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NSB/cre  
TWA/10/APP/02/OBJ/182

5 August 2010

Ms A Foster  
Transport & Works Act Orders Unit  
Zone 1/31  
Great Minster House  
76 Marsham Street  
LONDON  
SW1P 4DR

**BY EMAIL AND POST – [transportandworksact@dft.gov.uk](mailto:transportandworksact@dft.gov.uk)**

Dear Ms Foster

**TRANSPORT AND WORKS ACT 1992 (TWA)  
APPLICATION FOR THE PROPOSED CHILTERN RAILWAYS (BICESTER TO OXFORD  
IMPROVEMENT) ORDER**

I refer to your letter dated 17 June 2010 where you acknowledged and gave further directions regarding the objection lodged on behalf of Warburtons regarding the above project.

The reason for our client's objection was the lack of information and clarity that concerned the likely use of their premises during the course of the construction works and the subsequent use of the land acquired.

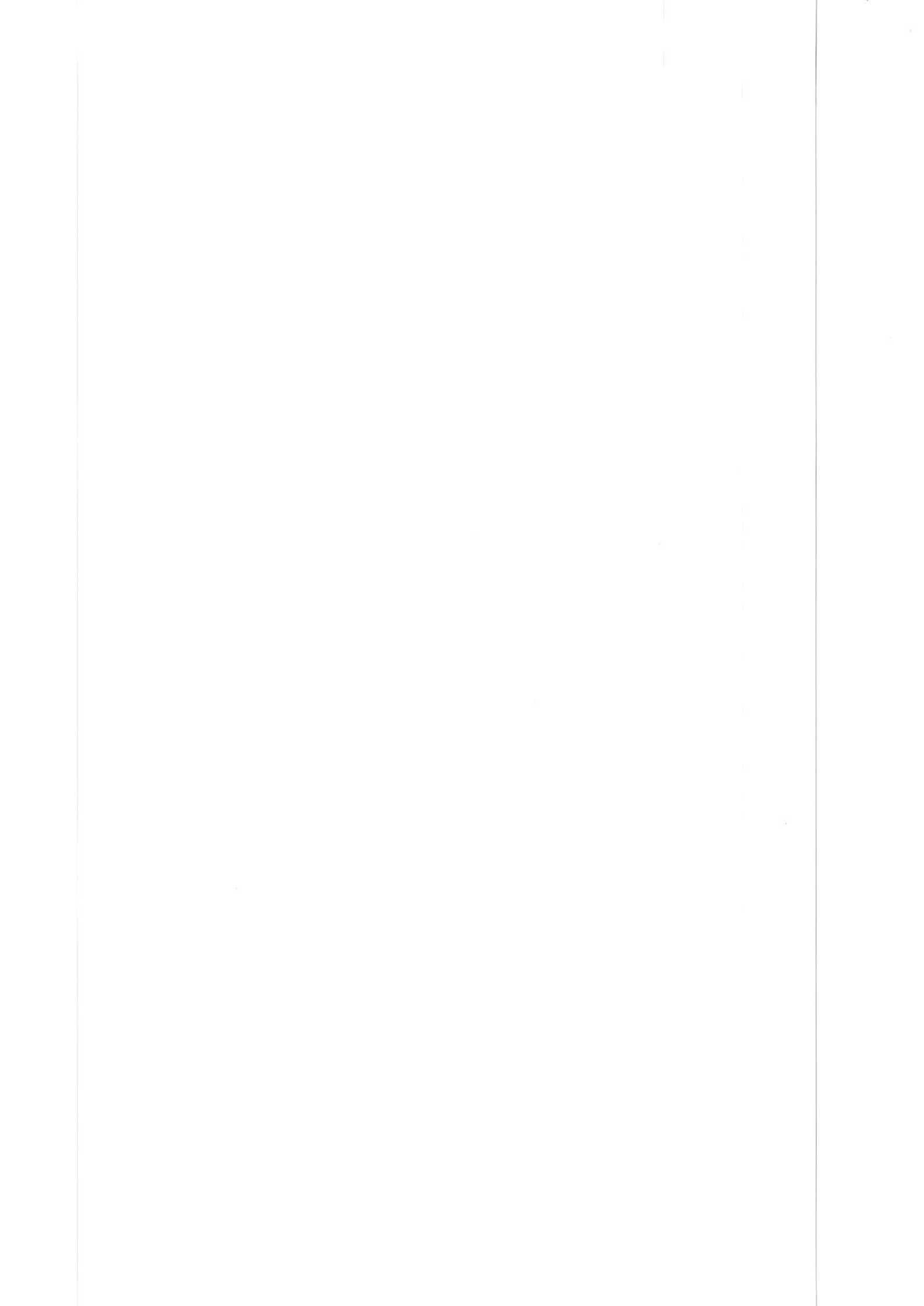
We acknowledge that we have been contacted by Messrs Ardent to discuss the nature of our objection, but the original letter concerning this appears to have been mislaid. This was relayed to us again recently but unfortunately due to the summer holiday period, and also the fact that I have unavoidably had to be in Hong Kong this week in connection with a Lands Tribunal appeal, it has not been possible for me to assimilate the information provided by the applicant, discuss this with our client, and take their instructions on whether or not a direct agreement with the applicant can be reached which would meet their concerns.

