

Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
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Date: 15 December 2025
Our ref: 6315\2441368.1\211482.00004
Your ref:
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To whom it may concern,

Railway Inn, Shaw Hall Bank Road, Oldham, OL3 7JZ ("The property") - Network Rail Infrastructure Limited ("the acquiring authority", "they") in relation to the Transpennine Route Upgrade Scheme Stalybridge to Diggle ("the scheme"), Transport and Works Act Order ("the Order") 2025

Unique Pub Properties Limited (part of Stonegate Group) ("our client") are the freeholder proprietor of the property, which is registered at HM Land Registry under title number GM647250 and has been included in the above Order.

The property is a popular community pub with wet led sales, and entertainment at the weekends. Greenfield railway station is located opposite the property and there is a small car park for the publican, staff and patrons. There is living accommodation above the pub, currently used by the publican. The principal road serving the property is Shaw Hall Bank Road. Vehicular and pedestrian access must be maintained via Shaw Hall Bank Road to ensure the continued smooth operation of this trading property

There is no proposed permanent or temporary land take, or proposed permanent new rights being sought within the Order directly affecting the property. However, the Order seeks land and/or rights over adjacent land, namely plots 13-010 and 13-025 being Shaw Hall Bank Road and Oldham Road, and 13-024 being Oldham Road bridge, which would impact the business at the property.

Gateley Hamer ("us, we") are instructed to make this objection on behalf of our client for the following reasons: -

Last Resort Test

The acquiring authority and their agent arranged a meeting with us on 7th November 2025, the day the Order application was submitted to the Department for Transport. Our client has yet to receive a hardcopy letter setting this out.

At the meeting on 7th November 2025, the acquiring authority's agent stated that they were still seeking instruction from the acquiring authority to propose terms to affected parties. We were told on the 7th November that a Rule 15 letter should be forthcoming to start negotiations for a voluntary agreement.

No effort whatsoever has been made by the acquiring authority, as at the date of this letter, to secure the land and rights ahead of seeking Compulsory Purchase Powers. No terms have been proposed for a licence agreement to undertake scheme works and / or to use (part of) our client's property.

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We should make it clear that letters and email exchanges have taken place between the acquiring authority's agent and us, since December 2024 to today's date but no terms have been proposed.

Lack of clarity around works and appropriate mitigation measures

Our client is concerned by the works proposed in the immediate vicinity of the Property: -

- Closure of Shaw Hall Bank Road and adjacent proposed works – In the meeting dated 7th November 2025, the acquiring authority stated that works would commence in 2028, although the timescales are still noted as subject to change which does not provide a great degree of certainty for our client or the business. During the works period, Shaw Hall Bank Road would be closed to vehicles overnight and at the weekends. When asked if pedestrian access would be maintained, the acquiring authority stated that they would endeavour to keep it open to pedestrians, subject to works in the proximity of the property. Our client is unsatisfied with this answer as no legal obligation or written assurance has been given. Overnight and weekend closures will affect the main trading hours at the property. While no land is proposed to be taken by the scheme, works to the station and Oldham Road bridge may extend beyond the period that Shaw Hall Bank Road is proposed to be closed, meaning impacts are still likely to be felt, as the property is on the rail ale trail.
- Signage - The signage locations and text have not yet been agreed between our client and the acquiring authority stating that the business remains open as usual and how to access the property.

Accordingly, our client objects to the Order that has been made to deliver the scheme and will maintain their objection until they are provided with details of the public realm works and appropriate assurances regarding measures to mitigate the impacts of the public realm works on the property (e.g. business open as usual signage and an assurance of unfettered access and parking, during the period of works).

Best Practice Guidance

While it is not mandatory for an acquiring authority to agree to an affected party's reasonable fees prior to the statutory liability arising to pay compensation, it is best practice in accordance with Ministry for Housing, Communities and Local Government ("MHCLG") 'Guidance on the Compulsory Purchase Process'. Establishing fees or agreeing an undertaking, can help acquiring authorities build working relationships with affected parties, and allows acquiring authorities to establish whether affected parties agree or disagree with a scheme, and what the impacts of a scheme might be on those parties. Importantly, it also assists in bringing affected parties to treat for voluntary agreement.

The acquiring authority's agent has made clear to us that they will only agree to hourly rates that they prescribe, and not those rates that have been contractually agreed between an advisor and a client and also sit in-line with what other agent's charge their clients for similar work. The acquiring authority's approach is not in our opinion fair and reasonable, or in accordance with the RICS Professional Standard Surveyors Acting in Respect of Compulsory Purchase and Compensation, 2nd Edition.

While not specific to our client, we find the acquiring authority's conduct to be unjust, particularly for any affected party, particularly an individual, who cannot afford to pay for professional advice without a prior undertaking by the acquiring authority, which may leave some affected parties without the adequate and proper advice that they deserve. We would like to hear the Planning Inspector's thoughts on such a position and to have regard to this for any affected parties who have been impacted by such a policy.

Conclusion

We would be happy to discuss this objection with the acquiring authority, and / or their representatives, but until the concerns set out in this letter are addressed and resolved, our client will maintain their objection.

We reserve the right to add and amend to these grounds of objection.

Return correspondence should be addressed to rachel.holland@gateleyhamer.com and justine.arkell@stonegategroup.co.uk.

Yours faithfully,

Rachel Holland

Rachel Holland
Associate
for Gateley Hamer Limited