

TRANSPORT AND WORKS ACT 1992

**TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE
(ENGLAND AND WALES) RULES 2006**

**THE PROPOSED CAMBRIDGESHIRE COUNTY COUNCIL AND GREATER
CAMBRIDGE PARTNERSHIP CAMBRIDGE SOUTH EAST TRANSPORT ORDER**

**STATEMENT OF CASE ON BEHALF OF
THE CHALK FAMILY**

1. This is the statement of case on behalf of David Chalk, William Chalk and Mark Trafford KC (**"the Chalk Family"**) in support of their letter of objection dated 7 March 2025 (**"the Objection Letter"**) to the proposed Cambridgeshire County Council and Greater Cambridge Partnership Cambridge South East Transport Order (**"the Proposed Order"**).
2. As noted in the Objection Letter, the Chalk Family is listed in the book of reference as holding the freehold interest in plots 54, 55, 56, 58, 60, 61, 62, 63 and 66 shown on the works and land plans accompanying the application for the Proposed Order made by Cambridgeshire County Council (**"the Applicant"**). In fact, the Chalk Family no longer hold any interest in plots 55, 60, 62 or 66 which had been transferred to a third party prior to the application for the Proposed Order. Plots 61 and 63 are understood to be highway in relation to which the Chalk Family have a presumptive ownership of the subsoil. This statement of case is therefore concerned with plots 54, 56 and 58 which form part of the Chalk Family's larger landholding comprising approximately 24 acres of land to the south of Hinton Way.
3. The plots listed above are subject to the exercise of compulsory purchase and/or temporary possession powers under Parts 5 and 6 of the Proposed Order, for the purposes of Works Nos. 4 and 5 set out in Schedule 1 to the Order and shown on sheets 4 and 5 of the Works and Land Plans. Work no 5 includes provision for a new bus stop south of Hinton

way with associated infrastructure and access from Hinton Way. This is to be constructed on parts of plots 54 and 56 as shown on sheet 4 of the rights of way and traffic regulations plans. Plot 58 is subject to temporary possession powers and we understand is to be used as a construction compound and for the storage of materials pursuant to Schedule 8 to the Proposed Order.

4. Of particular concern to the Chalk Family is the prospect of the compulsory purchase of plots 54 and 56 which would prevent access from the remaining Chalk Land to and from the highway network.
5. The Objection Letter noted that, shortly after the application for the Proposed Order was made (January 2025), the Chalk Family and the Applicant had reached agreement in principle that the planned access road from Hinton Way to the boundary of the retained Chalk Land would be adopted by the Applicant as public highway with a carriageway of 7.3m in width. Agreement in principle has also been reached for the grant of a licence by the Chalk Family to the Applicant of plot 58 for two years (with an option to extend) for use as a construction compound and for the transfer of the freehold of plots 54 and 56 to the Applicant for agreed consideration.
6. Accordingly, heads of terms for an agreement were produced by the Applicant's agent Bruton Knowles. Amendments to the heads of terms were provided to Bruton Knowles on 11 June 2025. A response was not received until 6 August 2025.
7. The Ministry of Housing, Communities & Local Government's Guidance on the Compulsory Purchase Process, January 2025 ("**the Guidance**") states that an authority seeking compulsory purchase powers is expected to demonstrate that it has taken reasonable steps to:

"• understand the impact of the exercise of the compulsory purchase powers included in the compulsory purchase order and the acquisition of a person's interest in the land on those persons, for example affected owners and occupiers, through direct engagement with those parties

- *attempt the acquisition of all of the land and rights included in the compulsory purchase order by agreement*". (paragraph 2.2)

8. Further, paragraphs 2.5 and 2.6 of the Guidance states:

"The confirming authority will expect the acquiring authority to have considered what mitigation measures will be in place against any identified impacts of the exercise of the compulsory purchase powers included in the compulsory purchase order and the acquisition of a person's interest in the land...

...This may mean agreement on the acquisition of land and rights is reached avoiding the need for the use of compulsory purchase powers."

9. We note that it is intended for the inquiry to be held in winter 2025/26. In order for the Chalk Family's objection to be withdrawn, the heads of terms for an agreement will need to be agreed and then the agreement itself drafted and completed.

10. Negotiations are now proceeding reasonably well in relation to the heads of terms. It is to be hoped that an agreement will have been completed in advance of the commencement of the inquiry but if not, the Chalk Family will ask the Secretary of State to refuse the grant of compulsory purchase and temporary possession powers in relation to the plots listed at paragraph 2 above.

11. If necessary, the Chalk Family (or their representatives) will call oral evidence in relation to the progress of the negotiations and reserve the right to question any witnesses called by the Applicant.

19 September 2025

Town Legal LLP