary land and powers over land without exercising powers in the Order.

Dated 15 March 2023

I believe that the facts stated in this Summary are true.


Mike Stancliffe