



**TRANSPORT AND WORKS ACT 1992**

**PROPOSED  
CHILTERN RAILWAYS (BICESTER TO OXFORD  
IMPROVEMENTS) ORDER**

**STATEMENT OF CASE ON BEHALF OF  
ALLAN PLANT AND BICESTER AUTO REPAIRS**

**REFERENCE: PETOM/119788-010009**

**PURSUANT TO RULE 7 OF THE TRANSPORT AND WORKS  
(INQUIRIES PROCEDURE)  
RULES 2004**

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## 1. BACKGROUND AND INTRODUCTION

- 1.1 This statement is made by GVA Grimley on behalf of Allan Plant and Bicester Auto Repairs (“the Objectors”) in accordance with Rule 7 of the Transport and Works (Inquiries Procedure) Rules 2004 and in support of the Objectors’ earlier letter of objection dated 16 February 2010.
- 1.2 In accordance with Rule 7 this statement of case has been prepared for submission to the Secretary of State and a copy has also been forwarded to Chiltern Railway Company Limited, c/o Eversheds LLP, One Wood Street, London EC2V 7WS.

## 2. THE OBJECTORS’ INTEREST

- 2.1 The Objectors’ address is Station Approach, London Road, Bicester, OX26 6HU.
- 2.2 The Objectors are the freehold owner and occupier of the property known as Bicester Auto Repairs, Station Approach, London Road, Bicester, OX26 6HU.
- 2.3 The Objectors’ property is included in the Order as Plot 04012 is further described in the Order as 481.24 sq m hard standing, car park and premises, Station Approach, London Road, Bicester, Oxfordshire.
- 2.4 The applicant, Chiltern Railways (“the Applicant”) is looking to acquire plot number 04012 on a permanent basis from the Objector.

## 3. STATEMENT OF CASE

- 3.1 The Objectors’ statement of case in relation to the above Order is as follows.
- 3.2 The Applicant has not demonstrated that the scheme underlying acquisition is necessary and that there is sufficient need for the scheme to justify compulsory purchase. The Objectors contend that the scheme is not necessary.
- 3.3 The Applicant has not demonstrated that scheme should be built in this location. The Objector contends that there are other parcels of land in this locality which could be acquired to meet the requirements of the scheme
- 3.4 If the scheme is to be built in this location it needs to be redesigned to minimise its detrimental impact on the locality and avoid the acquisition of the Objectors’ property.
- 3.5 Applicant has not demonstrated that the scheme is deliverable and viable and that funding is available.
- 3.6 The Applicant has not attempted to acquire the property by agreement and therefore cannot demonstrate that compulsory purchase is justified.

- 3.7 The Objectors have concerns and wish to take issue with the manner in which the scheme is proposed to be implemented having particular regard to the timing of acquisition of the said plots. The Objectors need significantly more than the statutory minimum notice period to find suitable alternative accommodation and relocate the business. The Objectors need to remain in the locality to maintain their business and the availability of suitable alternative accommodation is severely limited. The Objectors estimate that they will need a minimum of 12 months notice to achieve a successful relocation. If they are not provided with sufficient notice there is a real risk that this successful local business will be extinguished and jobs will be lost. This is the Objectors' principal concern.
- 3.8 To date there has been little consultation and no proposals put forward by the Applicant to address the Objectors' concerns. Accordingly, the Order should not be confirmed until these issues have been resolved fully to the satisfaction of the Objectors.
- 3.9 We therefore request that the Secretary of State either refuses to confirm the order, or amends the order.

#### 4. DOCUMENTS

- 4.1 We would respectfully ask that we are allowed to reserve the right to introduce documents which we may put forward in evidence at a later date, on the basis that we will provide adequate prior notification of this.

Signed:



Date: 6 August 2010

Please direct all correspondence regarding this matter to:  
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