

LEICESTERSHIRE COUNTY COUNCIL A511 GROWTH CORRIDOR

Statement of Reasons

November 2023

STATEMENT OF REASONS

for

**LEICESTERSHIRE COUNTY COUNCIL (A511 GROWTH
CORRIDOR) (SIDE ROADS) ORDER 2023**

and

**LEICESTERSHIRE COUNTY COUNCIL (A511 GROWTH
CORRIDOR) COMPULSORY PURCHASE ORDER 2023**

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1. Introduction

- 1.1 This Statement of Reasons ("Statement") has been prepared by Leicestershire County Council (the "Council"). It introduces the Council's published proposals for the Leicestershire County Council A511 Growth Corridor (the "Scheme") which consists of highway improvements at nine locations along the A511 between Hoo Ash Roundabout in the west and Field Head Roundabout in the east (this stretch of highway is referred to in this Statement as the "A511 Growth Corridor") plus the construction of a new link road off of Bardon Road (referred to in this Statement of Reasons as "the Bardon Link Road"). These nine specific interventions, referred to as the "Projects", along with other works will seek to improve the existing road between those two points. The overall Scheme, including the nine specific locations, is shown on the Plan at the Appendix to this Statement.
- 1.2 This Statement justifies and explains the need for the compulsory purchase order ("CPO") to enable land and any other interests in the land that is not within the ownership or control of the Council to be acquired to permit the works to be carried out to deliver the Scheme. The Order made is the Leicestershire County Council (A511 Growth Corridor) Compulsory Purchase Order 2023 ("CPO").
- 1.3 In addition to making the CPO, the Council has made the Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023 ("SRO") in order to carry out works to existing highways as well as private means of access ("PMA") that are necessary to enable the Scheme to be built.
- 1.4 The two Orders, when referred to collectively in this Statement will be called the "Orders". Otherwise, they will be referred to by name or as CPO or SRO as appropriate.
- 1.5 This Statement is a non-statutory statement provided in compliance with the Department for Levelling Up, Housing and Communities, and Local Government's "Guidance on Compulsory Purchase Process and the Crichel Down Rules" (the "DLUHC Guidance") (July 2019) and The Department for Transport's ("DfT") Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority, Circular No. 2/97 ('the DfT Guidance'). It is not intended to discharge the Council's requirement to produce, nor is it to be taken as, its 'Statement of Case' in the event that the Secretary of State should convene a public inquiry to be held to consider any objections received to the Orders.
- 1.6 All documents referred to in this Statement are listed in section 23 and details of how these documents can be inspected are in section 21 of this Statement.
- 1.7 There are two further matters to note by way of introduction. The first is in respect of the Council's specified approach to achieving growth in its area. The second is in respect of the approach adopted by the Council to achieve the necessary planning consents for the Scheme.
- 1.8 In respect of the first matter, the Council's Strategic Economic Plan ("SEP")

was created for the period 2014-2020 and is still considered by the Council as the current and relevant Plan. The Plan sought to achieve the creation of 45,000 new jobs, lever £2.5bn of private investment and increase GVA by £4bn from £19bn to £23bn by 2020. The Council sought to achieve that across the county by investing in places to unlock key development sites, improve the public realm and connectivity to enable the efficient transport of people and goods. Investment in the A511 Growth Corridor (also known in other documents as the Coalville Growth Corridor and the A511 MRN Corridor) is an essential part of the overall economic strategy and is one of five Growth Areas identified in the SEP. The A511 Growth Corridor is one of two key east-west links in Leicestershire. With appropriate interventions, that corridor is capable of enabling the construction of 5,275 houses along with 25 hectares of employment development, which although planned is constrained by the current poor transport infrastructure. The Scheme will address those limitations.

- 1.9** In respect of the second matter, the Council has adopted an approach which seeks to achieve the required infrastructure improvements with minimum effect on the locality or interference with existing interests and rights. The main alterations to the A511 proposed as part of the Scheme will occur at the various junctions along the existing road. As such permitted development rights as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”) authorise much of the Scheme. Alterations to existing highway within highway boundaries or adjoining the existing highway fall within the permitted development rights granted by GPDO. Where the use of such permitted development rights does not exist, the Council has sought and obtained specific planning permission to enable the various proposals within the Scheme to be built. Therefore, the Scheme benefits from planning permission through a combination of permitted development rights and express planning consent. Further details in this regard are set out at Section 14 of this Statement.

