



**For the attention of Transport Infrastructure Planning Unit,
Department for Transport**
Secretary of State for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR

Our Ref
DNM/085250.0256
Date
18 December 2025

By Email

Dear Sir or Madam

The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order

We act for Smurfit Westrock UK Ltd (**Smurfit Westrock**) in relation to an application by Network Rail Infrastructure Limited ("**Network Rail**") for a Transport and Works Act 1992 Order ("**TWAO**") under the Transport and Works Act 1992 (the "**TWA**") for the above-named proposed development ("**the Application**").

Smurfit Westrock has a number of concerns relating to the potential impact of the works which are the subject of the Application. As such, Smurfit Westrock does not consider that these impacts have been fully considered or understood and is not satisfied that its enjoyment of its land would be afforded appropriate protection under the current proposal.

While Smurfit Westrock does not object to the Application on principle, it **objects** to the Application on the grounds set out below.

Smurfit Westrock

Smurfit Westrock is a global leader in sustainable paper and packaging, operating in 40 countries. Smurfit Westrock owns and operates a facility at Stalybridge, on land adjoining the proposed works under the Application.

Smurfit Westrock received a Notice of Application to Acquire Rights in Land Compulsorily, to Extinguish Rights over Land, to Temporarily Use Land and for Powers to Carry Out Protective Works to Buildings Roads and Apparatus of a Statutory Undertaker ("**the Notice**") on behalf of Network Rail in relation to land it holds an interest in, which is described as Nos. 2-042A and 2-043 ("**the Land**") and can be seen on the below inset of Plan Sheet No.2 included in the Notice:

Registered Office

One Bartholomew Close
London
EC1A 7BL
DX 339401 London Wall

20 Station Road
Cambridge
CB1 2JD
DX 339601 Cambridge 24

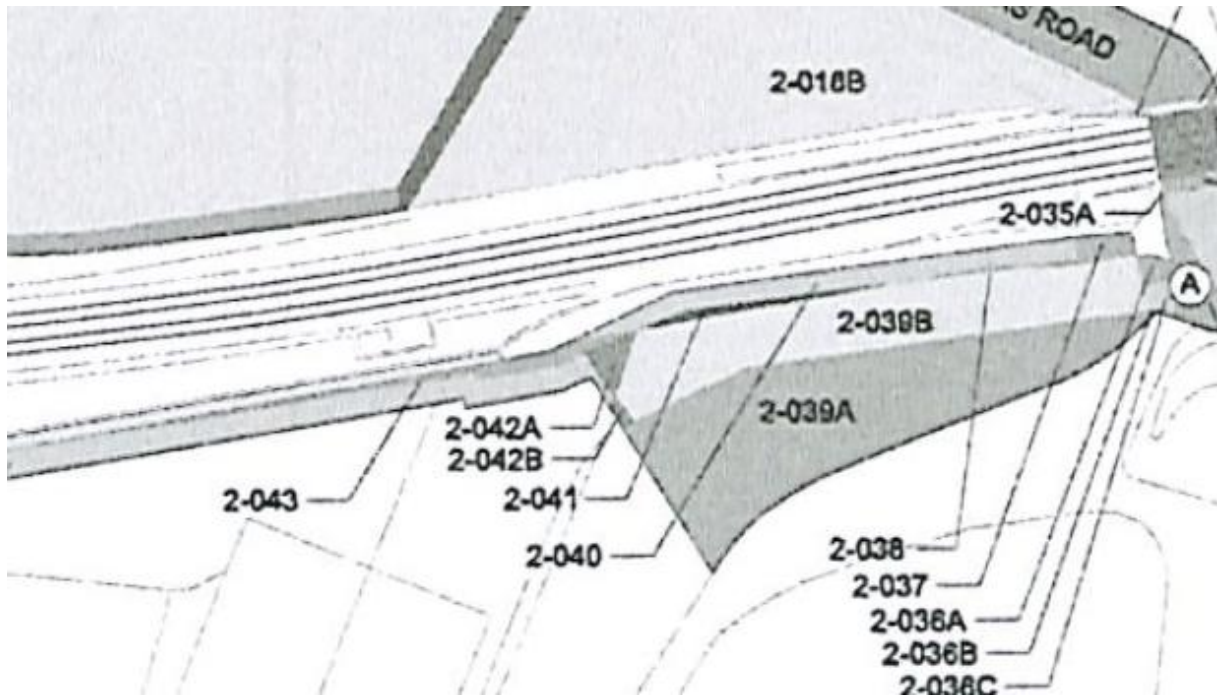
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Smurfit Westrock also holds an interest in land described as Nos 2-035A and B, 2-037, 2-038, 2-039B, 2-040, 2-041, 2-042A and B. These combined plots of land are held by Smurfit Westrock to be utilised as an emergency pedestrian and vehicular access track. Without access to these plots of land, there is only one entry and exit route to and from the facility which could cause issues for Smurfit and/or the Emergency Services in the event of any incident at the facility.

