

Our Ref: WRS/KF

9<sup>th</sup> September 2014

087/55/01

Mr J Hill  
Property, Planning & Highways Lawyer  
Stockport Metropolitan Borough Council  
Legal & Democratic Governance  
Corporate and Support Services  
Stopford House (2<sup>nd</sup> Floor-South End)  
Piccadilly  
Stockport  
SK1 3XE

Dear John

**Re: A6 MARR – Local Public Inquiry Proves of Evidence**


Further to our telephone conversation, I beg to attach a hard copy of this submission we wish to make on behalf of Paul Galligan to the inquiry.

At this stage we are happy for its content to be considered by the inspector without appearing to give evidence.

If you require anything further, please let us know; I have sent copies to Kelly Schröcksnadel of the National Transport Casework Team and Jayne Hallam of Persona Associates Limited.

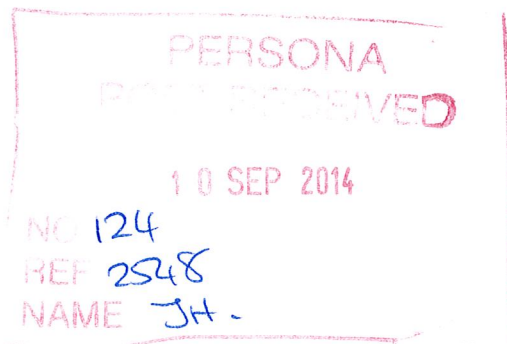
With kind regards

Yours sincerely



**J F Stephenson**  
**MA (Cantab) FRICS FAAV**

Enc.



**Stephenson & Son in association with Boulton & Cooper at**  
**York · Easingwold · Selby · Malton · Kirkbymoorside · Pickering · Helmsley · Boroughbridge**  
**Knaresborough**

Partners: JF Stephenson MA (Cantab) FRICS FAAV · RT Tasker MRICS FAAV · REF Stephenson BSc Est.Man MRICS FAAV · RL Cordingley BSc FRICS FAAV

Associate Partners: WR Smith BSc FRICS FAAV · DRE Fillingham BSc Hons MRICS FAAV

Partnership Secretary: JC Drewniak BA Hons

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THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO MANCHESTER  
AIRPORT A555 CLASSIFIED ROAD) (SIDE ROADS) ORDER 2013

THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO MANCHESTER  
AIRPORT A555 CLASSIFIED ROAD) (COMPULSORY PURCHASE ORDER) 2013

EXCHANGE LAND CERTIFICATE IN RESPECT OF SPECIAL CATEGORY LAND

SUBMISSION TO THE PUBLIC INQUIRY ON BEHALF OF PAUL GALLIGAN  
9<sup>TH</sup> SEPTEMBER 2014

1. CLAIMANTS DETAILS:

- **Claimant**                      **Paul Galligan**  
218 Woodford Road  
Woodford  
Cheshire  
SK7 1QF
- **Status**                        **Landowner**
- **Claimants Agent** **James Stephenson MA (Cantab) FRICS FAAV**  
Stephenson & Son  
York Auction Centre  
Murton  
York  
YO19 5GF
- **Land Area**                **52.86 acres (21.39 ha) at Ashmead Farm, Chester Road,  
Poynton, SK12 1DS** (edged blue on Plan 1 and red on Plan 2)  
of which the permanent land take for the motorway will be 15.63 acres.  
(6.32 ha) and approximately 15.93 ac (6.45 ha) temporary land take.

2. EXECUTIVE SUMMARY

**Paul Galligan** did not object to the route of new road because he felt there were no viable planning grounds for doing so although he would have preferred for it to go elsewhere.

His concerns and objections have evolved over the past 12 months as a result of discussions with Stockport Councils agent CBRE.

**These objections are summarised as follows:-**

- 2.1 Oil Pipeline Diversion
- 2.2 Land Drainage
- 2.3 Footpath and bridleway diversion
- 2.4 Mains water supply
- 2.5 Payment of clients time
- 2.6 Payment of agents fees

### 3. OIL PIPELINE DIVERSION

There is an oil pipeline through the Galligan's land as coloured purple on the attached Plan No. 2 whereon the Galligan land is edged red.

This pipeline has to be diverted because of the new road and 3 alternatives are shown on the plan being:-

- Route A is dotted green north of the road.
- Route B is dotted blue south of the road.
- A solid blue line south of the road showing the original proposed diversion.