2. Purpose of the Orders

- 2.1 On the 15th September 2023 the Council resolved to use compulsory purchase powers and authorised the preparation and making of the Orders.
- 2.2 The making and confirmation of the CPO will enable the Council to acquire the land and rights necessary for the construction and maintenance of the Scheme, which it does not currently own or control. Further, it will ensure that the necessary improvements are made to the local highway network including the incorporation and implementation of appropriate mitigation measures. Much of the work required along the line of the A511 Growth Corridor already falls within the current highway boundary. The CPO will enable the Council to acquire land and interests that are currently outside of its ownership and control, and which are needed to enable the Scheme to be constructed.
- 2.3 The Council has carried out diligent inquiry to identify all persons with an interest in the land affected by the proposed compulsory acquisition.
- 2.4 The Council has engaged in negotiations to acquire any affected parties' interests voluntarily and is progressing those discussions. Although the Council remains committed to this approach, it is necessary for it to have the ability to acquire the land interests by compulsory acquisition, if necessary, to ensure that the Scheme can be delivered in an efficient and certain timescale so as to avoid delay in the Scheme. The Council is satisfied that the acquisition of all the land interests and new rights are necessary to enable the Scheme to proceed. The Council will continue to review the acquisition of land as the Scheme is progressed to ensure that remains the situation.
- 2.5 The SRO will, subject to Confirmation by the Secretary of State for Transport, empower the County Council to stop up existing side roads and PMA affected by the Scheme, to improve existing side roads, and to divert a public right of way (public footpath N86), create a new cycle track (with right of way on foot) and PMA as a consequence of the main works.
- 2.6 The proposed alterations to existing highways and PMA that will be affected by the Scheme are described in the Schedule to the SRO and shown on the relevant plans to the Order. Where highway improvements as part of the Scheme are proposed on areas that include PMA within the highway boundary, but the works will not affect the existing access arrangements of those PMAs, those PMA have not been shown on the SRO plans. Existing PMA in respect of these areas will remain available both during and after completion of the Scheme.
- 2.7 The Scheme will require alteration of side roads and accesses and the Order made under Sections 14 and 125 of the Highways Act 1980 will allow implementation of these alterations.

3. The Enabling Powers

- 3.1 The Council seeks authorisation to acquire the majority of the land required for the Scheme outright. For some plots, the Council is seeking authorisation to create new permanent rights without acquisition; namely over land owned by Network Rail where the Council requires rights to construct an underbridge below the railway embankment. For other plots, the Council is seeking authorisation to acquire land to locate construction compounds to facilitate the construction of the Scheme. The Council has sought to minimise the extent of compulsory acquisition, including through the acquisition or creation of rights instead of outright acquisition, wherever possible.
- 3.2 The Highways Act 1980 empowers the Council to compulsorily acquire land and rights over land which it requires to construct and improve the highway. A summary of the powers in the Highways Act 1980, which are relied upon in relation to the Scheme is provided below:
- Section 14 authorises the Council to stop up, divert, improve or otherwise deal with a highway that crosses or enters the route of the road to be provided.
 - Section 125 empowers the Council to deal with any PMA affected by the new road including the provision of a new PMA.
 - Section 239 enables the Council as the Highway Authority for the area to “acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense”, as well as any land required for the improvement of a highway.
 - Section 240 provides that the Council may acquire land required for the use in connection with construction or improvement of a highway.
 - Section 246 allows the Council to acquire land for the purpose of mitigating any adverse effect that the existence or use of the highway may have on its surroundings.
 - Section 250 allows the Council as the acquiring authority to acquire rights over land, both by acquisition of those already in existence and by the creation of new rights.
 - Section 260 allows the Council to override restrictive covenants and third-party rights where land acquired by agreement is included in a compulsory purchase order.
- 3.3 The Council is using its powers under the Highways Act 1980 to ensure that it will be able to acquire all the land and new rights required to allow the Scheme to be built and maintained. Effort has been made to acquire the land by agreement, which will continue in parallel with the use of the compulsory purchase order process.
- 3.4 The land to be acquired is shown coloured pink on the CPO map. The land

over which new rights are required is shown coloured blue on the CPO map.

