

**Angela Foster**

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**From:** Adam Rhead <ARhead@geraldev.com>  
**Sent:** 02 August 2018 16:03  
**To:** TRANSPORTANDWORKSACT  
**Cc:** Van Staden, Geoff; 'Colclough, Stephen'  
**Subject:** Network Rail (London to Corby) (Land Acquisition, Level Crossing and Bridge Works) Order  
**Attachments:** 180802 Letter to The Secretary of State for Transport.pdf

To whom it may concern

I hereby submit an objection to the above order on behalf of our client The Guinness Partnership.

Please direct any correspondence to the undersigned at the address below.

I would be grateful if you could acknowledge receipt.

Regards

**Adam Rhead**  
Partner

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**GERALDEVE**

The Secretary of State for Transport  
c/o Transport and Works Act Orders Unit  
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2 August 2018

Our ref: ARHE/BEHU/U0007618

Dear Sirs

**The Transport and Works Act 1992 ("the Act")**  
**The Transport and Works (Applications and Objections Procedure) (England and Wales)**  
**Rules 2006**  
**Network Rail (London to Corby) (Land Acquisition, Level Crossing and Bridge Works) Order**  
**("the Order")**  
**Granet Close, Bedford (Plots 110 & 111, 113 to 115) ("the Property")**

We are instructed by the Guinness Partnership ("our Client") who is the freeholder of the Property, which is land is held inside the southern and eastern boundaries of title no. BD141955.

The Property forms part of a 1990s built residential estate consisting of three storey apartment blocks and housing ("the Estate"). The remainder of the Estate is held freehold under title number BD94852 - also in our Client's ownership. The dwellings are predominantly let to assured tenants.

Network Rail Infrastructure Limited ("Network Rail") is applying to the Secretary of State for Transport under section 6 of the Act, for the above mentioned Order under sections 1 and 5 of that Act. It has served our Client with the following:

- Notice of Application to Temporarily Use Land – for Plot no.110; and
- Notice of Application to Temporarily Use Airspace – for Plot no.112; and
- Notice of Application to acquire Land and Rights in Land Compulsorily, to use Land and to extinguish Rights over Land and to Impose Restrictive Covenants – for Plot nos. 113 to 115.

We understand that the Midland Mainline works at the Property are to include the provision of a scaffolded bridge which will provide an alternative pedestrian route located on the Property (in part) while the Bromham Road Bridge is closed.

#### **Grounds for Objection**

Our Client has instructed us to submit a formal objection to the Order on the following grounds:

1. There are no compelling grounds for the acquisition of land and rights in the Property.

2. There have been no efforts made by Network Rail to date to explain the extent, timing and duration of the proposed Midland Mainline works.
3. No efforts have been made to acquire the land and rights required by negotiation. It cannot be said that the powers of the Order are required on the grounds that it is not possible to acquire by agreement with our Client.
4. The proposed scaffolded bridge is likely to result in the retained land being overlooked by pedestrians. It will also create a secluded area beneath the platform which may attract trespassers and antisocial behaviour unless it is concealed.
5. The full extent of the adverse impact on our Client and its customers owing to the acquisition of the Property is currently unknown. Our client believes that the level of daylight into the units will be reduced and may result in a requirement to re-house tenants who suffer from anxiety/mental health issues.
6. There will be interference caused to our Client's tenants by way of noise, dust, vibration and other matters.
7. Our Client is a registered provider of social housing. Its website states that: *"Customer Service at Guinness is all about treating customers with respect, showing that we value them, keeping them informed, keeping our promises and responding quickly when things go wrong."* Regular updates need to be provided to our Client by Network Rail in advance of any notices or correspondence being served by Network Rail on its tenants so that it can brief its tenants on the implications in advance of the communication being released.
8. Many of our Client's tenants in Blocks 1 to 3 have between one and two children – some of very young age. The communal area between the blocks is used for play. The children's ability to use the space for recreation during and after the works, as well as their safety, will be impacted.
9. No information on proposed boundary treatments has been provided. Plots 111 to 113 are currently shrubbed banked verge which acts as a divide between the public footpath and the communal area. Noise levels from the A4280 Bromham Road will increase as a result of the works whilst tenant privacy will also be compromised.
10. There will be traffic disruption during the works with many of our Client's tenants suffering inconvenience during the morning and afternoon "rush-hour" traffic.
11. Network Rail has not demonstrated how our Client's vehicular access to the retained land will be affected during the works. No proposals have as yet been tabled to mitigate the impact of the Bromham Bridge works on our Client's tenants.

Accordingly we request that the powers under the Order are not confirmed in relation to the interests unless a formal undertaking is given that address our Client's grounds for objection, set out above, to its satisfaction.

We should be grateful if you would kindly acknowledge receipt of this letter.

Yours faithfully



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**For Gerald Eve LLP**

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Cc: Stephen Colclough, Guinness Partnership

