

PLANNING CASEWORK UNIT REFERENCE DPI/D1265/25/6

**THE HIGHWAYS ACT 1980
AND
THE ACQUISITION OF LAND ACT 1981**

**THE DORSET COUNCIL (DINAH'S HOLLOW IMPROVEMENT SCHEME)
COMPULSORY PURCHASE ORDER 2024**

**STATEMENT OF EVIDENCE OF JOHN DAVIES BSc MRICS
ON BEHALF OF DORSET COUNCIL**

NEGOTIATIONS FOR ACQUISITION OF THIRD-PARTY INTERESTS

PUBLIC INQUIRY 1 July 2025

**PLANNING INSPECTORATE AND PLANNING CASEWORK UNIT REFERENCE:
DPI/D1265/25/6**

CONTENTS

1 INTRODUCTION 3

2 SCOPE OF EVIDENCE 4

3 GOVERNMENT GUIDANCE 5

4 THE ORDER LAND AND INTERESTS TO BE ACQUIRED 14

5 NEGOTIATIONS..... 14

6 SUMMARY AND CONCLUSION..... 22

7 DECLARATION..... 23

8 STATEMENT OF TRUTH..... 25

APPENDIX 1 27

1 INTRODUCTION

- 1.1 My name is John Davies. I am a director in the compulsory purchase team at property consultancy Jones Lang La Salle ('JLL'). Between 2012 and 2021 I was a director in the compulsory purchase and infrastructure team at property consultancy BNP Paribas Real Estate and between 2004 and 2011 I was a senior associate director in the compulsory purchase team at property consultancy DTZ (now part of Cushman and Wakefield).
- 1.2 I hold a Bachelor of Science degree in Valuation and Estate Management. I have been a Member of the Royal Institution of Chartered Surveyors since 1988 and am a member of the Compulsory Purchase Association.
- 1.3 I am a specialist compulsory purchase surveyor and for the past 20 years I have worked for major London-based property consultancies advising acquiring authorities, affected businesses and landowners on compulsory purchase and compensation. Prior to that I worked for Network Rail and the Valuation Office Agency dealing with a wide range of valuation and statutory valuation matters, including compulsory purchase.
- 1.4 In the normal course of my work, I advise acquiring authorities or affected parties on the compulsory purchase process, from the inception of a scheme through to possession and the assessment and settlement of compensation claims. I have prepared evidence for public inquiry in respect of the case for confirmation of compulsory purchase orders and the Upper Tribunal (Lands Chamber) in respect of compensation on numerous occasions. I have extensive experience of conducting negotiations on behalf of both acquiring authorities and claimants in the shadow of compulsory purchase.

- 1.5 Working within compulsory purchase teams over the past 20 years I have advised acquiring authorities on several large town centre regeneration schemes which involved the assembly, supported by CPO, of a large number of commercial interests.
- 1.6 As a result of my experience, I understand the importance of consulting and negotiating with affected parties in parallel with the compulsory purchase process, as recommended in the government's Guidance on Compulsory purchase process and the Crichel Down Rules.
- 1.7 In February 2023 JLL was appointed by Dorset Council to negotiate the acquisition of all the privately owned property interests required for the proposed works at Dinah's Hollow. These comprised 2 interests on either side of the highway being mainly woodland, agricultural land and some vineyard. Grace Hicks BSc (Hons) MRICS FAAV, Director and Alice Stephens BSc (Hons) MRICS, Senior Surveyor in the compulsory purchase team, have been responsible for negotiating the acquisition of the interests but are unable to attend the inquiry.

2 **SCOPE OF EVIDENCE**

- 2.1 I have prepared this proof of evidence in respect of the proposed public inquiry in relation to the Dorset Council (Dinah's Hollow Improvement Scheme) Compulsory Purchase Order 2024 (the "**CPO**") of land on the east and west sides of Dinah's Hollow, Melbury Abbas ("**Order Land**") which was made on 6 December 2024.

- 2.2 The purpose of the CPO is to facilitate the improvement of the existing highway at Dinah's Hollow and afford it protection against landslide (**“the Scheme”**).
- 2.3 Whilst JLL has been appointed to undertake negotiations in respect of the CPO, I have not personally been involved with the negotiation of land acquisitions for the Scheme. However, negotiations have been conducted by colleagues at JLL and I have been provided with relevant information and documents by those involved in day to day negotiations.
- 2.4 My evidence addresses the following issues:
- 2.5 In section 3, I summarise the applicable Guidance on Compulsory Purchase Process published by the Ministry of Housing, Communities and Local Government (last updated in January 2025) (the **“CPO Guidance”**). I will also provide a summary of what, in my professional opinion, the Council has done to satisfy the CPO Guidance when engaging with landowners.
- 2.6 In section 4, I identify the Order Land and the property interests that JLL has been appointed to acquire through negotiation.
- 2.7 In section 5, I will summarise the current position of the negotiations with landowners.

3 GOVERNMENT GUIDANCE

- 3.1 Having regard to the possible need to use compulsory purchase powers in the event that not all of the property interests required to bring forward the construction of the Scheme could be secured by agreement, the Council’s

acquisition strategy for the Order Land has been informed by the CPO Guidance.

3.2 In particular, the following provisions of the CPO Guidance have directed the approach taken to negotiations and the Council's dealings with property owners and occupiers generally.

3.3 Paragraph 2 (Tier 1) of the CPO Guidance says that,

“Acquiring authorities should use compulsory purchase powers where it is expedient to do so and where there is a compelling case in the public interest.

The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to:

- *Understand the impact of the exercise of the compulsory purchase powers included in the compulsory purchase order and the acquisition of a person's interest in the land on those persons, for example affected owners and occupiers, through direct engagement with those parties.*
- *Attempt the acquisition of all of the land and rights included within the compulsory purchase order by agreement.*

The confirming authority will expect the acquiring party to have considered what mitigation measures will be in place against any identified impacts of the exercise of the compulsory purchase order and the acquisition of a person's interest in a land.

