

Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Aspen House
Central Boulevard
Blythe Valley Park
Solihull
B90 8AJ

T +44 (0)330 460 7200
F +44 (0)121 210 6499
E info@fieldfisher.com

DX326301
Solihull29

www.fieldfisher.com

By Email (transportinfrastructure@dft.gov.uk)

Our Ref: DP9/DP9/UK01-1728791-70081/127466088 v3
Your Ref: DT/MH.F&R

Dinah Patel
Director
+44 (0)330 460 6944 (Direct Dial)
+44 (0)7552 857 024 (Mobile)
dinah.patel@fieldfisher.com

7 March 2025

Dear Sir

Transport and Works Act 1992

The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules (the 2006 Rules)

The Cambridge South East Transport Order

1. We act on behalf of Prologis UK 120 Limited (company registration number 15980074) ("the Company"). We refer to an application to acquire compulsorily land and rights in land, to use land and to extinguish rights over land, served on behalf of Cambridgeshire County Council ("the Promoter") in respect of the proposed Cambridge South East Transport Order ("the Draft Order"), to be made under the Transport and Works Act 1992. The Draft Order, if made, would authorise the construction, operation and maintenance of a guided busway between Cambridge Biomedical Campus ("the Campus") at the southern end of Francis Crick Avenue in Cambridge and a new travel hub facility at the A1307/A11/A505 road junction southeast of the village of Babraham ("the Scheme").
2. Formal notice of the Draft Order was not served on the Company.
3. Separate objections have been submitted on behalf of related companies namely, Cambridge Medipark Limited (company registration number 04620453) ("CML"), CBC Estate Management Limited (company registration number 06192969) ("CBC"), and Prologis UK CCCLXI S.à.r.l (company registration number OE020062). The Company and these companies are all group companies of Prologis Inc.

4. The Company's has a long leasehold interest in land known as 2000 Discovery Drive, Dame Mary Archer Way for a term of 170 years from and including 1 January 2008 granted by Antony Francis Pemberton and others.
5. This letter is submitted as a separate objection on behalf of the Company. The Company adopts the grounds of objection set out in the CML and CBC letters of objection dated 7 March and annexed to this letter.
6. Without limitation to the grounds of objection set out by CML and CBC, the Company would be severely affected by the proposals in the Draft Order which result in the Company's rights of access to the public highway being severed, to disruption to the private roads upon which it relies, to uncertainty in relation to how the private roads will be maintained and managed and to additional costs. The value of the Company's interests would be materially affected.
7. The Company reserves the right to add to and amplify these grounds of objection.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'fieldfisher', written in dark ink.

Fieldfisher

Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Aspen House
Central Boulevard
Blythe Valley Park
Solihull
B90 8AJ

T +44 (0)330 460 7200
F +44 (0)121 210 6499
E info@fieldfisher.com

DX326301
Solihull29

www.fieldfisher.com

By Email (transportinfrastructure@dft.gov.uk)

Our Ref: DP9/DF5/UK01-1728791-00000/127172854 v15
Your Ref: DT/MH.F&R

Dinah Patel
Director
+44 (0)330 460 6944 (Direct Dial)
+44 (0)7552 857 024 (Mobile)
dinah.patel@fieldfisher.com

7 March 2025

Dear Sir

Transport and Works Act 1992

The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules (the 2006 Rules)

The Cambridge South East Transport Order

1. We act on behalf of Cambridge Medipark Limited (company registration number 04620453) ("CML"). CML has received a notice dated 20 January 2025 of an application to acquire compulsorily land and rights in land, to use land and to extinguish rights over land, served on behalf of Cambridgeshire County Council ("the Promoter") in respect of the proposed Cambridge South East Transport Order ("the Draft Order"), to be made under the Transport and Works Act 1992. The Draft Order, if made, would authorise the construction, operation and maintenance of a guided busway between Cambridge Biomedical Campus ("the Campus") at the southern end of Francis Crick Avenue in Cambridge and a new travel hub facility at the A1307/A11/A505 road junction southeast of the village of Babraham ("the Scheme").
2. Separate objections have been submitted on behalf of related companies namely, CBC Estate Management Limited (company registration number 06192969), Prologis UK CCCLXI S.à.r.l (company registration number OE020062) and Prologis UK 120 Limited (company registration number 15980074). CML and these companies are all group companies of Prologis Inc.