Proposed works

According to Schedule 13 of the draft TWAO, Network Rail propose to temporarily possess the Land for “Railway drainage works”. Further correspondence dated 27 November 2025, on behalf of Network Rail, states that, for the works the subject of the Application, they will require temporary access to the Land to support the installation of new drainage at the top of the embankment to address flooding and drainage concerns. Permanent access for the ongoing maintenance and inspection of the new drainage will also be required.

However, despite requests for further particulars, Smurfit Westrock has yet to be provided with clear plans on what drainage works are proposed and/or their exact location. In Smurfit Westrock’s submission, this insufficient provision of vital information leads to Smurfit Westrock having serious reservations about the Application. Smurfit Westrock requests that these plans are provided promptly.

Inadequate attempts to acquire by agreement

Smurfit Westrock submits that National Rail has not made adequate attempts to reach an agreement to acquire rights in, over or under the Land. Prior to receiving the Notice, Smurfit Westrock had not been



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provided with any notice of an intention to acquire the Land, or about the potential for the Land to be acquired, for any works related to the Application.

Additionally, since receiving the Notice, Network Rail has not made any attempts to negotiate an agreement with Smurfit Westrock to acquire rights in, over and under the Land. As stated above, Smurfit Westrock has now been made aware that Network Rail will require permanent access to the Land. Network Rail is yet to make an attempt to negotiate any terms of an agreement for this access.

Potential impact of the development on Smurfit Westrock

Without clear plans or reports on the effects of the proposed works, Smurfit Westrock has a number of concerns about the potential impact of the proposed development on its operations at Stalybridge. These are as follows:

- The impact of the proposed drainage works on the drainage responsibilities from Smurfit Westrock's land. There is concern that the proposed drainage works will have flow on effects that will result in discharge from higher-lying land crossing onto/through Smurfit Westrock's land and then on to lower-lying areas or the neighbouring waterway;
- The potential for the drainage works to result in flooding on Smurfit Westrock's land. Without clear plans for the works or any reports about its potential effects, there is concern that it may result in potential flooding on the Smurfit Westrock's land and to its facility;
- The potential loss of use of its land and its facilities during and following construction of the works, in the circumstances where the proposed drainage route passes through its land. As no works plans have been provided, there is uncertainty about the location of the proposed drainage route and how it may affect the use of the facility in the future;
- The potential for interference with other utility assets such as electricity, gas and telecommunication cable that may run through or are over, under or adjacent to the Land together with their related rights; and
- The potential for works occurring on Smurfit Westrock land not abiding by Smurfit Westrock health and safety standards.

In Smurfit Westrock's submission, the Application does not provide sufficient clarity that each of these concerns would be appropriately managed and mitigated by the Applicant during the construction and operation of the proposed works. Smurfit Westrock has not been able to identify the extent to which some of these matters may be addressed by way of the proposed works. A full response is respectfully requested in relation to all of the potential impacts identified.

Summary of objection

Smurfit Westrock has significant concerns relating to the potential impact of the works which are the subject of the Application on its land and its operations at Stalybridge. Smurfit Westrock is not currently satisfied that those impacts would be appropriately mitigated.



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For these reasons, Smurfit Westrock currently **objects** to the Application.

We would be grateful if all correspondence relating to this objection could be sent to David Mundy of Broadfield Law UK LLP at the electronic address provided in the sign-off to this letter.

Yours faithfully

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