Where acquiring authorities secure the acquisition of land by agreement, they may pay compensation as if it had been compulsorily purchased, unless the land was already on offer on the open market.

Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, an acquiring authority does not need to wait for negotiations with affected parties to break down or for affected parties to begin to engage with them before starting the compulsory purchase process in parallel with negotiations. Delaying the start of the compulsory purchase process can result in valuable time being lost and so it may be appropriate, for the acquiring party, to:

- *Plan a compulsory purchase timetable as a contingency measure; and*
- *Initiate formal procedures.*

This will also help to make the seriousness of the authority's intentions clear from the outset, which in turn can encourage those whose land is affected to enter more readily into meaningful engagement."

3.4 Paragraph 3 (Tier 1) of the CPO Guidance says,

"When offering financial compensation for land in advance of making a compulsory purchase order, public sector organisations should consider value for money as a whole in order to avoid any repercussive cost impacts or pressures on both the scheme in question and other publicly-funded schemes.

Acquiring authorities can consider all of the costs involved in the compulsory purchase process when assessing the appropriate payments for purchase of

land in advance of compulsory purchase. For instance, the early acquisition may avoid some of the following costs being incurred:

- *legal fees (both for the order-making process as a whole and for dealing with individual objectors within a wider order, including compensation claims)*
- *wider compulsory purchase order process costs (for example, staff resources)*
- *the overall costs of project delay (for example, caused by delay in gaining entry to the land)*
- *any other reasonable linked costs (for example, potential for objectors to create further costs through satellite litigation on planning permissions and other orders)*

In order to reach early settlements, public sector organisations should make reasonable initial offers and be prepared to engage constructively with claimants about relocation issues and mitigation and accommodation works where relevant.”

3.5 Paragraph 6 (Tier 1) of the CPO Guidance says,

“All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. Throughout the compulsory purchase process acquiring authorities must have due regard to the need to: (a) eliminate unlawful discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant

protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. In performing their public functions, acquiring authorities must have due regard to the need to meet these three aims of the Equality Act 2010.”

3.6 Paragraph 17 (Tier 1) of the CPO Guidance says,

“Undertaking negotiations and engagement prior to, and in parallel with, preparing and making a compulsory purchase order can help build good working relationships with those whose interests are affected. Acquiring authorities should be open and honest with those whose interests are affected and treat their concerns with respect. This includes statutory undertakers and similar bodies, as well as private individuals and businesses. Early communication with those whose interests are affected in the preparation of a compulsory purchase order will assist the acquiring authority understand more about:

- *the land and rights it seeks to acquire;*
- *the impact of the exercise of the compulsory purchase powers included in the compulsory purchase order on those whose interests are affected.*
- *the amount of compensation which may be payable to those with an interest in the land if the compulsory purchase powers were to be exercised*
- *any physical or legal impediments to development that may exist.*

Greater transparency and community engagement, including with the wider community, early in the compulsory purchase order process can increase the likelihood of a compulsory order being confirmed.”

3.7 Paragraph 18 (Tier 1) of the CPO Guidance says,

“In the interests of speed and fostering good will, acquiring authorities are urged to consider offering those with concerns about a compulsory purchase order full access to alternative dispute resolution (“ADR”) techniques. These should involve a suitably qualified independent third party and should be available wherever appropriate throughout the whole of the compulsory purchase process, from the planning and preparation stage to agreeing the compensation payable for the acquired properties.

The use of alternative dispute resolution techniques can save time and money for both parties, while its relative speed and informality may also help to reduce the stress which the process inevitably places on those whose properties are affected.

For example, mediation might help to clarify concerns relating to the principle of compulsorily acquiring the land, while other techniques such as early neutral evaluation might help to relieve worries at an early stage about the potential level of compensation eventually payable if the order were to be confirmed.”

3.8 Paragraph 19 (Tier 1) of the CPO Guidance says,

"Compulsory purchase proposals will inevitably lead to a period of uncertainty and anxiety for those with an interest in the land whether that is prior to, during, or after the making. Acquiring authorities should therefore:

- *provide full information from the outset about what the compulsory purchase process involves, the rights and duties of those affected and an indicative timetable of events - information should be in a format accessible to all those affected.*
- *Inform owners and occupiers of guidance which is publicly available and professionally published on compulsory purchase and compensation.*
- *appoint a specified case manager during the preparatory stage to whom those with concerns about the proposed acquisition can have easy and direct access*
- *make owners and occupiers aware of professional advice available to assist them in understanding the impact of the scheme on their interest and the appropriate compensation which may be available to them*
- *keep any delay to a minimum by completing the statutory process as quickly as possible and taking every care to ensure that the compulsory purchase order is made correctly and under the terms of the most appropriate enabling power*

Acquiring authorities should also consider:

- *consider provided a 'not before' date, confirming that the acquisition will not take place before a certain time*
- *where appropriate, give consideration to funding landowners' reasonable costs of negotiation or other costs and expenses likely to be incurred in advance of the process of acquisition*
- *consider offering to alleviate concerns about future compensation entitlement by entering into agreements about the minimum level of compensation which would be payable if the acquisition goes ahead (not excluding the claimant's future right to refer the matter to the Upper Tribunal (Lands Chamber))*

3.9 The Council (via its appointed agents JLL) has actively engaged in meaningful negotiations with affected landowners, making reasonable attempts to acquire all of the property interests it needs in the Order Land through private treaty agreements. In my opinion, having reviewed relevant documents provided to me, the Council has made reasonable offers and has also engaged constructively with landowners over environmental concerns, mitigation and accommodation works where relevant. This has now led to in principle agreements on compensation being reached with both affected landowners.