3. CML are the long leasehold owners of land affected by the Draft Order including:
 - (a) Francis Crick Avenue, the centre of Addenbrooke's Roundabout and land including the pumping station pursuant to a 170 year lease from 1 January 2008 granted by Antony Francis Pemberton and others and registered at the Land Registry under title number CB353750;
 - (b) Dame Mary Archer Way pursuant to a 170 year lease from 1 January 2008 granted by Antony Francis Pemberton and others and registered at the Land Registry under title number CB387420;
 - (c) Land to the south side of Dame Mary Archer Way (including the proposed multi-story car park) pursuant to a 170 year lease from 1 January 2008 granted by Antony Francis Pemberton and others and registered at the Land Registry under title number CB387420;
 - (d) Land adjoining 1 Discovery Drive pursuant to a 170 year lease from 1 January 2008 granted by Antony Francis Pemberton and others and at the Land Registry under title number CB470252;
 - (e) Land known as Abcam Building Phase 2, Dame Mary Archer Way pursuant to a lease dated 27 February 2017 granted by Antony Francis Pemberton and others and registered at the Land Registry under title number CB22665; and
 - (f) Land known as MCR on the south west side of Robinson Way pursuant to a lease dated 27 February 2017 granted by Antony Francis Pemberton and others and registered at the Land Registry under title number CB338762.
- 3.2 CML's long leasehold interests include, Francis Crick Avenue and Dame Mary Archer Way, which are private roads. They connect directly onto the existing public highway to the south at Addenbrooke's roundabout and to the north via Robinson Way (a private road owned by the Cambridge University NHS Foundation Trust (the "Trust")) onto Long Road. A highway search is appended at Annex A showing the extent of the public highway in the vicinity of Addenbrooke's roundabout coloured green. CBC Estate Management Limited is the street manager for Francis Crick Avenue and Dame Mary Archer Way.
- 3.3 Rights of way over Francis Crick Avenue and Dame Mary Archer Way are (a) reserved to the freeholders, the Trust and other neighbouring landowners in the leases granted to CML, its sister companies and other third parties; and (b) granted to the occupational tenants of the Campus in their occupational leases from their respective land/demises to the public highway.
4. The Campus is recognised in the Cambridge Local Plan 2018 as *"an international centre of excellence for patient care, biomedical research and healthcare education. It plays a local, regional and national role in providing medical facilities and medical research. The local plan will continue to support its continuing development as such, and as a high quality, legible and sustainable campus. It also reinforces the existing biomedical and biotechnology cluster in the Cambridge area"* (para. 3.42). Policy 40 of the Local Plan also encourages and supports research and development and research facilities to come forward at the Campus.
5. The Campus has been the subject of significant investment to date. By the end of the Phase 2 campus expansion Prologis through its various entities will have investments in infrastructure and development in the region of £650m. NHS, University of Cambridge and AstraZeneca have also committed to large investment projects on the campus during the same period. This level of investment into an asset of considerable economic importance to the UK and beyond is in line with the Government's Growth Agenda and needs to be protected and encouraged.

6. CML is the developer of the first two (modern-day) expansion phases of the Campus. Phase 1 is now developed or fully allocated for development, with occupiers including the Medical Research Council, AstraZeneca, Royal Papworth Hospital and University of Cambridge. Phase 2 is well underway with the Abcam Building being complete and occupied and 1000 Discovery Drive (postal address 1 Discovery Drive) being practically complete and let in December 2023 and construction of 2000 Discovery Drive has now commenced. Phase 2 comprises a series of commercial life science research buildings and proposed new hospital buildings set within landscaping. Phase 3 to the south of Phase 2 is emerging and the proposed guided busway will, if granted, run along the western edge of Phases 2 and 3. Whilst CML recognises the very positive sustainability benefits of a guided busway in this location, it is critical that neither the operation of the existing development (and the infrastructure which serves it) nor the ability to implement the remaining development in a timely manner is impeded or otherwise prejudiced in any way by the construction or operation of the proposed guided busway.
7. The manner in which the Scheme is proposed to be implemented and the adverse effects upon CML's interests and the Campus are unacceptable and unjustifiable. CML strongly objects to the Draft Order.
8. In summary, CML's principal grounds for objecting to the Draft Order are as follows:
 - (a) There is no compelling case in the public interest for the acquisition of land and rights in respect of CML's interests in order to implement the Scheme in the manner proposed.
 - (b) The draft proposals fundamentally undermine the considerable existing and future investment into the Campus and undermine the proper functioning of the Campus as an international centre of excellence for patient care, biomedical research and healthcare education.
 - (c) The Promoter has not made reasonable efforts to acquire CML's land or rights over CML's land through voluntary negotiation.
 - (d) The Promoter has failed to consult properly with CML in relation to its Scheme, despite the serious effects upon CML and the operation of the Campus and despite the need to ensure that there is no unacceptable conflict between the continuing use (and further development) by CML and other occupiers of the Campus and the provision of a guided busway. CML's interests have not been considered properly.
 - (e) It has not been demonstrated that the Promoter has obtained sufficient funding to deliver the Scheme, including being able to fund the very substantial compensation which would be payable to CML and others if the Scheme was authorised and implemented as proposed by the Draft Order. The Scheme would have a seriously detrimental impact upon the value of all interests in the Campus. In relation to CML, extinguishing the private rights whether on a temporary or permanent basis would also lead to CML being unable to perform its obligations under the various leases granting those rights and create further compensable losses.
 - (f) The proposed land acquisition and the associated extinguishment of private rights over the land acquired results in the severance of the land held by CML (and other occupiers and landowners including major NHS hospitals of regional and national significance) from the public highway and the creation of a gap between the two. Consequently, there will be:
 - (i) no access from Francis Crick Avenue to the public highway to the south;

- (ii) no access from Dame Mary Archer Way to the public highway to the north or south;
- (iii) no access from the pumping station, 1000 Discovery Drive, 2000 Discovery Drive and the proposed multi storey car park to the public highway;
- (iv) a termination of the “Blue Light” routes into the NHS hospitals.

This is clearly unacceptable and unjustified. Full, unfettered and continuous rights of access are required from the public highway (Long Road, Hills Road and Addenbrooke's Road) to the private roads (Francis Crick Avenue, Dame Mary Archer Way and Robinson Way) and to site access points, for all landowners, occupiers and visitors by all modes of travel.

