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Mrs Linda Field
The Manse
9 Parsonage Place
Tring
HP23 5AT

Contact The Communications Team
Tel 0800 6125240
E-mail info@croxleyrailink.com

20 September 2012

Dear Mrs Field

**Croxley Rail Link Transport and Works Act Order
OBJ09**

I am writing to you following our meeting of 4 July 2012 concerning your objections to the Croxley Rail Link (CRL) Transport and Works Act Order (TWAO).

Purchase of Land

You asked us at this meeting if Hertfordshire County Council (HCC) would consider buying your property at 33 Baldwins Lane in advance of the TWAO for the Croxley Rail Link being confirmed. We have consulted HCC and they feel it would not be appropriate to do so, as if the Croxley Rail Link scheme should not proceed there would be no requirement for any of your land to be taken.

It should be borne in mind that only part of the property will be required permanently for the proposed viaduct and part will also be required temporarily during construction. The building itself will not be required for the scheme. The land to be used temporarily will be returned to you on completion of the scheme, and London Underground Limited would also be prepared to offer the greater part of the permanent land beneath the viaduct for use on a leasehold basis, subject to confirmation of the structure layout following the detailed design.

In the event that the scheme is confirmed HCC, therefore, would only acquire the whole site if that could be justified in accordance with the compensation code as applied by the Order, as only a relatively small part of your land has been identified as necessary to be taken permanently for the construction and operation of the new rail link.

HCC only intend to use compulsory purchase powers after first seeking to acquire the necessary land and temporary use by agreement. The powers will, therefore, be used only where it has not been possible to agree terms for a voluntary acquisition with you

Croxley Rail Link is being developed by Hertfordshire County Council with support from London Underground Limited and Network Rail.



and complete that transaction within the timescale necessary for the scheme to be built on time.

Compensation

You stated at the meeting that you believed that the compulsory purchase of your land would make you worse off than you are now because it does not consider the value of any future lease. Even if your land is acquired by agreement rather than by exercise of the compulsory acquisition powers, HCC will use the compensation code as the basis on which to settle the land value. If there is any dispute about this you will be able to pursue this through the Upper Tribunal (Lands Chamber).

Under the code, the land value elements of compensation are usually assessed on the basis of market value, in exactly the same way that value would be assessed in the commercial market. Commercial property values are determined primarily by the use to which the premises may lawfully be put, and the demand in the market for such premises. In this case, that could be based upon continuing commercial use as offices and car sales, which would be assumed to continue beyond the expiry of the current leases, or on the alternative use value for residential redevelopment.

In either case, the valuation approach will be to compare the value of your property before the scheme with that which will apply after the new rail link is in place, ignoring any effect on value of the threat of compulsory purchase. That sets the level of compensation due for land taken permanently, and any reduction in value of the retained land due to severance or injurious affection due to the reduction in size of the plot and the presence of the new rail link.

Expenses

You also asked us about being reimbursed for expenses you are incurring because of CRL. We outlined that CRL would be willing to recompense any reasonable expenses except those that are incurred objecting to the CRL TWAO. We suggested that you send any invoices that you feel need to be reimbursed by CRL to Tamsin.Pearce@mouchel.com.

Thank you again for meeting with us to discuss your concerns and I hope that this letter provides you with the information you were seeking to address these.

Yours sincerely,



Tom Duckmanton
Project Manager
For and on behalf of Croxley Rail Link

Subject: Croxley Rail Link - Baldwins Lane site
From: Linda Field (lindafield@yahoo.co.uk)
To: david@davidgauke.com;
Date: Sunday, 27 May 2012, 22:20

Dear Mr Gauke

I have an appointment to speak with you on Friday 1st June at your Surgery in Tring. The person I spoke to on the telephone asked me to email you an outline of the subject I need to discuss.

I wish to discuss my personal situation arising from the planned building of the Croxley Rail Link. I own one of the two sites along the proposed line which will be the subject of a Compulsory Purchase Order. A viaduct will be built on part of my land. To date, although I have had meetings with people from Network Rail, Transport for London and Local Council representatives, I have had no reassurance that I will be treated in a fair and just manner.

I am reluctant to seek the legal advice, which I believe I need, as I have not yet received written confirmation that any fees I incur will be paid for me, although I have read in the Government Guidelines that this should be so. I have also read in the same Guidelines:

page 7 of Compulsory Purchase and Compensation Booklet 2

"General Principle

2.1 Compensation following a compulsory acquisition of land is based on the principle of equivalence. This means that you should be no worse off in financial terms after the acquisition than you were before. Likewise you should not be any better off."

It has been acknowledged by everyone concerned that I will be a good deal worse off but no-one is offering to help me in any way. Legally I am apparently only entitled to the present market value of my land. I have no wish to be any better off than I am now but I do need to preserve my future income at a similar level. I am the owner of the Garage and office premises in Baldwins Lane which I have leased to tenants for over 11 years. This is my only source of income and it is my pension. I inherited the site when my husband died in 2000, at the age of 47, from a heart attack. I worked hard to turn the buildings and forecourt into a good income so that I could provide for my two children and have a secure future for myself.