3.10 In addition to its offers of compensation, the Council has had regard to a range of other issues that have concerned landowners, which has included making changes to the Scheme design to accommodate the landowners.

- 3.11 In all cases, the Council has worked with landowners to address the issues they have raised.
- 3.12 As recommended by the CPO Guidance, the Council has provided landowners with information explaining the compulsory purchase process, the rights and duties of those affected and an indicative timetable of events. It has done this by:
- 3.12.1 Providing a link to all documents associated with the Scheme on the Dorset Council Website -
 - 3.12.2 Providing a direct email address for any enquiries related to the CPO – dinahs.hollow@dorsetcouncil.gov.uk.
 - 3.12.3 Keeping landowners and their advisors updated through direct engagement, including site visits
 - 3.12.4 Ensuring that landowners are properly advised by agreeing to pay their reasonably incurred *professional* fees for advice on the compulsory purchase process, negotiating compensation and agreeing other relevant matters
 - 3.12.5 Providing details of where further information on the CPO can be found, including information on compensation, in the CPO Statement of Reasons
- 3.13 JLL have been appointed to conduct negotiations on behalf of the Council and to act as a single point of contact for land acquisitions queries.

3.14 Because agreements have been reached over compensation with both landowners, it has not been necessary to offer landowners access to ADR.

4 THE ORDER LAND AND INTERESTS TO BE ACQUIRED

4.1 The Order Land comprises two distinct parcels of land either side of the C13 at Dinah's Hollow:

4.1.1 Plot 1 shown edged red and shaded pink and plot 7 shown edged red and shaded blue on the CPO Map) (**West Site**); and

4.1.2 Plots 2, 4, 5 and 6 shown edged red and shaded pink and plot 3 shown edged red and shaded blue on the CPO Map (**East Site**).

4.2 The West Site is owned by Mr and Mrs Phillips and the East Site is owned by Maurice Flower & Son Limited (both of which have lodged statutory objections to the CPO).

5 NEGOTIATIONS

5.1 I am instructed that the Council has been negotiating with the East and West Site landowners since 2014. However, in this section, I only comment on the negotiations that have taken place since the appointment of JLL in February 2023.

5.2 Details of the negotiations that have taken place with landowners are set out at Appendix 1 to this proof of evidence. In my opinion, the accounts that have been provided demonstrate that the Council (via its appointed agents JLL) has, at all times, taken a proactive approach to negotiations and has acted

reasonably. Where issues have arisen, Council officers have sought to address those issues and accommodate landowner concerns.

5.3 Negotiations with the West Site landowner

5.3.1 JLL attended a site meeting in May 2023 with Mr and Mrs Phillips the owner of the West Site and his representative, Tim Broomhead of Knight Frank. They raised a number of queries about the Scheme notably around the trees and access. Where reasonably possible the Council has amended the scheme to minimise the impact on the landowner as set out at 5.9 below. A revised drawing incorporating the revised access design was issued to the landowner on 3rd August 2023.

5.3.2 Following detailed discussions and liaison with owner of the West Site, Heads of Terms were issued in February 2024. Since issuing the Heads of Terms, JLL have responded to various queries raised by the landowner relating to planning, TPOs, EIA and drainage. The Council, JLL and WSP engineers also attended a site meeting with the West Site landowner and their representative on 15 October 2024.

5.3.3 Following the site meeting the Council and JLL have engaged with the West Site landowner's agent and has provided further detail relating to the Scheme such as plans showing drainage and soil nailing.

5.3.4 The West Site landowner submitted a compensation claim to JLL on 20 March 2025. JLL and Council representatives attended a meeting on 24 March 2025 to discuss accommodation works and compensation matters.

5.3.5 Following extensive negotiations, JLL issued revised heads of terms on 7 May 2025 to the landowner's agent which were reflective of the meeting on 24th March. JLL continued negotiations around various factors including completion date and accommodation works until the final heads of terms were sent on 2 June 2025. Heads of terms have now been agreed and solicitors have been instructed by both parties to progress the legal documentation.

5.4 Negotiations with the East Site landowner

5.4.1 JLL met with Karen Carr from Maurice Flower & Son Ltd, the landowner's representative, John Woolley of John Woolley Ltd on site in May 2023. The East Site landowner raised a number of queries about the Scheme design (including concerns relating to the location of the pond and the bund). Wherever reasonably possible the Council has amended the scheme to minimise the impact on the landowner as set out at 5.6 below and following further discussions with the landowner's agent amended plans were sent to the East Site landowner's agent in August 2023 incorporating a revised drainage and access design.

5.4.2 The East Site landowner advised that they did not accept the drainage proposals and suggested the strip of land along the top of

the hollow is re-graded and planted with trees. The trees, once established, and any vegetal growth that develops between the trees, would benefit biodiversity but the Council considers that this will do little to intercept the overland runoff or prevent sediment washing down the face of the Hollow. The runoff can only be intercepted by a ditch or by blocking the pathway of the runoff with a bund and, once intercepted, requires the intercepted water to be managed. The proposed bund and lagoon is, therefore, the most practical solution to intercepting and controlling the overland runoff.

- 5.4.3 The East Site landowner would prefer the access at a different location on the C13 but the alternative location would entail the acquisition of more land and would result in an adverse environmental impact. Following detailed discussions and liaison with the East Site landowner, Heads of Terms were issued in May 2024. Negotiations for the acquisition are still ongoing and JLL have sent the landowner's representative five chasing e-mails for the period from May - November 2024.
- 5.4.4 JLL met with the landowner's agent on 24 October 2024 to discuss the heads of terms and subsequently has proactively engaged with the agent to respond to various queries pertaining to compensation matters, extent of land take and soil nailing etc.
- 5.4.5 The East Site landowner's agent submitted their compensation claim to JLL on 3 February 2025.