- (g) The way in which the private roads are maintained and managed is of critical importance to the investment value and successful functioning of the Campus and the proposals undermine both. The roads are purposefully kept private to ensure that the necessary parking enforcement is carried out to keep the roads clear, gritted and snow cleared from them. This is a key part of the attractiveness of this type of development. The proposals affect the ability to market and lease the buildings and adversely affect existing tenants.
- (h) There are obligations on the part of CBC to maintain roads and CBC will be unable to perform its obligations as a result of the conflict between its existing management and maintenance obligations and exercise of the powers contained in the Draft Order. Alternatively, their proposals may well increase the costs for the occupiers if the bus company is not contributing to maintain the roads.
- (i) The works proposed by the Draft Order directly affect CML's operational assets, including their physical integrity. The Draft Order contains wholly inadequate protections in relation to the standard to which the authorised works are to be carried out and in relation to the timing and manner in which those works are to be carried out;
- (j) The Draft Order contains no provisions or protections relating to the duration of works, including the removal of any temporary works. Consequently, disruption to the existing roads and disruption to users of and visitors to the Campus may occur for longer than necessary;
- (k) The proposals contain a lack of information and a lack of protections regarding traffic management during the carrying out of the authorised works or their maintenance, or in relation to the extensive general powers sought by the Draft Order. It is essential that any disruption to the use of Francis Crick Avenue and Dame Mary Archer Way is kept to a minimum and that appropriate mitigations are in place at all times;
- (l) The proposals contain inadequate detail on the phasing of the proposed works to Francis Crick Avenue and Addenbrooke's roundabout including any interim arrangements for the layout of Addenbrooke's Road. The proposals also contain inadequate detail on construction sequencing to ensure reasonable access for staff and visitors by all modes of travel to and from the Campus and Phase 2 during the proposed works, including construction traffic associated with any concurrent build phase associated with Phase 2.
- (m) The Draft Order contains inappropriately wide-ranging streets powers over Francis Crick Avenue which are imposed upon CML without the involvement of CML, or the involvement of CBC Estate Management Limited as street manager. Not only are the powers expressed too widely and go beyond what could be reasonably required, but the disapplication of the protections usually afforded to street managers who are not also

public authorities is wholly unjustified. This approach has no regard to the importance of the private roads as key infrastructure serving the Campus, Addenbrooke's Hospital and Papworth Hospital and ignores the key role of the street manager who is excluded from any role in how those powers are exercised;

- (n) The Draft Order contains a lack of clarity about responsibility for ongoing maintenance of Francis Crick Avenue and Dame Mary Archer Way and the different elements within it (for example the carriageway and the lay-bys) and does not deal with potential contributions to future maintenance costs by the Promoter on a proportionate basis.
- (o) The Draft Order does not recognise the need for cooperation between the street manager and the Promoter in relation to the maintenance of the private roads which needs to have regard to the needs of the Campus and other third parties that have rights over those roads as well as to the needs of the guided bus system.
- (p) The Draft Order seeks the power to enter into later agreements with street managers. However, the Promoter has taken no account of the impact of such an approach on the need for continuous use of the roads and the ongoing development of the Campus. The Promoter has made no material effort to address the issues raised in this objection prior to applying for the Draft Order.
- (q) The Draft Order contains a lack of appropriate notice provisions for the carrying out of the works, ongoing maintenance and in the exercise of powers in relation to streets and a lack of proposals to ensure the continuous use of the roads.
- (r) The Draft Order has a direct effect upon the assets held by CML in connection with the Campus. CML requires a full indemnity for losses (including damages payable to third parties) arising from the carrying out or operation of the authorised works or in relation to the exercise of the powers contained in the Draft Order.
- (s) The compulsory acquisition of the whole of the island at Addenbrooke's roundabout and the acquisition of other land goes beyond what is reasonably required for the purposes of the guided busway. CML wishes to retain its interest in the island and other land to the fullest extent possible. It had always proposed to erect an entrance feature in connection with the Campus on the retained island land.
- (t) There is insufficient information in relation to drainage on Francis Crick Avenue. and the remainder of the works. The drainage strategy report does not include any information on the existing surface water strategy, flow routes nor capacities and says it is to be developed further. There is insufficient information provided to assess the impact on the assets owned by CML and further information is required. The drainage from the site is at capacity and so any potential increase to flows must be mitigated to ensure that current obligations are not breached and capacities granted to occupiers are not reduced.
- (u) There are safety concerns related to the design and layout of the proposed cycle route crossing at the base of the busway ramp south of Addenbrooke's Road roundabout. These concerns relate to the potential conflict between the buses approaching at speed down the curved ramp against slow moving cyclists using the crossing at the base of the ramp. The design and location of the cycle route crossing should be reviewed with ideally a location on a straight flat section of busway selected for the crossing.
- (v) Outdated and incorrect layout plans in relation to Phase 2, have been used. The use of existing base plans gives a mis-leading picture with respect to the permitted use of the land associated with Phase 2 and therefore how the proposed design interfaces with the

proposed use. The design of the busway south of the Addenbrooke's Road roundabout should be reviewed and the proposed layout plans should be updated.

