



08/5/10

WJA Rural Practice

Secretary of State
Department of Transport
Zone 1/31 Great Minster House
76 Marcham Street
London
SW1P 4DR

COPY

5th August 2010

Dear Sir,

**Transport & Works Act 1992 (TWA)
Application for the proposed Chiltern Railways (Bicester to Oxford
Improvements) Order
My clients: Mr G and Mrs N Honour – Ref. TWA/10/APP/02/OBJ/**

I am instructed to act as the Chartered Surveyor and Land Agent for and on behalf of Mr Graham and Mrs Nicky Honour of Holts Farm Mansmoor Lane Charlton-on-Otmoor OX5 2UR in connection with the above matter.

I understand from your letter to my clients dated 17th June 2010 that you require Objectors to submit a Statement of Case under Rule 7(3) of the Inquiries Rules, given that they have requested the right to present oral evidence to the Inquiry.

However, advice has been received from Ardent Property Consultants, Consultants to Chiltern Railways, that special derogation has been granted to (inter alia) my clients whereby it will not prejudice their case if they do not submit a Statement of Case by the due date being 6th August 2010.

The reason for this is that Chiltern Railway Company Limited has commissioned a detailed feasibility study for an alternative access route serving both our Client's land and that of other third parties and it is apparent that the new feasibility study will not be completed soon enough to enable a response to be sent to our Client in time for our Client to prepare a Statement of Case.

I take this opportunity to enclose a copy of an email dated 16th July 2010 (1007hrs) forwarded by Mr P Clarke of Ardent Property Consultants to other parties.

For the time being my clients are therefore relying on their original objection as contained in a letter from their appointed Solicitors, Bircham Dyson Bell, and will defer making any substantive submissions until the Proof of Evidence stage.

Please note that this letter has been copied to Eversheds LLP. If there are any points arising please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'W. Abbott', written in a cursive style.

Will Abbott FRICS FAAV
WJA Rural Practice Ltd
Company number 07254171 registered in England & Wales

Enc.

From: Chris Anstey (chris@ruraland.co.uk)

To: wjaruralpractice@btinternet.com;

Date: Thursday, 5 August, 2010 13:11:00

Cc:

Subject: FW: Chiltern Railways Evergreen 3 Project - Oxford to Bicester. Land at Wendlebury. Our Client - PE Miller

Will,

Here is a copy of the e-mail that we have just discussed.

Linda will e-mail you a copy of my letter to the Secretary of State (also copied to Eversheds).

Hope this is of help.

Please confirm receipt in case I have your e-mail wrong.

Yours, Chris.

-----Original Message-----

From: Paul Clarke [mailto:PaulClarke@ardent-management.com]

Sent: 16 July 2010 10:07

To: 'Berry Morris'; 'Chris Anstey'

Cc: paul@bearder.com; Peter Gibbard; chiltern objections; ERM UK Chiltern Objections

Subject: RE: Chiltern Railways Evergreen 3 Project - Oxford to Bicester. Land at Wendlebury. Our Client - PE Miller

Paul and Chris

I explained to Paul when we met that there was little point in replying to his objection until we had resolved the issue of the alternative route brought up by the landowners. Being bluntly honest, it is taking the Engineers an infuriatingly long time to sort this out! I have obviously raised this with Chiltern and the team and it is being given the highest priority. It is unfortunately the nature of these applications that there is a huge flood of work at this stage in the process. In my experience it is always the same.

In relation to the timescale of this process for this alternative, I have cleared a response with Chiltern, to avoid your client and the other land owners from bearing potentially abortive fees, which applies obviously to Paul as well:

"As you are aware, Chiltern Railway Company Limited has commissioned a detailed feasibility study for the revised road route proposals discussed at the meeting between land owners, Natural England and CRCL on 2 June 2010. That study includes the preparation of detailed design.

It is now apparent that the study, which will provide the basis of CRCL's response to your clients and the other parties who were present at the meeting, will not be completed soon enough to enable the response to be sent to your clients in time to inform your clients Statement of Case which is, of course, due to be submitted on 6 August 2010.

I am writing to inform you that, so far as CRCL is concerned, it would not make it a point of prejudice if your clients do not submit a Statement of Case but instead rely on their original objection (or a very short updating statement) and defer making any substantive submissions to the proof of evidence stage.

This course of action seems sensible to CRCL. However, I should emphasise that it is, of course, a matter for you to advise your clients as to the most appropriate way of proceeding."

You mentioned responses to Client's, plural, objections below. I have responded to all others, haven't you received replies?

If either of you would like to meet to discuss your clients issues, please let me know. We want to resolve objections before the inquiry where possible, as we have discussed before. I am actually in a meeting in Banbury at 1.00 today – its very short notice, but if either of you are free before or after that I am quite happy to come to meet you.

Regards,

Paul



Paul Clarke | Associate Director
Ardent Property Consultants
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From: Berry Morris [mailto:psc@berrymorris.co.uk]
Sent: 16 July 2010 09:26
To: Paul Clarke
Cc: paul@bearder.com; 'Chris Anstey'
Subject: Chiltern Railways Evergreen 3 Project - Oxford to Bicester. Land at Wendlebury. Our Client - PE Miller

Paul

I have recently spoken with Paul Miller concerning the above. As you are aware, Chris Anstey is lead agent in this case and I am effectively a consultant in the background.

As I understand it, you have yet to respond to the objections submitted on behalf of Paul Miller. There was also a site meeting in early June attended by yourself, Paul Miller and Graham Honour.

As time is now pressing, would you please let me have an update. When can we expect a response to client's objections? What are your views/those of Chiltern Railways regarding the bridge over railway/access to severed land following discussions at the site meeting/inspection?

I suspect that if you have not already done so, you will hear in similar terms from Chris Anstey. Either way, it is now becoming urgent that this matter is progressed and proposed solutions to the problems caused by the Scheme discussed in detail.

I shall look forward to hearing from you – either direct or by copy email.

Regards.

Paul S Curtis

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