- 5.4.6 JLL and Council representatives attended a meeting on site with the East Site landowner and their agent on 10 April 2025 and an offer was issued to the East Site landowner on the same date.
- 5.4.7 Following further discussions, JLL issued revised heads of terms on 2 May 2025 to the landowner's agent. The Council consider that these heads of terms address all points raised by the East Site landowner. The Council remains committed to acquiring the land from the East Site landowner by agreement. Final heads of terms were issued on 15 May 2025. The heads of terms have been substantively agreed and the Council is optimistic that this objection will be resolved in advance of the inquiry. Solicitors have been instructed by both parties and the necessary contractual documentation is being negotiated.
- 5.4.8 I understand that the only substantive point outstanding on the heads of terms/ contractual documents relates to the timing of the acquisition of the East Site. The Council initially proposed an option agreement which was rejected by the East Site owner. The Council offered an alternative; an unconditional contract for sale with a completion date of January 2026 (to tie in with the anticipated commencement date of the Scheme). This would give the landowner certainty as to acquisition and timings. However, the East Site landowner rejects this and the East Site landowner's solicitor advises that the owner wants the matter '*completed within a month*'. The

Council will continue to negotiate with the East Site landowner to acquire the East Site by agreement.

5.4.9 A few minor points relating to accommodation works remain to be agreed with the East Site landowner such as the fencing, gates and planting. Discussions are ongoing with the East Site landowner in this regard. The East Site landowner has also made a claim for agent's fees and disbursements. The Council has instructed me that they are happy to pay reasonable and proper agent's fees, however, no evidence has been provided by the East Site landowner or their agent to enable the Council to consider these fees.

5.5 Having reviewed the approach that has been taken by the Council to the acquisition of property interests and rights in the Order Land, I am of the opinion that the Council has acted in a reasonable manner in respect of the negotiations with the landowners of the East Site and the West Site that is fully compliant with the CPO Guidance.

5.6 **Changes to design**

As part of the negotiations, the Council has taken on board reasonable representations from the owners of the East Site and the West Site in relation to the Scheme and has made changes to the Scheme design to mitigate the impact on the affected landowners.

5.7 **East Site – Drainage design**

5.7.1 The proposed drainage was originally an open ditch along the whole length on the top of the east bank.

- 5.7.2 The landowner objected to the open ditch and Dorset Council considered and adopted the alternative – a pond and bund.
- 5.7.3 First, the pond was to be constructed on land adjoining the southern boundary of Plot 4. However, the landowner did not agree to the proposal as they wanted to retain the field to the south of Plot 4.
- 5.7.4 The Council again took on board the representation of the landowner and relocated the pond to the south of Plot 4 which significantly reduced the extent of the land required for the Scheme in the field to the south of Plot 4.

5.8 East Site – Access design

- 5.8.1 The proposed access was from B3081, via High Barn, using the existing footpath. This would have required permanent installation of an access gate from the B3081 and another gate between the fields currently separated by the hedge along the footpath.
- 5.8.2 The landowner of the East Site was concerned about intrusion on their farm activities (by the access tracks) as well as security with so many gates, especially the gate from the B3081.
- 5.8.3 The landowner proposed an alternative location for access from the C13. However, this was not suitable from the Council's perspective due to the vast difference in ground levels.
- 5.8.4 If the access proposed by the landowner was accepted by the Council, it would have resulted in much bigger land take and adverse

impact on the environment by removing a lot more trees on the steep bank to create a ramp from C13.

5.8.5 However, to reduce the impact on the landowner, the Council has amended the Scheme so that access is from the C13, although, the proposed access is further north from the one suggested by landowner. This addresses the landowner's security concerns as the new design only includes one gate on the East Site (which will provide access to the Order Land only) rather than three as initially proposed. The revised design also includes a continuous fence along the East Site boundary between landowner's retained land (following acquisition of the Order Land) and the Order Land.

5.9 West Site – Access design

5.9.1 The Scheme design originally included construction of a new access ramp on the far north end on the west bank.

5.9.2 The landowner advised that the location of the access was unacceptable as it was perceived as an intrusion on farm activities. The Council engaged Early Contractor's Involvement (ECI) with a specialist soil nailing contractor to find an alternative construction method involving access from the highway only.

5.9.3 Notwithstanding the cost increases for the revised construction method, the Council have removed the proposed access via a ramp to the top of the west bank, in order to minimise disruption to the landowner's farm activities and environment.

6 SUMMARY AND CONCLUSION

6.1 I consider that the Council has:

- 6.1.1 Demonstrated that it has taken reasonable steps to acquire all of the land and rights included in the Order by agreement (paragraph 2, Tier 1).
- 6.1.2 Offered to pay compensation as if land had been compulsorily purchased (paragraph 2, Tier 1).
- 6.1.3 Made reasonable initial offers and be prepared to engage constructively with claimants about mitigation and accommodation works where relevant (paragraph 3, Tier 1).
- 6.1.4 Undertaken negotiations in parallel with preparing and making the Order (paragraph 17, Tier 1).
- 6.1.5 Provided full information from the outset about what the compulsory purchase process involves, the rights and duties of those affected and an indicative timetable of events (paragraph 19, Tier 1).
- 6.1.6 Appointed a specified case manager to deal with negotiations and provide information to landowners (paragraph 19, Tier 1).
- 6.1.7 Kept any delay to a minimum by completing the statutory process as quickly as possible and took care to ensure that the CPO was made correctly and under the terms of the most appropriate enabling power (paragraph 19, Tier 1).