The future plans for the site have been put in the public domain and the site is now blighted for any future tenants or sale. The Croxley Rail Link team have said they want to buy a section of the land (no exact measurements as yet), borrow the main forecourt for 2 to 3 years (compensating my tenants) and then give me back the remainder of the site which will then be next to and under a viaduct which appears to stretch along the front of the property, roadside, making the forecourt much less visible from the road. The plans can be seen on the Croxley Rail Link website. I can see from the 13th January news page on your website that you are aware of the project.

At a meeting on 12th April I asked for the whole site to be purchased, not just part of it. I need certainty for the future. If only part of the site is taken, I will not know what kind of site I am left with for a few years (2016 at the earliest) and I believe the rental value will have decreased due to the viaduct and reduction in size of the forecourt. To date I have had no response to my request. I have made enquiries and, if I receive only the Market Value of the site (which is what I'm told I will receive) I will be unable to turn the likely sum of money into the value of the rental income which I have been receiving and believe I would achieve in the future. It is a very good site for its present purpose and I have leases in place with the present tenants until 24th December 2017. I believe that the sum (market value) which I am likely to receive can at best give me about a third of my present income if invested. I have spent a considerable amount of time taking advice and looking at the investment alternatives.

I understand the need, in a recession, for governments to build infrastructure, to employ people thereby boosting the economy. I can now even see the logic in building this railway link and the advantages it will have for people in the area. However, I believe I am going to be the victim of 'legal theft' by the authorities as my pension is going to be stripped from me and my income reduced considerably. Anyone I speak to finds it difficult to believe that this can be happening. Some quite intelligent people think I must have the facts wrong.... If only!! In a free market, if

this was a commercial purchase, I could sell at a premium as my property would be considered to be one of two ransom strips.

I am not being dramatic when I say that my future plans will have to change. My life has been on hold for a year and I have been advised that I may be in limbo for another two years. Last summer I planned to move to the south coast and I have had to postpone everything I had planned until I know just how much or little money I will have to live on. My future choices are being made for me and I have no control..... no human rights it seems. I will be interested to know your views. I live on my own in Tring; a small house but large enough for my family to visit. Will I really now have to downsize to a small flat to release capital? I have done what the Government asks; I have made provision for my old age. Sadly this provision will be stolen from me. My husband and I have always worked hard, paid our taxes and done our bit for society where we can. My daughter is a hard working scientist who has never been without employment. My son is a serving Officer with the British Army (Infantry) and is due to deploy to South Helmand, Afghanistan, for the second time in the next few months. Now, not only does he have to worry about his responsibilities to his men, he is also worrying about me.

Do I have any rights? To whom can I make my appeal to be treated fairly.

I have given you most of my story in this email because I assume you will only have a short time available to see me on Friday. I very much look forward to meeting you.

Yours sincerely
Linda Field



HOUSE OF COMMONS

LONDON SW1A 0AA

Linda Field
The Manse
9 Parsonage Place
Tring
Herts HP23 5AT

9 July 2012

Our ref: DG/07/05

Dear Ms Field

I have now heard back from Transport for London and Hertford County Council regarding your concerns and I enclose a copy of the reply.

Yours sincerely

A handwritten signature in black ink, appearing to be 'D. Gauke'.

PP David Gauke MP

House of Commons, London SW1A 0AA

Tel: 020 7219 4459 Fax: 020 7219 4759 Surgery Appointments: 01923 771781
email: david@davidgauke.com Website: www.davidgauke.com



2 July 2012

Mr David Gauke MP
House of Commons
London
SW1A 0AA

Mike Brown MVO
Managing Director

London Underground
55 Broadway
London SW1H 0BD

Phone 020 7027 8499
Fax 020 7918 4037
www.tfl.gov.uk/tube

Dear Mr Gauke

Thank you for your letter of the 7 June to Peter Hendy concerning your constituent Linda Field who owns land on Baldwins Lane, Croxley. Peter has asked me to respond to you directly.

The Croxley Rail Link is a Hertfordshire County Council (HCC) sponsored project which they are funding (in part via a DfT grant). We support the project and are joint promoter of the necessary TWA application with HCC. HCC will be the acquiring authority and are therefore leading discussions with Mrs Field and other affected landowners, although the land and rights acquired for the operational railway will ultimately be transferred to LUL.

In the draft Transport and Works Act Order for the Croxley Rail Link, a small part of Mrs Field's property, a site area of 111.3 m², has been identified as being required permanently for the location of a pier for the over-sailing railway viaduct. However, the intention is that the area beneath the viaduct would (subject to contract) be offered back to Mrs Field on a long lease upon completion of the works. A further 603.3m² of her land will be required temporarily for a period of approximately 2 -3 years while the works are constructed.