As matters stand, there is no such agreement and my clients still wish to continue their objection to the scheme. We do hope, however, that an agreement can be reached once certain further concerns have been clarified and the nature of the operations around their site, and the access to it, have been clarified.

In view of this, we must respectfully request a further period of time in order to lodge our Statement of Case, should it indeed transpire that we need to do so. We very much regret having to make this application so late, but we had hoped until recently that it would be possible to resolve this matter prior to the deadline contained in your letter of 17 June.

We should be grateful if you could acknowledge receipt of this letter and let us have your response to this application.





May I request that you put my name in the first line of the address (N S Booton MA MRICS) because this will prevent your letter being delayed in reaching me.

Yours faithfully

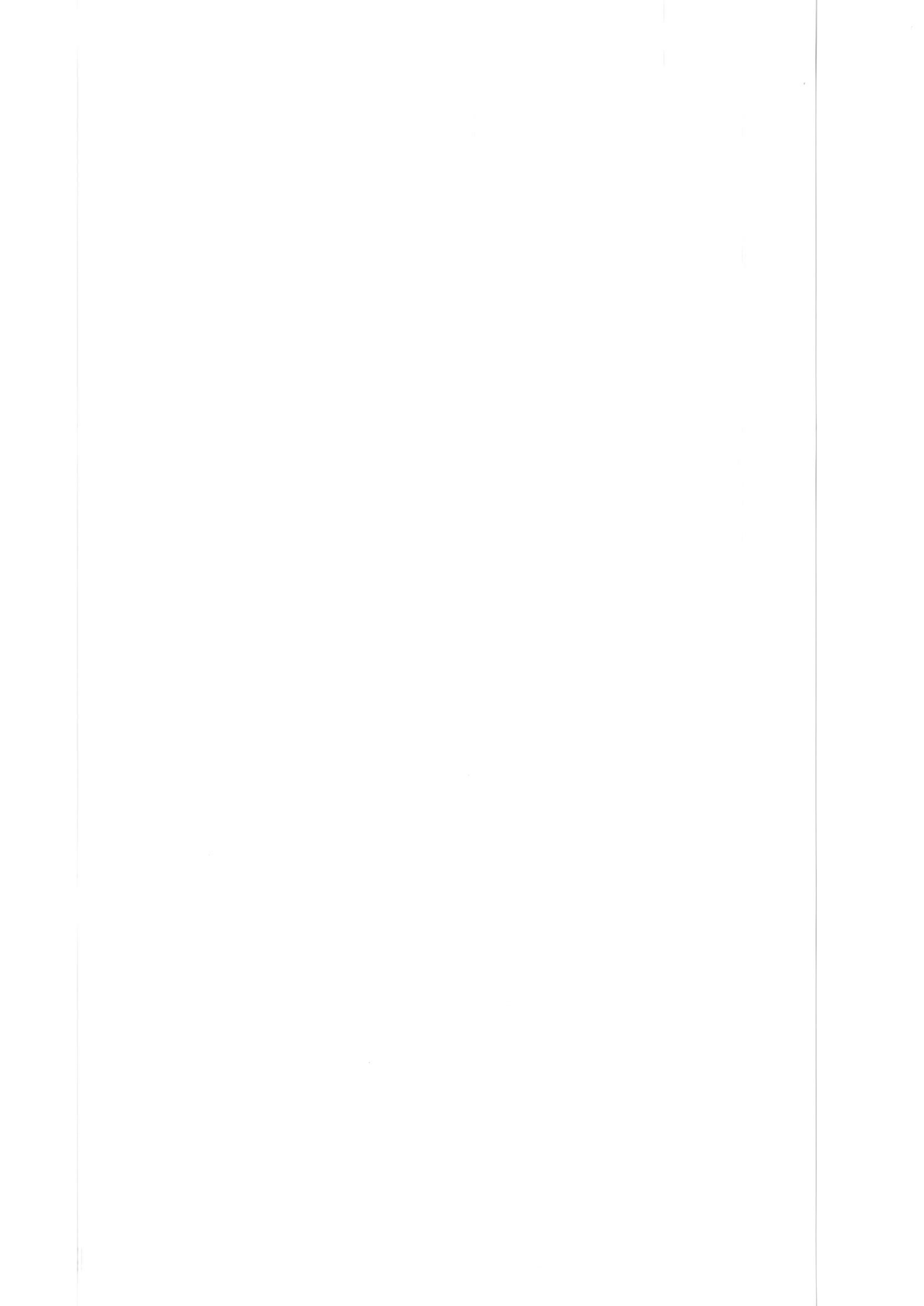
PP



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cc: Chiltern Railways  
c/o Eversheds LLP#  
One Wood Street  
London EC2V 7WS  
**Ref: PETOM/119788-010009**