- 6.1.8 Alleviated concerns about future compensation entitlement by entering into agreements over the minimum level of compensation which would be payable if the acquisition goes ahead (paragraph 19, Tier 1)
- 6.1.9 Funded landowners' reasonable costs of negotiation or other costs and expenses likely to be incurred in advance of the process of acquisition (paragraph 19, Tier 1)
- 6.2 Whist two statutory objections remain outstanding, heads of terms (including compensation settlements) have been agreed with Mr and Mrs Phillips and heads of terms (including compensation settlements) with have been agreed with Maurice Flower and Son other than one outstanding item regarding timing of acquisition. Moreover, the only reason that the statutory objections remain is because the legal agreements have not yet been finalised. There is no evidence to suggest that an agreement will not be finalised and legal documents completed in due course.
- 6.3 Having regard to the above, I therefore confirm that, in my opinion, the Council has acted in accordance with the CPO Guidance.

7 DECLARATION

- 7.1 I believe that the facts stated in this report are true and the opinions expressed are correct. I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

- 7.2 I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.
- 7.3 I am aware of the requirements set out in Part 35 of the Civil Procedure Rules and the accompanying Practice Direction, the Guidance for the Instructions for Experts to give Evidence in Civil Claims and the Practice Direction for Pre-action conduct.
- 7.4 I confirm that this report has drawn attention to all material facts which are relevant and have affected my professional opinion.
- 7.5 I confirm that I understand and have complied with my duty to the Public Inquiry as an expert witness which overrides any duty to those instructing or paying me, that I have given my evidence impartially and objectively, and that I will continue to comply with that duty as required.
- 7.6 I confirm that neither I, nor my firm, are instructed under any conditional or other success-based fee arrangement.
- 7.7 I confirm that I have no conflicts of interest.
- 7.8 I confirm that my report complies with the requirements of the RICS – Royal Institution of Chartered Surveyors, as set down in the RICS practice statement *Surveyors acting as expert witnesses*.

8 STATEMENT OF TRUTH

- 8.1 I declare that the evidence set out in this proof for the inquiry is true and follows accepted good practice. The opinions expressed are my own and are formed from professional judgements based on my experience.

Signed

A handwritten signature in blue ink, appearing to be 'John Davies', written in a cursive style.

John Davies BSc MRICS

JLL

10 June 2025

APPENDIX 1

- 1 JLL Negotiation Summary Log (Landowner of the East Side)
- 2 JLL Negotiation Summary Log (Landowner of the West Side)

JLL Negotiation Summary Log
(Landowner of the East Side)

Date	Method of Communication	Attendees / Parties	Context of Communication
22/02/2023	Letter / email	Council - Maurice Flower & Son Ltd	Outlining instruction of JLL and Michelmores
23/03/2023	Letter / email	JLL - John Woolley	JLL intro letter setting out JLL carrying out negotiations moving forward
23/03/2023	Letter / email	JLL - John Woolley	Email regarding notices served to carry out surveys on his clients land. Any queries to contact Tanya
25/03/2023	Email	JW - JLL	Email confirming intro and confirming history and way forward.
27/03/2023	Email	JW- JLL	Email from JW outlining his concerns and frustration of the serving of notices on his client for surveys.
28/03/2023	Email	JW- JLL	Confirming a willingness to negotiate.
31/03/2023	Call	Call with John Woolley	General introduction. Confirmed we are available to discuss the acquisition
02/04/2023	Email	John Woolley - JLL	Information request regarding surveys. JLL forwarded email to Tanya.
06/04/2023	Email	JW - JLL	Confirmation of requirements for surveys.
06/04/2023	Email	JW - JLL	Email confirming compensation negotiations and requesting plans and survey information
17/04/2023	Email	JW - JLL	Requestion information on the surveys
03/05/2023	Email	JW - JLL	Confirming a meeting would be a good idea.
04/05/2023	Email	JW - JLL	Confirming meeting and location
05/05/2023	Email	JW - JLL	Query about instrusions being included within compensation.
17/05/2023	Meeting on site	JLL - John Woolley & Karen Carr	<p>JLL met on site with John Wooley and Karen Carr. The current plans were discussed (BS4958_612_C). GH and AS met with John Wooley and Karen Carr</p> <ul style="list-style-type: none"> •JW and KC gave significant background detail of the scheme •We walked the site •They are concerned around the use of the track and compound area, they believe the location would significantly devalue the retained land •Discussed briefly the pond location, with the landowner questioning whether it had been carried out via google earth and not on site due to slope and adjoining property •JLL confirmed that we would need the updated plans before we enter into full discussions and issues •They mentioned loss of crop due to the potential land take •Explained that they had a deal drawn up with solicitors / for £27,000 although stated DCC never actually went through with the deal •JLL confirmed that it would be best to get a licence in place with a small fee. JLL and JW to pick that matter up separately
18/05/2023	Email	JLL - JW	Holding email after site meeting
20/05/2023	Email	JW - JLL	JW requesting clearance from the council to the outstanding claim previously agreed by the council and timelines for new plans.
22/05/2023	Email	JLL - JW	JLL confirmed that a timeline would be provided in relation to new plans. Confirmed unable to provide clearance for previous claim due to no records of the claim.