- (w) There is insufficient information in relation to the proximity to the current Campus surface car park (which is to be replaced with a new multi storey car park ("MSCP")). It is not possible to determine what impact the proposed works will have on the surface car park or the MSCP and their footing and foundations or the method by which those works are to be carried out or the timing of their construction. The following technical points have not been addressed adequately:
- (i) The proposed drainage strategy drawings (appended to the Environmental Statement) do not match the drainage identified in the deemed planning drawing (deemed planning drawings proposed plans sheet 1 of 16) in this area. Given the inconsistency, confirmation of the design is required along with drainage locations in relation to the retaining wall and site boundary to properly assess and address their impact;
 - (ii) A manhole is shown very close to the boundary which may not be practical to construct without access to the car park site and interrupting its use. During construction of the MSCP access may not be possible;
 - (iii) An additional section through the proposed design and the car park is required to be provided; and
 - (iv) There are existing surface water balancing ponds near the new infrastructure that are designed for specific catchment areas. The proposed filter drains should not cause water to migrate to these surface water features and cause additional water to discharge into them.
9. CML is a "statutory objector" within the definition in rule 23(5) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 and within section 11(4) of the Transport and Works Act 1992. As matters stand, it is considered that a public inquiry would be the appropriate mode of addressing the objections.
10. CML will also be seeking an undertaking for the legal and associated technical and professional fees in relation to the analysis, works and agreements necessary to ensure the protection of its assets and interests and the preservation and protection of its operational requirements, its services, its infrastructure, the rights that it has and the rights that it has granted to third parties over them.
11. CML is very disappointed that the matters of concern referred to above have not been addressed adequately or at all by the Promoter. The Promoter has had no regard to the interests of CML (and other affected parties) and the need to ensure that both the considerable existing investment in the Campus and the proposed on-going very significant investment in the further development of the Campus are not undermined.
12. Despite this, CML remains willing to discuss with the Promoter its proposals with a view to finding a mutually agreeable solution to allow the Scheme to proceed in a way which avoids unnecessary harm to CML's property and interests and which avoids prejudice to the public interest facilitating the continued operation and planned expansion of Campus. For example, some of the concerns raised in this objection could potentially be addressed by the dedication and adoption of land being acquired by the Promoter compulsorily as highway maintainable at the public expense and by ensuring that CBC Management Limited may continue to operate effectively as street manager with an appropriate level of approval to works.

13. The Draft Order should be promptly withdrawn.
14. CML is currently engaged in a technical review of the application documentation and reserves the right to supplement these grounds following the outcome of that review. CML further reserves the right to add to and amplify the grounds of objection above.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'fieldfisher', written in black ink.

Fieldfisher

Annex A Highways Search

Our ref: NP/City/Dame Mary Archer Way
Your ref: 16049411:196414/298193

Date: 5th December 2016

Contact: Nav Panesar
Direct dial: 01223 715646
E Mail: Searches@cambridgeshire.gov.uk



Economy, Transport and Environment
Executive Director, Graham Hughes

Searches Online
Kao Hockham Building
Edinburgh Way
Harlow
Essex

Box No. SH1313
Shire Hall
Castle Hill
Cambridge
CB3 0AP

Dear Sirs,

Land at Dame Mary Archer Way, Cambridge

Thank you for your recent request for a highway information made using our online form. Please see below for our responses for the information requested.

1. Please find attached a plan showing the extent of the highway maintainable at public expense.
2. There are no nearby road schemes, road improvements or widening schemes affecting the property.
3. There are a number of Public footpaths or Public Rights of Way on, adjacent to or over the property.

For more detailed queries about public rights of way, including any possible pending changes to the Definitive Map & Statement (the legal record of public rights of way), please lodge a separate request using our online form. The link to this is provided below.

<http://www.cambridgeshire.gov.uk/highwaysearches>

4. The property is not currently subject to any actual or deemed dedication as highway land for road works.
5. There are no improvements or developments that will affect the flow of traffic in and around the property.

I hope this assists with the queries raised in your request. If you have any further questions then please do not hesitate to contact me.

Yours faithfully

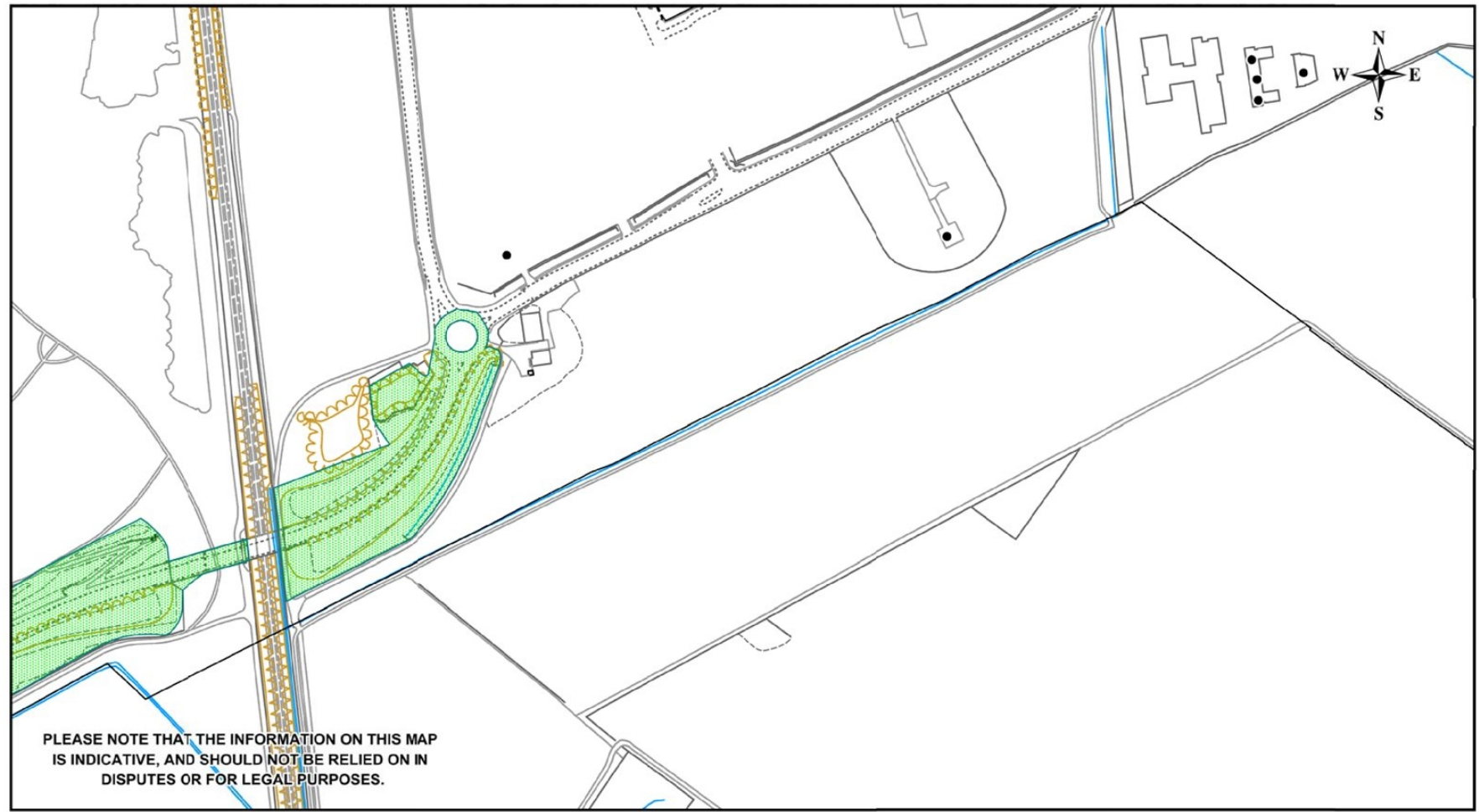
Nav Panesar
Asset Information Searches Officer

