

# THRINGS

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22/02/2023

Your Reference: 4.39 HIF 1 CPO  
Our Reference: FMQ/M8040-1

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Dear Sirs

**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 CPO")**

**Our Client: Mrs Jacqueline Mason**

Our Client is the owner of [REDACTED]. She has been identified by Oxfordshire County Council ("the Acquiring Authority") as the owner of rights or interests in plots of land which will be subject to the CPO. These rights or interests are identified as follows:

Plot Number	Description	Interest
16/15	A415 Abingdon Road	Owner in respect of the subsoil
17/1a	Private Access Road known as Thame Lane	Right of way at all times with or without vehicles of any description
		The right to continue to use any pipes wires or cables in under or over the retained land
17/1b	Private Access Road known as Thame Lane	Right of way at all times with or without vehicles of any description
		The right to continue to use any pipes wires or cables in under or over the retained land

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17/1c	Private Access Road known as Thame Lane	<div>Right of way at all times with or without vehicles of any description</div> <div>The right to continue to use any pipes wires or cables in under or over the retained land</div>
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Our Client has significant concerns about the Didcot HIF Project as a whole, which have been registered as objections to the planning application which seeks to authorise the proposed works. However, she has sought to liaise with the Acquiring Authorities Project Team in relation to the proposed compulsory acquisition of the rights and interests set out above. As part of that conversation, the Acquiring Authority has been unable to identify:

- a) Why there is any requirement to acquire her interest in plot 16/15 at all, given that our Clients interest is limited to the subsoil, and the Council, as Highways Authority, already has the rights to do the works it is proposing within its own interest; and
- b) What the effect of the acquisition of plots 17/1a, 17/1b and 17/1c will be on our Clients rights over that land; or
- c) Any way in which the effects of those rights could be minimised or mitigated.

As such, our Client has no choice but to **object** to the CPO. The timing of this process lends itself to a brief description of the grounds of objections, but our Client is concerned for the following reasons:

- 1) There has been extremely limited engagement from the Acquiring Authority. As set out above, they have been unable to particularise the need for parts of the CPO. This has meant that it has been impossible for our Client to raise her concerns. This also means that no negotiations on the acquisition of the various interests in land have been held. This is a significant failing on behalf of the Acquiring Authority.
- 2) Given that the Acquiring Authority is unable to understand or explain, let alone demonstrate the need for the acquisition of plot 16/15 it is apparent that no case can be made for the acquisition of this plot being in the public interest at all. It is wholly inappropriate to deprive our Client of her ownership rights (even if limited to the subsoil of existing highway) unless there is an overriding need for that acquisition to proceed. No attempt has been made to make that case here. It is simply not necessary for the Acquiring Authority to acquire this plot.
- 3) The Acquiring Authority has made no effort to understand the harm caused by the acquisition of our Clients rights in plots 17/1a-c. Without that understanding it is impossible for the Acquiring Authority to demonstrate that the public benefit of the scheme outweighs the harm caused.

Our Client is content to continue discussions with the Acquiring Authority in this matter, but notes that no opportunity for those discussions was presented before the CPO was made. It is regrettable that no attempt was made to acquire these rights or interests by agreement.

If we can be of any further assistance in relation to this matter, please don't hesitate to contact the writer on the above contact details.

Yours sincerely,



**Thrings LLP**