24/05/2023	Email	JW- JLL	JW provided various communications from the previous agent within the council. No confirmation provided for the amount of £27,000.
02/08/2023	Email	JLL - JW	Sent copies of new plans
04/08/2023	Email	JW - JLL	Email regarding additional information required
04/08/2023	Email	JLL - JW	Holding email - confirmation of hard copy plans sent out
04/08/2023	Email	JW - JLL	Confirmation of receipt of emails
11/08/2023	Email	JW - JLL	Queries on Compund and ecological query
16/08/2023	Email	JW - JLL	confirmation of plans received
24/08/2023	Email	JLL - JW	Email to JW with responses to queries
28/08/2023	Email	JW - JLL	JW set out further queries
13/09/2023	Email	JLL - JW	Clarifications on queries
26/09/2023	Email	JLL - JW	JLL requested meeting with JW to resolve outstanding queries
27/09/2023	Email	JW - JLL	Request for a call
28/09/2023	Teams Call	JLL & JW	JLL call with JW discussing queries sent over in his email. We discussed the reasons why the HoTs sent through by JW were not signed, he stated it was due to Dorset not finalising them. He confirmed the £27,000 was made up of various heads of claim; land value and disturbance. Agreed that JW would submit an updated claim including what they deem to be acceptable. JLL & JW agreed to reconvene once HoTs were submitted to discuss. Amended plan sent
03/10/2023	Email	JW - JLL	JW obtaining confirmation from client to be able enter into negotiations based on latest plans from the council. Attached were correspondence dated 20th March 2017 from Andrew Martin and Ben Lancaster 10 May 2017. The email from Ben Lancaster states <i>'Technically we do not agree on all points as set out in your letter of 20th March 2017 as the County Council has stated that it would resist installing a chain link fence at its expense. However, this point has been rolled into item 6. On this basis, I can confirm the agreement to all of your points and now have instructions to that effect.'</i>
04/10/2023	Email	JLL - JW	JLL confirmed receipt of email and stated we look forward to their claim.
18/10/2023	Email	JW - JLL	Email from JW with historic claim and various issues

23/01/2024	Email	JLL - JW	JLL response with updated plans
23/02/2024	Email	JW- JLL	Response re 4 main points. Fees, Access from highway, drainage and planting
28/02/2024	email	JLL - JW	Holding email
28/02/2024	Email	JW-JLL	confirmation the case has been going on a while.
29/02/2024	email	JLL - JW	JLL requesting detail on issue with outstanding claim
18/03/2024	Email	JW - JLL	response on outstanding claims
19/03/2024	email	JLL - JW	Requested teams call as emails are becoming messy
23/04/2024	Email	JLL - JW	Email to JW with confirmation of issues.
15/05/2024	Email	JLL-JW	Hots sent to JW
24/05/2024	Email	JW-JLL	Confirmation of receipt of email to TR.
28/05/2024	Email	JW - JLL	Email to Tanya requesting ecology detail
07/06/2024	Email	JW-JLL	Further queries on ecology
13/06/2024	Call	JLL-JW	Message left to discuss whether an agreement can be reached
13/06/2024	Call	JLL-JW	Call with JW to request a review of the Heads of Terms in relation to the plan which cannot be changed any further.
27/06/2024	email	JW-JLL	Confirming he is meeting with his clients the next day
01/07/2024	Email	JW-JLL	Email with queries
03/07/2024	Email	JW-JLL	Confirmation of receipt of information from TR
27/07/2024	Email	JLL-JW	Email confirming RFIs are being sent out
22/07/2024	Email	JW-JLL	Response to email of 15th May
22/07/2024	Email	JLL-JW	Email to John requesting call following receipt of email
30/07/2024	Email	JLL-JW	Chasing email
04/08/2024	email	JW- JLL	Request for face to face meeting rather than teams.
05/08/2024	Email	JLL-JW	Chasing email
27/08/2024	Email	JLL-JW	Chasing email
05/09/2024	Email	JLL-JW	Chasing email

05/09/2024	Call	JLL-JW	JW going to send over a skeleton claim for discussion
08/09/2024	Email	JW-JLL	Various queries
09/09/2024	Email	JW-JLL	Claim sent
26/09/2024	Email	JLL-JW	JLL provided Scott schedule to JW. Response provided on each item of claim. Noted where not a claimable item
05/10/2024	Email	JW- JLL	response to scott schedule
07/10/2024	Email	JL- JW	Chasing Email
15/10/2024	Email	JW - JLL	Confirmation that he does not want a teams call but a face to face instead with dates provided.
15/10/2024	Email	JLL- JW	Email to JW with calendar invite for Thursday 24th.
16/10/2024	Email	JLL- JW	Accepted meeting request for closer location
16/10/2024	Email	JW- JLL	Email confirmation for call
24/10/2024	Teams meeting	JLL-JW	Call with JW to review the Scott schedule. Number of items claimed with no evidence. Further requests made for that evidence. Confirmation the Council are looking to pursue the CPO. Confirmation that the scheme is as it is now and no further amendments can be made. Rule 2 Market Value agreed.
11/11/2024	Email	JLL-JW	Email to John requesting update
11/11/2024	Email	JW- JLL	Various queries
11/11/2024	Email	JW-JLL	Directors time email
12/11/2024	Email	JLL-JW	Email to John to confirm delaying meeting to provide extra time.
12/11/2024	email	JW-JLL	Further queries
12/11/2024	Email	JLL-JW	Email to John confirming no changes to his clients land
14/11/2024	Email	JLL-JW	Further confirmation that there are no changes
14/11/2024	Email	JW-JLL	Queries on plans for land take and use of soil nails
14/11/2024	Email	JLL-JW	Email to confirm availability
16/11/2024	Email	JLL-JW	Response to email
18/11/2024	Email	JLL-JW	Email confirming position on compensation claim
21/11/2024	Email	JW-JLL	email response
04/12/2024	Teams Call	JLL-JW	Teams call to confirm that the offer made is still on the table and that without further evidence it cannot be increased. John going away to discuss.
14/01/2025	Email	JLL-JW	Chasing email
20/01/2025	email	JW-JLL	Email response
20/01/2025	Email	JLL-JW	Confirmation of receipt of objections and requested a response to the HoTs
03/02/2025	Email	JW-JLL	Updated claim sent to JLL
10/02/2025	Email	JLL-JW	Acknowledged response to claim and confirmed meeting as next step
23/02/2025	Email	JW-JLL	Email confirming points.
18/02/2025	Email	JW-JLL	Confirmation of a meeting.
20/02/2025	Email	JLL- JW	Request for dates
02/03/2025	Email	JW - JLL	Request for meeting