After discussions with Fisher German representing the Oil and Pipelines Agency, we agreed that the dotted blue route B would be the most acceptable and least damaging to our clients interest. Whilst we have has assurances from Fisher German that the pipeline would follow Route B; we have had no confirmation that the route will be part of the CPO.

**Our submission is that route B as dotted on the plan should be formally accepted by SMBC as part of the CPO.**

### 4. LAND DRAINAGE

The concern is over the effect of the enormous construction works on existing patterns of land drainage be they artificial in the form of clay or plastic pipes; or natural in the way that underground water has flowed in previous years. SMBC has adopted a casual approach to the problem, referring only to a ditch or drain that will run at the bottom of the highway boundary with adjoining land.

It cannot be over emphasised that there is a danger of a serious legacy being left if drainage is not dealt with correctly.

**Our submission is on 3 counts:-**

- **There must be provision for drains to cross underneath the road from south to north, connecting into the nearest surface watercourse.**

**This may already be provided at point A but we need assurance that there is connectivity into both the carrier main to which we refer next and the subsidiary land drainage schemes.**

- **An underground carrier main within adjoining landowners' property and adjacent to the motorway which is capable of taking water to the cross drain referred to above.**
- **An instruction to SMBC that they should be prepared to carry out subsidiary drainage schemes on any land which is affected by the motorway.**

## 5. FOOTPATH AND BRIDLEWAY DIVERSIONS

There are 2 footpaths crossing the Galligan property FP16 and FP19 marked on the attached plan.

### FP16

This route connects FP14 with FP19 and runs north to south.

When the roadway is constructed, there will be a footpath running alongside the access road to the oil depot which connects into FP19 between the points B and C on the attached plan.

FP16 would only serve to cut across our clients land for a short distance and through the farmstead duplicating the access road footpath. In the interest of safety and security it would be preferable to have this length of footpath extinguished.

### FP19

This footpath crosses the Galligan land both north and south of the new road.

North of the road the farm is going to be left with 2 small fields which FP19 will cut straight across.

There is already provision for a cycle track alongside of the motorway to the north and a secondary pedestrian footpath at the bottom of the bank within the motorway boundary.

FP19 north of the motorway becomes an anachronism and should be extinguished.

South of the motorway the existing route of FP19 is accepted and any amendment would be resisted as interfering further with our client's enjoyment of his property.

**It is our submission that FP numbers 16 and 19 should be extinguished north of the motorway as there is sufficient provision of footpaths in the proposals.**

## 6. MAINS WATER SUPPLY

At present the Galligan's rely upon a natural surface water pond for their animals to drink:-

- On the grazing land to the east of the oil depot access road

During construction and after the scheme is finished, there is likely to be a large amount of disruption which could affect the source of supply. There is the real possibility of contamination of surface water during the construction period and of lower water levels afterwards, making the ponds unusable for cattle.

It is understood that a new water main is to be laid along the side of the oil depot access road from which supplies could be taken to the Galligan land.

**It is our submission that the CPO should provide for mains water supply to be provided once the scheme is finished to all parts of the severed Galligan land.**

## 7. LANDOWNERS AND FARMERS TIME

It is universally accepted practise in this country to pay for reasonable time spent by landowners and farmers in dealing with situations that arise as a result of the scheme before, during and after construction.

SMBC have issued a statement to the effect that on Counsels' advice they will only pay for claimant's time on "**proof of loss**".

Many claimants will have other businesses unconnected with the occupational activity on the land and proof of loss in these circumstances is almost impossible.

Nevertheless genuine time is being spent by them as a result of the scheme and they ought to receive automatic recognition of this without having to prove loss. This is standard practise on other schemes and should be followed on this one.

**Our submission is that client's time, at agreed rates, should be paid as a matter of right for the reasonable time put in as a result of the scheme.**

## 8. AGENTS/VALUERS FEES

It is standard practise throughout the country for valuers and agents fees to be paid direct by the public authority or utility company; SMBC have stated that they will only settle such fees by payment through the claimant's solicitors.

This is a ridiculous waste of professional time and a clear insult to the surveying profession.

**It is our submission that SMBC should pay fees direct to land agents and valuers after such fees have been approved as reasonable by both client and SMBC.**

Signed.....

Claimant - Paul Galligan – Signed on his behalf as Agent

Date.....