

Land Parcels Affected 9/15,8/66, 8/68, 8/71, 9/8

Following the representations made at Compulsory Acquisition Hearing 2 (CAH2) and our client's previous submission, we write on behalf of 2 Agriculture Growing Limited to provide this further written representation for Deadline 4.

1. Background and Current Position

Our client, 2 Agriculture Growing Limited, is the tenant and occupier of a poultry unit, holding a legal interest in the land affected by the proposed works.

Following our Deadline 1 submission, including a detailed submission outlining the impacts on our client's operations, it is a matter of concern that:

1. No correspondence has been received from the Applicant or any other relevant party;
2. No engagement has taken place to progress discussions; and
3. No attempt has been made to address the substantive issues previously raised.

This continued lack of engagement leaves our client in a position of uncertainty and prevents meaningful progression of negotiations.

2. Tenant Interest

Our client notes Mr Galloway's comments at the CAH2 hearing in relation to the treatment of occupiers.

It is important to clearly establish that our client is a tenant and holds a legal interest in land under the tenancy. The extent of that interest, includes any rights reserved to the landlord, and is governed strictly by the terms of the tenancy agreement.

At this point in time it is not known if the tenancy agreement reserves rights sufficiently wide to enable the landowner to enter into a voluntary agreement for the proposed works because it is not clear the exact rights that are being sought.

At present, there is no clear framework setting out:

1. How the Applicant intends to engage with occupiers;
2. How occupiers' legal interests will be secured;
3. What is expected of each party;

This lack of clarity and engagement creates further uncertainty.

3. Compulsory Acquisition

Given the above:

1. The Applicant has not demonstrated that all reasonable steps have been taken to acquire the necessary rights by agreement;
2. The failure to engage directly with occupiers represents a significant gap in the land assembly process;
3. The absence of clarity regarding occupier treatment raises concerns as to whether all interests are being properly considered.

It is therefore submitted that unless and until occupiers' interests are properly addressed through direct and meaningful engagement, the case for compulsory acquisition has not been met.

4. Conclusion

In light of the matters set out above, it is our client's position that the Applicant's approach does not align with the statutory and policy requirements governing compulsory acquisition.

Accordingly, until these matters have been satisfactorily addressed, our client maintains the position as set out in its Deadline 1 submissions.