03/03/2025	Email	JLL- JW	Email requesting dates
06/03/2025	Email	JLL- JW	Chasing email
07/03/2025	email	JW-JLL	Request for agenda items
07/03/2025	Email	JLL- JW	Confirmation of intent of meeting and request for dates
07/03/2025	Email	JLL- JW	Response to queries and request for dates
07/03/2025	email	JW-JLL	Various queries and provides dates
12/03/2025	Email	JW-JLL	additional dates and request for attendees
21/03/2025	Email	JLL- JW	Sent dates
28/03/2025	Email	JW-JLL	Confirmation of 10th April
01/04/2025	Email	JLL- JW	Confirmation the meeting is in person
01/04/2025	Email x2	JW - JLL	Request as to whether the meeting is in person and who is attending
02/04/2025	Email	JW-JLL	Various queries on the the meeting
02/04/2025	Email	JLL- JW	Confirmation of attendees
07/04/2025	Email	JLL- JW	Confirming agenda
08/04/2025	email	JW-JLL	Response to agenda
09/04/2025	Email	JLL- JW	Confirming meeting is still going ahead
10/04/2025	Meeting on site	All	Meeting on site with Claimant and Council representative. Then meeting with agent separately to discuss claim
10/04/2025	Email	JLL- JW	Offer sent
14/04/2025	Email	JLL- JW	Confirmation of planting
14/04/2025	email	JW-JLL	Additional queries to be address at the meeting
15/04/2025	Email	JLL- JW	Further requested detail provided
16/04/2025	Email	JLL- JW	Confirming on leave for 2 weeks
17/04/2025	Email	JW- JLL	Response to Heads of Terms
02/05/2025	Email	JLL- JW	Heads of Terms to JW
06/05/2025	email	JLL- JW	Confirmation that statement of case can be sent by email
07/05/2025	Email	JLL- JW	Request for call
07/05/2025	Call and Email x 3	JLL-JW	Call to confirm receipt of HoTs and email for statement of case and confirmation of why land cant be acquired now
07/05/2025	Email x 2	JW- JLL	confirming will liase with clients and solicitors. Request to amend heads on option wording. Additional queries on the timings
08/05/2025	email	JW - JLL	Various queries on Heads of Terms
09/07/2025	Email	JLL-JW	Comments in response to email
12/05/2025	Email	JLL-JW	Chasing email
13/05/2025	Email x 2	JLL-JW	confirmtion of how to remove the objectin and reason CPO still going ahead
14/05/2025	Email x2	JW - JLL	Various accomodation works points and legal queries
14/05/2025	Email	JLL-JW	Updated heads of terms
15/05/2025	Email	JW - JLL	Queries on gates, compund surveys and fencing
15/05/2025	Email x 2	JLL-JW	Various responses to queries

19/05/2025	Email	JLL-JW	Request to sign HoTs
20/05/2025	Email x 2	JW-JLL	Legal and accomodation works queries. Forwarded email from lawyers.
28/05/2025	Email	JW - JLL	Confirmation that the vendors questionnaire has been filled out. Query on CGT.
28/05/2025	Email	JLL-JW	Chasing email
03/06/2025	Email x 2	JLL-JW	Further comments re accomodation works
03/06/2025	Email	JW - JLL	Additional queries on completion, accomodation works and fees
04/06/2025	Email	JW - JLL	Email re fencing, Completion date and accomodation works

JLL Negotiation Summary Log
(Landowner of the West Side)

Date	Method of Communication	Attendees / Parties	Context of Communication
22/02/2023	Letter / email	Council - Roy Phillips	Outlining instruction of JLL and Michelmores
13/03/2023	Letter / email	JLL - Tim Broomhead	Letter of intro to Roy Phillips
23/03/2023	Letter / email	JLL - Tim Broomhead	Email regarding notices served to carry out surveys on his clients land. Any queries to contact Tanya
28/03/2023	Email	Roy Phillips - JLL	Email requesting current plans
29/03/2023	Call	Roy Phillips - JLL	Call with Roy Phillips regarding an email sent to us requesting plans. Generally introduction and request for meeting
31/03/2023	Email	JLL - Roy Phillips	Current plans sent across and request for site visit w/c 10th April
05/04/2023	Email	RP - JLL	Forwarded copy of plans to appointed surveyor
17/04/2023	Email	JLL - Roy Phillips	Requesting site visit. Provided dates.
17/05/2023	Meeting on site	JLL - Roy Phillips & Tim Broomhead	JLL met at Mr Phillips house. The current plans were discussed (BS4958_612_C). We discussed Mr Phillips concerns with the plans and walked the site. Mr Phillips was accommodating. JLL agreed to report back concerns to DCC.
03/08/2023	Email	JLL - RP	Sent copies of new plans
25/08/2023	Email	JLL - RP	Chasing email
04/09/2023	Email	RP - JLL	Outline of queries
11/09/2023	Email	JLL - RP	Holding email
26/09/2023	Email	JLL - RP	Provided response to questions in email of 4th September following discussion with DC. JLL also requested that Mr Phillips responds to TR regarding upcoming road closure and access.
02/10/2023	Email	JLL - RP	JLL sent survey statement to RP which was sent through by TR
04/10/2023	Email	RP - JLL	Confirmation that Dorset could go on site with conditions. JLL shared with TR
12/02/2024	Email	JLL - RP	Heads of Terms sent to RP
18/03/2024	Email	JLL- RP	Email chase
24/03/2024	Email	JLL - RP	Email confirming responses to questions
23/05/2024	Email	JLL - RP	Email containing Heads of Terms sent to RF
13/06/2024	Email	JLL - RP	Chasing email for response on HoTs
27/06/2024	Email	JLL - RP	Email to RP confirming RFIs
28/06/2024	Email	JLL - RP	Chasing email
30/07/2023	Email	JLL - RP	Email confirming access and chasing HoTs
30/07/2024	Email	TB - JLL	Email querying whether the access is an emergency.
31/07/2024	Email	JLL - TB	Response to email regarding access
27/08/2024	Email	JLL - RP	JLL response to RP queries around planning, TPO's and drainage
05/09/2024	Email	JLL - RP	Confirmation of EIA and request for response to Hots
06/09/2024	Email	TB - JLL	Request for costs of EIA, queries on surface water drainage statement and various other queries .
06/09/2024	Email	JLL - RP	Email confirming details on planning and drainage. Request for review of HoTs
06/09/2024	Email	JLL - RP	Sent copy of TPO approval letter
06/09/2024	Email	JLL - RP	Sent link of planning application
11/09/2024	Email	JLL - RP	Offer of meeting dates
16/09/2024	Email	JLL - RP	Invite sent for 15th Oct
17/09/2024	Email	TB - JLL	Confirmation that the day is acceptable.

