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MAYER · BROWN

Mayer Brown International LLP
201 Bishopsgate
London EC2M 3AF

Telephone: +44 20 3130 3000
Fax: +44 20 3130 3001
www.mayerbrown.com
DX 556 London and City

By e-mail and post

The Secretary of State for Transport
c/o Transport and Works Act Orders Unit
Department for Transport
Zone 1/18
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Iain Roberts
Direct Tel +44 20 3130 3090
Direct Fax +44 20 3130 8665
iroberts@mayerbrown.com

27 July 2018

Our ref: 20757/18588618

Dear Sirs

Network Rail (London to Corby) (Land Acquisition, Level Crossing and Bridge Works) Order

We refer to the following notices of application to temporarily use land for access issued by Winckworth Sherwood LLP on behalf of Network Rail Infrastructure Limited ("Network Rail") on 22 June 2018 (the "Notices"):

1. Notice number 2194027/7;
2. Notice number 810259/4; and
3. Notice number 810259/7.

This firm is instructed by Unilever UK Central Resources Limited in connection with the Notices, and we are instructed to make the following objections and representations on behalf of our client.

Our client has engaged in a number of stakeholder engagement sessions with Network Rail in connection with the proposed temporary use of our client's land. Network Rail are aware of our client's serious concerns around the proposals for use of their land as specified in the Notices, all of which would have a materially adverse impact on the use of our client's land for its employees and tenants. Network Rail have acknowledged these concerns and are engaged in a dialogue with our client to seek an alternative solution to the use of our client's land. Those discussions are on-going, but as the alternative proposals from Network Rail bear no resemblance to the uses specified in the Notices our client considers that it must submit a formal objection to the Notices.

We detail below the main concerns which our client has in connection with the proposed use of its land as specified in the Notices.

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1. **Suitability of the roadways.** Part of the proposal by Network Rail involves the passage of heavy plant and vehicles over the existing roadways on our client's land. Those roadways are not in a suitable condition to permit access for such plant and vehicles, and there is a genuine risk that use of the roadways in the manner stated in the Notices would lead to a significant deterioration of the condition of the roadways. The cost of upgrading the roadways to accommodate heavy plant and vehicles would be prohibitive and likely exceed the costs of seeking alternative access solutions.

The roadways are also in large part single track roads without places suitable for passing or turning round, and as such they are not suitable for the passage of heavy construction traffic without causing serious risk to the health and safety of our client's employees and tenants. The roadways identified in the Notices are regularly used by our client's employees and tenants, and part of the roadways are public bridleways used on a daily basis by horse riders. As such the potential for injury of others using the roadways in the event of an incident arising with construction traffic is grave.

The proposal to use the roadways to bring a crane to Network Rail's work site would also cause considerable disruption and require additional works. In particular, the trees adjoining the roadways would need to be trimmed or lopped and temporary access panelling would need to be installed along certain sections of the route to protect the roadway, and the walls and hedgerows would also need protection from damage.

In addition, the proposed timing for use of the roadways would fall within the peak farming period of June to October, the critical times for harvesting and cultivation of crops. To materially increase the volume of traffic on the roadways during this period, in particular with heavy plant and vehicles, would adversely impact on the use of the roadways by farm traffic and therefore result in a loss of income for the farmer.

During discussions with our client Network Rail have acknowledged the unsuitability of the proposed roadways specified in the Notices, and have proposed a different access solution which still uses our client's land for crane use and access but does not require access over the roadways used by tenants, employees and others. The proposed alternative access is shorter and keeps construction traffic largely confined to public roads, which are more suitable for their passage. As such, and in particular given the acknowledged unsuitability of our client's roadways and the availability of a viable alternative, our client objects to the access proposals specified in the Notices.

2. **Environmental and Noise Impact.** Our client's site includes a number of residential properties occupied by a variety of tenants (some of whom are particularly vulnerable due to age or disability), and agricultural land which is managed and farmed by a tenant. Our client is concerned about the impact of noise on the residential tenants from heavy goods vehicles passing over the roadways without restrictions on times of access or limits on the number of vehicles using the roadways.

In addition the proposals for a compound on the land specified in the Notices would result in significant crop loss to the farm tenant, as well as potentially leaving the affected land incapable of use once the compound has been removed.

Given the sensitive nature of the land, our client is also concerned about the potential environmental impact of the proposed use of a compound on its land and the regular access to it by heavy plant and machinery. In particular the damage to hedgerows which house wildlife and the potential for spillages of contaminative substances such as diesel would have a serious and

long term adverse impact on the environment, for which monetary compensation would not be adequate or appropriate.

3. **Security.** On part of our client's site is located a research and development facility, for which security is a key concern. Our client cannot reasonably be expected to permit a large number of unknown individuals to potentially access the site without restrictions on their routes or times of access. Network Rail have acknowledged this and discussions have been held as to the possibility of security barriers being installed or additional security being employed for the duration of the works, including ensuring that all traffic is accompanied when accessing the site.

Our client has been in regular contact with Network Rail to discuss arrangements which would not materially adversely affect our client's use and occupation of their site or endanger the health and safety of residents and employees, whilst at the same time allowing the works to proceed. It is apparent from such dialogue that there are other, more efficient and less disruptive, alternatives, none of which are reflected in the Notices despite being acknowledged by Network Rail.

In the circumstances, our client objects to the proposals stated in the Notices.

Any correspondence in relation to this letter should be sent to us at the address stated at the start of this letter.

Yours faithfully

A handwritten signature in dark ink, appearing to read "Mayer Brown International LLP", written in a cursive, flowing style.

Mayer Brown International LLP

From: Roberts, Iain <IRoberts@mayerbrown.com>
Sent: 27 July 2018 08:41
To: TRANSPORTANDWORKSACT
Subject: Network Rail (London to Corby) (Land Acquisition, Level Crossing and Bridge Works) Order
Attachments: Letter of Objection.pdf

Dear Sirs,

We attach a letter of objection on behalf of our client, Unilever UK Central Resources Limited.

Yours faithfully

Mayer Brown International LLP

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