Chief Executive: Gillian Beasley

www.cambridgeshire.gov.uk

Cambridgeshire County Council

No Window



Scale: 1:4000
Date: 05/12/2016
By: FS307

Legend	
Public highway (green)	
Public highway (blue)	
Public highway (red)	

© Crown copyright and database rights 2016 Ordnance Survey 100023205

Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Aspen House
Central Boulevard
Blythe Valley Park
Solihull
B90 8AJ
T +44 (0)330 460 7200
F +44 (0)121 210 6499
E info@fieldfisher.com

DX326301
Solihull29

www.fieldfisher.com

By Email (transportinfrastructure@dft.gov.uk)

Our Ref: DP9/DP9/UK01-1728791-70081/127466166 v3
Your Ref: DT/MH.F&R

Dinah Patel
Director
+44 (0)330 460 6944 (Direct Dial)
+44 (0)7552 857 024 (Mobile)
dinah.patel@fieldfisher.com

7 March 2025

Dear Sir

**Transport and Works Act 1992
The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules (the 2006 Rules)
The Cambridge South East Transport Order**

1. We act on behalf of CBC Estate Management Limited (company registration number 06192969) ("CBC"). CBC has received a notice dated 20 January 2025 of an application to acquire compulsorily land and rights in land, to use land and to extinguish rights over land, served on behalf of Cambridgeshire County Council ("the Promoter") in respect of the proposed Cambridge South East Transport Order ("the Draft Order"), to be made under the Transport and Works Act 1992. The Draft Order, if made, would authorise the construction, operation and maintenance of a guided busway between Cambridge Biomedical Campus ("the Campus") at the southern end of Francis Crick Avenue in Cambridge and a new travel hub facility at the A1307/A11/A505 road junction southeast of the village of Babraham ("the Scheme").
2. Separate objections have been submitted on behalf of related companies namely, Cambridge Medipark Limited (company registration number 04620453) ("CML"), Prologis UK CCCLXI S.à.r.l (company registration number OE020062) and Prologis UK 120 Limited (company registration number 15980074). CBC and these companies are all group companies of Prologis Inc.
3. CBC is the street manager for the private estate roads maintaining Francis Crick Avenue and Dame Mary Archer Way. Tenants, occupiers have access over both privately maintained roads. All maintenance costs for the roads, footpaths, drainage, and streetlights are charged to the occupiers.

4. CML are the long leasehold owners of land affected by the Draft Order as described in their objection. CBC manages the roads in the long leasehold ownership of CML.
- 4.1 CML's long leasehold interests include, Francis Crick Avenue and Dame Mary Archer Way, which are private roads. They connect directly onto the existing public highway to the south at Addenbrooke's roundabout and to the north via Robinson Way (a private road owned by the Cambridge University NHS Foundation Trust (the "Trust")) onto Long Road. A highway search is appended at Annex A showing the extent of the public highway in the vicinity of Addenbrooke's roundabout coloured green.
- 4.2 Rights of way over Francis Crick Avenue and Dame Mary Archer Way are (a) reserved to the freeholders, the Trust and other neighbouring landowners in the leases granted to CML, its sister companies and other third parties; and (b) granted to the occupational tenants of the Campus in their occupational leases from their respective land/demises to the public highway.
5. The Campus is recognised in the Cambridge Local Plan 2018 as *"an international centre of excellence for patient care, biomedical research and healthcare education. It plays a local, regional and national role in providing medical facilities and medical research. The local plan will continue to support its continuing development as such, and as a high quality, legible and sustainable campus. It also reinforces the existing biomedical and biotechnology cluster in the Cambridge area"* (para. 3.42). Policy 40 of the Local Plan also encourages and supports research and development and research facilities to come forward at the Campus.
6. The Campus has been the subject of significant investment to date. By the end of the Phase 2 campus expansion Prologis through its various entities will have investments in infrastructure and development in the region of £650m. NHS, University of Cambridge and AstraZeneca have also committed to large investment projects on the campus during the same period. This level of investment into an asset of considerable economic importance to the UK and beyond is in line with the Government's Growth Agenda and needs to be protected and encouraged.
7. CML is the developer of the first two (modern-day) expansion phases of the Campus. Phase 1 is now developed or fully allocated for development, with occupiers including the Medical Research Council, AstraZeneca, Royal Papworth Hospital and University of Cambridge. Phase 2 is well underway with the Abcam Building being complete and occupied and 1000 Discovery Drive (postal address 1 Discovery Drive) being practically complete and let in December 2023 and construction of 2000 Discovery Drive has now commenced. Phase 2 comprises a series of commercial life science research buildings and proposed new hospital buildings set within landscaping. Phase 3 to the south of Phase 2 is emerging and the proposed guided busway will, if granted, run along the western edge of Phases 2 and 3. Whilst CBC recognises the very positive sustainability benefits of a guided busway in this location, it is critical that neither the operation of the existing development (and the infrastructure which serves it) nor the ability to implement the remaining development in a timely manner is impeded or otherwise prejudiced in any way by the construction or operation of the proposed guided busway.
8. The manner in which the Scheme is proposed to be implemented and the adverse effects upon CBC's interests and the Campus are unacceptable and unjustifiable. CBC strongly objects to the Draft Order.
9. In summary, CBC's principal grounds for objecting to the Draft Order are as follows:
 - (a) There is no compelling case in the public interest for the acquisition of land and rights in respect of CML and CBC's interests in order to implement the Scheme in the manner proposed.