17/09/2024	Email	JLL - RP	Confirmation of date and time
19./09/2024	Email	TB - JLL	Request for list of attendees.
18/09/2024	Email	JLL - RP	Confirmation of location
18/09/2024	Email	JLL - RP	Confirmation of attendees
27/09/2024	Email	TB - JLL	Confirmation of attending.
27/09/2024	Email	JLL - RP	Confirmation of attendees
09/10/2024	Email	JLL - RP	List of attendees
15/10/2024	Meeting on site	JLL - KF - Council and Council representatives	Meeting to review drainage. Requirement for additional easement to the south for a pipe.
15/10/2024	Email	JLL - RP & KF	Email requesting claim and a call in 3 weeks to discuss.
24/10/2024	Email	JLL - Roy Phillips & Tim Broomhead	Email providing updated easement plan and request for timescales for receipt of information.
18/11/2024	Email	JLL - Roy Phillips	Email chasing for an update following meeting on site
24/11/2024	Email	RP - JLL	Confirming their agents will be providing their proposals shortly.
04/12/2024	Email	JLL - RP and KF	Request for claim. Confirmation that the CPO will be submitted soon.
10/12/2024	Email	TB - JLL	Request as to whether the Council would include savings in costs and time for avoiding CPO in the compensation.
10/12/2024	Email	JLL - RP and KF	confirmation of previous offer and resent hots
14/01/2025	Email	JLL - RP and KF	Chasing email
10/02/2025	Email	JLL - RP and KF	Chasing email
18/02/2025	Email	JLL - RP and KF	Chasing email
18/02/2025	Email	TB - JLL	Email confirming claim will be provided next week. Request for what will be included in the claim. Request for information on drainage and accomodation works.
19/02/2025	Email	JLL - RP and KF	Confirming receipt and providing information to Tim and Roy
06/03/2025	Email	JLL - RP and KF	Chasing email
07/03/2025	Email	TB - JLL	Confirming Tb waiting for instructions
17/03/2025	Email	JLL - RP and KF	Chasing email
20/03/2025	Email	TB - JLL	Email containing claim
21/03/2025	Email	JLL - RP and KF	Request for call
22/03/2025	Email	TB - JLL	Confirmation for call timings
24/03/2025	Teams meeting	JLL and DC - RP and KF	Meeting to discuss accomodation works, extent of rights and compensation matters
24/03/2025	Email	JLL - RP and KF	Email providing copies of plans for drainage, soil nails and drainage
25/03/2025	Email x 2	TB - JLL	Organising calls
07/04/2025	Email	JLL - TB	Email confirming receipt of email
11/04/2025	Email	TB - JLL	Response to issues on drainage
15/04/2025	Email	JLL - TB	Request for call to discuss issues
28/04/2025	Teams meeting	JLL and DC-TB	Discussion of kerb line location as part of accomodation works
06/05/2025	Email	JLL-TB	Email requesting address for delivery of the statement of case
06/05/2025	Email	TB - JLL	Confirmation of use of email
06/05/2025	Email	JLL-TB	Email confirming we are waiting for survey results to confirm offer
07/05/2025	Email	JLL -TB	Heads of Terms sent
12/05/2025	Email	JLL -TB	Chasing email

12/05/2025	Email	TB - JLL	Request for no option
13/05/2025	Email	TB - JLL	Discussion on option and confirmation that they wont withdraw the objection until exchange has taken place
13/05/2025	Email	JLL -TB	Request for meeting
14/05/2025	Emailx2	TB - JLL	Amendments to HoTs
14/05/2025	Email x 5 & Call	JLL -TB	Meeting request, Teams call, amended and sent hots, sent plan
15/05/2025	email x 3	TB - JLL	Further comments on HoTs
15/05/2025	email x 3	JLL -TB	Meeting request and email response with comments
16/05/2025	Email	TB - JLL	Query on kerb
19/05/2025	Email	JLL -TB	called and emailed to chase agreement
22/05/2025	Emial	TB - JLL	Chasing email
23/05/2025	Email	JLL -TB	Updated detail on the heads of terms
27/05/2025	Email	TB - JLL	Agreement on kerb design
27/05/2025	Email	JLL -TB	Updated heads of terms
02/06/2025	Email	TB - JLL	Agreed to speak to landowners
02/06/2025	Emails x 2	JLL -TB	Chasing email and updated heads of terms
03/06/2025	Email	JLL-TB	Chasing email
03/06/2025	Email	TB-JLL	Agreement on exchange methodology