OBS/182

**Angela Foster**

OBS as SOC

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**From:** Stanley Booton [stanley.booton@kingsturge.com]  
**Sent:** 06 August 2010 15:12  
**To:** TRANSPORTANDWORKSACT  
**Subject:** Re: TWA - Chiltern Railways (Bicester to Oxford) Improvements Order

I agree to your suggestion. I cannot write a letter now as I am about to board an aeroplane.

Thank you for your understanding.

Stanley Booton  
Partner

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**From:** TRANSPORTANDWORKSACT  
**To:** Stanley Booton  
**Sent:** Fri Aug 06 14:20:24 2010  
**Subject:** TWA - Chiltern Railways (Bicester to Oxford) Improvements Order

Dear Sir

Please see attached.

Angela Foster  
TWA Orders Unit  
Department for Transport  
1/31 Great Minster House  
76 Marsham Street  
London SW1P 4DR  
Tel: 020 79442474  
Fax: 020 79449637

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06/08/2010

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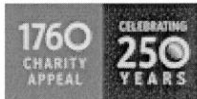
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Secretary of State for Transport  
c/o Transport and Works Act Orders Unit  
Department for Transport  
Zone 1/31 Great Minster House  
76 Marsham Street  
LONDON  
SW1P 4DR

15 February 2010

Dear Sirs

**THE TRANSPORT AND WORKS ACT 1992****THE TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)  
(ENGLAND AND WALES) RULES 2006****PROPOSED CHILTERN RAILWAYS (BICESTER TO OXFORD IMPROVEMENTS) ORDER****NOTICE OF OBJECTION TO THE APPLICATION FOR COMPULSORY PURCHASE POWERS  
TO CARRY OUT PROTECTIVE WORKS TO BUILDINGS, TO EXTINGUISH RIGHTS OVER  
LAND AND TO IMPOSE RESTRICTIVE COVENANTS**

This firm is authorised to represent Warburtons Limited, who are the leaseholders of Unit 1 at the Talisman Business Centre at London Road, Bicester, Oxfordshire, in the above matter.

Our clients are affected by the proposal to compulsorily acquire part of their leasehold interest in connection with the construction and enlargement of the Bicester Town Station on the improved Bicester to Oxford railway line. They currently lease part of plot 04032 as shown on Sheet 4 as shown on the Plans and Sections included with the Draft Order.

Our clients hereby object to the proposed granting of Compulsory Purchase Powers in this instance, for the following reasons:-

- 1 The proposed construction and railway line improvements can be undertaken without acquiring the land included in the proposed acquisition plans immediately to the west of our client's unit. Therefore there is no need for this land to be included in the Compulsory Purchase Order.
- 2 The acquisition of this land will lead to potentially severe operational difficulties in continuing our client's business at this unit, due to the potential effect on the fire escape routes and the security of the building, such as would not be adequately compensated as a valuation issue under the Compensation Code.
- 3 The disruption that will be caused to our client's business during the construction of the works, and possibly from the continued use of the refurbished railway thereafter, is disproportionate in terms of its public benefit to the disruption that will be caused to our client's business such that, on the balance of the public interest, the Compulsory Purchase Order should not be granted as currently drafted.

- 4 The proposed access to the railway from Talisman Road and London Road past our client's property will lead to severe disruption to the parking and access arrangements to our client's unit, which should be referred back to the Promoters of the scheme for reconsideration and reformulating..

We hereby request that these objections be drawn to the attention of the Secretary of State or the person appointed by the Secretary of State for that purpose, and that we should be granted the opportunity to be heard at any Public Inquiry that might be called to discuss this Draft Order.

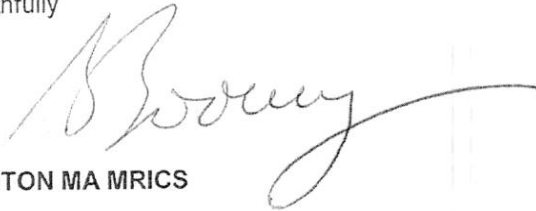
Correspondence relating to this matter should be addressed to

N S Booton MA MRICS  
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Tel: 020 7087 5760  
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Email: [stanley.booton@kingsturge.com](mailto:stanley.booton@kingsturge.com)

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

Yours faithfully



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**Partner**  
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