- (b) The draft proposals fundamentally undermine the considerable existing and future investment into the Campus and undermine the proper functioning of the Campus as an international centre of excellence for patient care, biomedical research and healthcare education.
- (c) The Promoter has not made reasonable efforts to acquire CBC's interests and CML's land or rights over CML's land through voluntary negotiation.
- (d) The Promoter has failed to consult properly with CBC or CML in relation to its Scheme, despite the serious effects upon CBC, CML and the operation of the Campus and despite the need to ensure that there is no unacceptable conflict between the continuing use (and further development) by CBC, CML and other occupiers of the Campus and the provision of a guided busway. CBC's interests have not been considered properly.
- (e) It has not been demonstrated that the Promoter has obtained sufficient funding to deliver the Scheme, including being able to fund the very substantial compensation which would be payable to CBC and others if the Scheme was authorised and implemented as proposed by the Draft Order. The Scheme would have a seriously detrimental impact upon the value of all interests in the Campus.
- (f) The proposed land acquisition and the associated extinguishment of private rights over the land acquired results in the severance of the land held by CML and which CBC manages (and other occupiers and landowners including major NHS hospitals of regional and national significance) from the public highway and the creation of a gap between the two. Consequently, there will be:
 - (i) no access from Francis Crick Avenue to the public highway to the south;
 - (ii) no access from Dame Mary Archer Way to the public highway to the north or south;
 - (iii) no access from the pumping station, 1000 Discovery Drive, 2000 Discovery Drive and the proposed multi storey car park to the public highway;
 - (iv) a termination of the "Blue Light" routes into the NHS hospitals.

This is clearly unacceptable and unjustified. Full, unfettered and continuous rights of access are required from the public highway (Long Road, Hills Road and Addenbrooke's Road) to the private roads (Francis Crick Avenue, Dame Mary Archer Way and Robinson Way) and to site access points, for all landowners, occupiers and visitors by all modes of travel.
- (g) The way in which the private roads are maintained and managed is of critical importance to the investment value and successful functioning of the Campus and the proposals undermine both. The roads are purposefully kept private to ensure that the necessary parking enforcement is carried out to keep the roads clear, gritted and snow cleared from them. This is a key part of the attractiveness of this type of development. The proposals affect the ability to market and lease the buildings and adversely affect existing tenants.
- (h) There are service charge obligations on the part of CBC Estate Management Limited to maintain roads and that company will be in breach of its obligations in the leases as a result of an unclear set of provisions (ie none) on the part of the promoter. Alternatively their proposals may well increase the costs for the occupiers if the bus company isn't contributing to maintain the roads.

- (i) we very purposefully keep roads like this private to ensure that the parking enforcement is carried out to keep roads clear, that the roads are gritted and the snow cleared etc and this is why tenants come to us because we actively manage the estate roads. Their proposals affect our abilities to market and lease the buildings and cause issues with tenants already on the park when it becomes a mess!
- (j) The works proposed by the Draft Order directly affect CML's operational assets, including their physical integrity. The Draft Order contains wholly inadequate protections in relation to the standard to which the authorised works are to be carried out and in relation to the timing and manner in which those works are to be carried out;
- (k) The Draft Order contains no provisions or protections relating to the duration of works, including the removal of any temporary works. Consequently, disruption to the existing roads and disruption to users of and visitors to the Campus may occur for longer than necessary;
- (l) The proposals contain a lack of information and a lack of protections regarding traffic management during the carrying out of the authorised works or their maintenance, or in relation to the extensive general powers sought by the Draft Order. It is essential that any disruption to the use of Francis Crick Avenue and Dame Mary Archer Way is kept to a minimum and that appropriate mitigations are in place at all times;
- (m) The proposals contain inadequate detail on the phasing of the proposed works to Francis Crick Avenue and Addenbrooke's roundabout including any interim arrangements for the layout of Addenbrooke's Road. The proposals also contain inadequate detail on construction sequencing to ensure reasonable access for staff and visitors by all modes of travel to and from the Campus and Phase 2 during the proposed works, including construction traffic associated with any concurrent build phase associated with Phase 2.
- (n) The Draft Order contains inappropriately wide-ranging streets powers over Francis Crick Avenue which are imposed upon CML without the involvement of CML, or the involvement of CBC Estate Management Limited as street manager. Not only are the powers expressed too widely and go beyond what could be reasonably required, but the disapplication of the protections usually afforded to street managers who are not also public authorities is wholly unjustified. This approach has no regard to the importance of the private roads as key infrastructure serving the Campus, Addenbrooke's Hospital and Papworth Hospital and ignores the key role of the street manager who is excluded from any role in how those powers are exercised;
- (o) There are obligations on the part of CBC to maintain roads and CBC will be unable to perform its obligations as a result of the conflict between its existing management and maintenance obligation and exercise of the powers contained in the Draft Order. The Draft Order contains a lack of clarity about responsibility for ongoing maintenance of Francis Crick Avenue and Dame Mary Archer Way and the different elements within it (for example the carriageway and the lay-bys) and does not deal with potential contributions to future maintenance costs by the Promoter on a proportionate basis. Consequently the costs to occupiers of the Campus may be increased unfairly.
- (p) The Draft Order does not recognise the need for cooperation between the street manager and the Promoter in relation to the maintenance of the private roads which needs to have regard to the needs of the Campus and other third parties that have rights over those roads as well as to the needs of the guided bus system.
- (q) The Draft Order seeks the power to enter into later agreements with street managers. However, the Promoter has taken no account of the impact of such an approach on the