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London SW1H 0BD

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It is worth pointing out that the building on Mrs Field's land is not being acquired either temporarily or permanently and also one of her tenants, PI Accountancy, will be able to remain in occupation throughout that time. The acquisition of Mrs Field's land will be subject to the "statutory compensation code" contained in compulsory purchase legislation. This sets out the principles for compensation, and endeavours to ensure fairness and equivalence so that a person whose land is affected is no better or worse off as a result of the compulsory acquisition. Any disagreement concerning the amount of compensation can be referred to the Lands Tribunal for determination.

Although we are unaware whether Mrs Field is legally represented in objecting to the Order, I understand she has appointed an experienced compulsory purchase surveyor to negotiate her compensation entitlement. HCC through their appointed agents, Lambert Smith Hampton, have been liaising with Mrs Field and have held meetings with her and her surveyor. These negotiations are ongoing on the basis of entitlement to compensation following the principles of and heads of claim under the compensation code. I understand the project team is not aware of any involvement with Network Rail in respect of Mrs Fields land at this location. You said that Mrs Field is concerned that the rent she receives from her retained land and return on the compensation paid, will not equal her existing rental income. However, I understand that following the principles of the code there is no reason to believe this will be the case.

As the acquiring authority is actually HCC can I suggest that if you would like further information on this issue that you contact HCC direct.

Yours sincerely

A handwritten signature in black ink, consisting of a series of connected strokes that form the name 'Mike Brown'.

Mike Brown

cc HCC

Chief Executive's Office
Chief Executive & Director of Environment: John Wood



Mr David Gauke MP
House of Commons
London SW1A 0AA

Hertfordshire County Council
CH 0238, County Hall
Hertford SG13 8DE
Fax: 01992 555505

Tel: 01992 555200
Minicom: 01992 556611
Contact: Mr J Wood
My ref: JW/AMH
Your ref:
Date: 2 July 2012

Dear Mr Gauke

**Linda Field of The Manse, 9 Parsonage Place, Tring, HP23 5AT
Croxley Rail Link**

I refer to your letter dated 12 June 2012 and subsequent enclosure of Linda Field's e-mail.

The Croxley Rail Link is a Hertfordshire County Council (HCC) sponsored project which HCC are funding (in part via a DfT grant). London Underground Limited (LUL) supports the project and is a joint promoter of the necessary Transport and Works Act Order (TWAO) application with HCC. HCC will also be the acquiring authority and are therefore leading on discussions with Mrs Field and other affected landowners although the land and rights permanently acquired for the operational railway will ultimately be transferred to LUL.

In the draft Transport and Works Act Order for the Croxley Rail Link, a small part of Mrs Field's property, a site area of 111.3 m², has been identified as being required permanently for the location of a part of the structure for the over-sailing railway viaduct. However, the intention is that the area beneath the viaduct would (subject to contract) be offered back to Mrs Field on a long lease from LUL upon completion of the works. A further 603.3m² of her land will be required temporarily for a period of approximately 2 -3 years while the works are constructed.

It is worth pointing out that the building on Mrs Field's land is not being acquired either temporarily or permanently and one of her tenants, PI Accountancy will, in the view of the joint promoters, be able to remain in occupation throughout that time.

The acquisition of Mrs Field's land will be subject to the "statutory compensation code" contained in compulsory purchase legislation which sets out the principles for compensation and endeavours to ensure fairness and equivalence so that a person whose land is affected is no better or worse off as a result of the compulsory acquisition. Any disagreement concerning the amount of compensation can be referred to the Upper Tribunal (Lands Chamber) for determination.

Chief Executive's Office

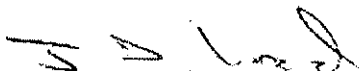
Chief Executive & Director of Environment: John Wood

Mrs Field has submitted an objection to the TWA Order. We are unclear if she has sought legal representation, but Mrs Field has appointed an experienced compulsory purchase surveyor, Keith Murray Consultants Ltd, to negotiate her compensation entitlement. HCC, through their appointed agents, Lambert Smith Hampton, have been liaising with Mrs Field and have held meetings with her and her surveyor and these negotiations are ongoing on the basis of entitlement to compensation following the principles of, and heads of claim under, the compensation code. It has been set out to Mrs Field that reasonable legal costs incurred would form part of any settlement.

A number of meetings have taken place with Mrs Field, the latest on 12th April, where she asked for the whole site to be purchased. HCC as acquiring authority has considered the request and made a response setting out the current position (letter dated 31 May to Keith Murray Consultants Ltd). I attach the letter for information. A subsequent meeting has been arranged with Linda Field on 5th July.

HCC acknowledges the concerns of all parties affected by Croxley Rail Link, and will continue discussions with Linda Field in line with the principles set out in the compensation code.

Yours sincerely



John Wood
Chief Executive & Director of Environment

c.c. Mike Younghusband, Head of Transport Programmes & Strategies, Hertfordshire Highways