need for continuous use of the roads and the ongoing development of the Campus. The Promoter has made no material effort to address the issues raised in this objection prior to applying for the Draft Order.

- (r) The Draft Order contains a lack of appropriate notice provisions for the carrying out of the works, ongoing maintenance and in the exercise of powers in relation to streets and a lack of proposals to ensure the continuous use of the roads.
- (s) The Draft Order has a direct effect upon the assets held by CML in connection with the Campus. CML requires a full indemnity for losses (including damages payable to third parties) arising from the carrying out or operation of the authorised works or in relation to the exercise of the powers contained in the Draft Order.
- (t) The compulsory acquisition of the whole of the island at Addenbrooke's roundabout and the acquisition of other land goes beyond what is reasonably required for the purposes of the guided busway. CML wishes to retain its interest in the island and other land to the fullest extent possible. It had always proposed to erect an entrance feature in connection with the Campus on the retained island land.
- (u) There is insufficient information in relation to drainage on Francis Crick Avenue. and the remainder of the works. The drainage strategy report does not include any information on the existing surface water strategy, flow routes nor capacities and says it is to be developed further. There is insufficient information provided to assess the impact on the assets owned by CML and further information is required. The drainage from the site is at capacity and so any potential increase to flows must be mitigated to ensure that current obligations are not breached and capacities granted to occupiers are not reduced.
- (v) There are safety concerns related to the design and layout of the proposed cycle route crossing at the base of the busway ramp south of Addenbrooke's Road roundabout. These concerns relate to the potential conflict between the buses approaching at speed down the curved ramp against slow moving cyclists using the crossing at the base of the ramp. The design and location of the cycle route crossing should be reviewed with ideally a location on a straight flat section of busway selected for the crossing.
- (w) Outdated and incorrect layout plans in relation to Phase 2, have been used. The use of existing base plans gives a mis-leading picture with respect to the permitted use of the land associated with Phase 2 and therefore how the proposed design interfaces with the proposed use. The design of the busway south of the Addenbrooke's Road roundabout should be reviewed and the proposed layout plans should be updated.
- (x) There is insufficient information in relation to the proximity to the current Campus surface car park (which is to be replaced with a new multi storey car park ("MSCP")). It is not possible to determine what impact the proposed works will have on the surface car park or the MSCP and their footing and foundations or the method by which those works are to be carried out or the timing of their construction. The following technical points have not been addressed adequately:
 - (i) The proposed drainage strategy drawings (appended to the Environmental Statement) do not match the drainage identified in the deemed planning drawing (deemed planning drawings proposed plans sheet 1 of 16) in this area. Given the inconsistency, confirmation of the design is required along with drainage locations in relation to the retaining wall and site boundary to properly assess and address their impact;

- (ii) A manhole is shown very close to the boundary which may not be practical to construct without access to the car park site and interrupting its use. During construction of the MSCP access may not be possible;
 - (iii) An additional section through the proposed design and the car park is required to be provided; and
 - (iv) There are existing surface water balancing ponds near the new infrastructure that are designed for specific catchment areas. The proposed filter drains should not cause water to migrate to these surface water features and cause additional water to discharge into them.
10. CML is a "statutory objector" within the definition in rule 23(5) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 and within section 11(4) of the Transport and Works Act 1992. As matters stand, it is considered that a public inquiry would be the appropriate mode of addressing the objections.
11. CML will also be seeking an undertaking for the legal and associated technical and professional fees in relation to the analysis, works and agreements necessary to ensure the protection of its assets and interests and the preservation and protection of its operational requirements, its services, its infrastructure, the rights that it has and the rights that it has granted to third parties over them.
12. CML is very disappointed that the matters of concern referred to above have not been addressed adequately or at all by the Promoter. The Promoter has had no regard to the interests of CML (and other affected parties) and the need to ensure that both the considerable existing investment in the Campus and the proposed on-going very significant investment in the further development of the Campus are not undermined.
13. Despite this, CML remains willing to discuss with the Promoter its proposals with a view to finding a mutually agreeable solution to allow the Scheme to proceed in a way which avoids unnecessary harm to CML's property and interests and which avoids prejudice to the public interest facilitating the continued operation and planned expansion of Campus. For example, some of the concerns raised in this objection could potentially be addressed by the dedication and adoption of land being acquired by the Promoter compulsorily as highway maintainable at the public expense and by ensuring that CBC Management Limited may continue to operate effectively as street manager with an appropriate level of approval to works.
14. The Draft Order should be promptly withdrawn.
15. CML is currently engaged in a technical review of the application documentation and reserves the right to supplement these grounds following the outcome of that review. CML further reserves the right to add to and amplify the grounds of objection above.

Yours faithfully



Fieldfisher

Annex A Highways Search

Our ref: NP/City/Dame Mary Archer Way
Your ref: 16049411:196414/298193

Date: 5th December 2016

Contact: Nav Panesar
Direct dial: 01223 715646
E Mail: Searches@cambridgeshire.gov.uk



Economy, Transport and Environment
Executive Director, Graham Hughes

Searches Online
Kao Hockham Building
Edinburgh Way
Harlow
Essex

Box No. SH1313
Shire Hall
Castle Hill
Cambridge
CB3 0AP

Dear Sirs,

Land at Dame Mary Archer Way, Cambridge

Thank you for your recent request for a highway information made using our online form. Please see below for our responses for the information requested.

1. Please find attached a plan showing the extent of the highway maintainable at public expense.
2. There are no nearby road schemes, road improvements or widening schemes affecting the property.
3. There are a number of Public footpaths or Public Rights of Way on, adjacent to or over the property.

For more detailed queries about public rights of way, including any possible pending changes to the Definitive Map & Statement (the legal record of public rights of way), please lodge a separate request using our online form. The link to this is provided below.

<http://www.cambridgeshire.gov.uk/highwaysearches>

4. The property is not currently subject to any actual or deemed dedication as highway land for road works.
5. There are no improvements or developments that will affect the flow of traffic in and around the property.

I hope this assists with the queries raised in your request. If you have any further questions then please do not hesitate to contact me.

Yours faithfully

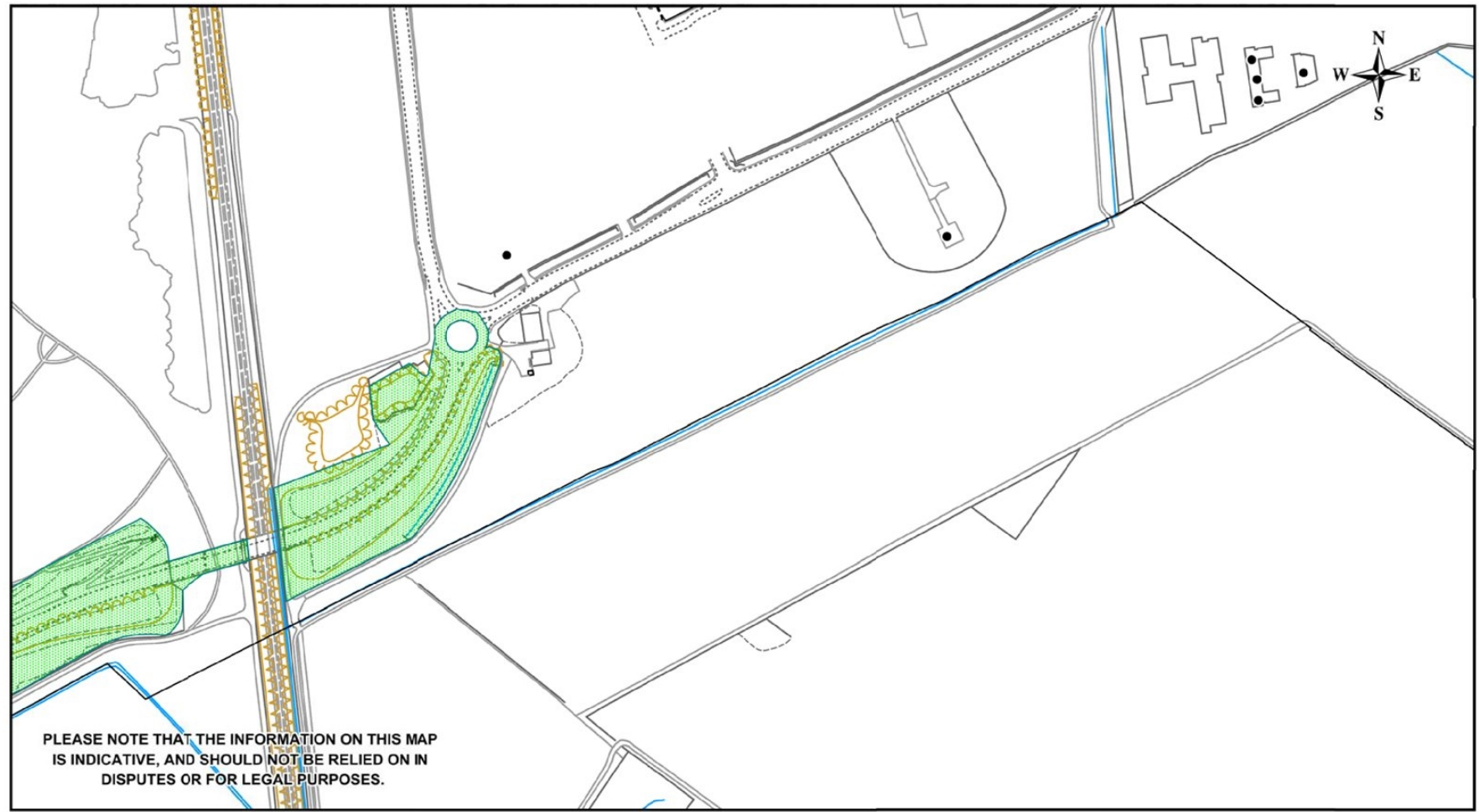
Nav Panesar
Asset Information Searches Officer

Chief Executive: Gillian Beasley

www.cambridgeshire.gov.uk

Cambridgeshire County Council

No Window



Scale: 1:4000
Date: 05/12/2016
By: FS307

Legend	
Public highway (green)	
Public highway (blue)	
Public highway (red)	

© Crown copyright and database rights 2016 Ordnance Survey 100023205