- 3.5 On confirmation of the CPO, the Council has available to it various options as to how the land is acquired. It could choose to exercise a combination of execution methods. Some land plots would be acquired by executing General Vesting Declarations as set out in the Compulsory Purchase (Vesting Declarations) Act 1981, in order to secure title to the land that is required permanently. Other land plots could be acquired using the Notice to Treat and Notice to Enter procedure where land access is only required temporarily for construction purposes. The Council would seek to acquire any temporary rights that are required by private treaty agreements with landowners in the first instance, falling back on the exercise of compulsory purchase powers if necessary.
- 3.6 The SRO has been made under sections 14 and 125, and in accordance with Schedule 1, of the 1980 Act. Section 14 of the 1980 Act authorises the Council in relation to the classified road to:
- Stop up, improve, divert, raise or lower or otherwise alter a highway that crosses or enters the route of a road or is or will be otherwise affected by the construction of the road; and
 - To construct a new highway for purposes concerned with any such alteration or for any other purpose connected with the road or its construction and to close after such period as may be specified in the SRO any new highway so constructed for temporary purposes.
- 3.7 Section 125 of the 1980 Act provides that any order made by the Council under section 14 may authorise the Council to:
- Stop up each PMA to premises adjoining or adjacent to land comprised in the route of the classified road, or forming the site of any works authorised by the order; and
 - To provide new PMA to any such premises.

4. Background Information

- 4.1 In 2008 the Council and North West Leicestershire District Council (“NWLDC”) jointly commissioned studies to aid their understanding of the causes of the traffic problems in and around Coalville and Ashby and identify measures required to enable the area’s continued strategic growth.
- 4.2 In 2011 the Council commissioned the Coalville Transport Strategy (“CTS”) to look at the impacts of two Sustainable Urban Extensions and several smaller sites of up to 1,000 houses each, which were being promoted through the Local Development Framework Core Strategy.
- 4.3 In 2014, the Leicester and Leicestershire Local Enterprise Partnership secured Growth Deal funding from the DfT towards delivery of improvements at M1 Junction 22 and A42 Junction 13. Developer contributions have subsequently been sought for improvements at the remaining locations along the A511.
- 4.4 In 2016, SYSTRA Ltd was commissioned by the Council to develop a robust evidence base to support improvements for the A511 Growth Corridor, in order to enable economic regeneration of the area and facilitate new housing and employment developments. This study:
- Identified all of the necessary infrastructure to mitigate the cumulative impact of the known growth and regeneration aspirations in the district;
 - Ensured that the investment priorities to support growth in the Coalville area were understood; and
 - Identified the opportunities to prepare bids to fund all, or part of, the identified gap between expected developer/private sector contributions and the cost of the infrastructure.
- 4.5 On 23rd December 2017, the DfT launched a consultation setting out the Government’s proposals for the creation of a Major Road Network (“MRN”). The MRN formed a middle tier of the country’s busiest and most economically important local authority ‘A’ roads, sitting between the national Strategic Road Network (“SRN”) and the rest of the local road network.
- 4.6 The culmination of the Council’s previous transport studies (2008-2016) was the evolution of the A511 MRN project, which gave the road corridor local recognition in supporting housing and employment growth, but also national recognition in being defined as an ‘economically important ‘A’ road’.
- 4.7 Since 2017, the Council has commissioned a further study using Leicestershire’s Pan-Regional Transport Model (“PRTM”) to review and refresh the modelling work relating to the CTS. This study included consideration of the A511 MRN scheme which developed from the results of the previous studies. This work reaffirmed the recommendations of the previous studies, including the finding that growth will be severely restricted without investment in the A511 Growth Corridor.
- 4.8 The A511 MRN works have also been subject to Strategic and Outline Business Case (“OBC”) approvals, which have allowed the Scheme to secure funding from the DfT. Once the full detailed design of the Scheme has been

completed and final construction cost estimate established, the Council will submit the Full Business Case to the DfT for approval. Subject to this approval, the Council will then be able to draw down the full grant allocation from the DfT to construct the Scheme.

5. The Current Situation in Respect of the A511 Growth Corridor

- 5.1 The Scheme is situated within the Leicestershire County Council A511 Growth Corridor, which is a 15km long stretch of road that extends from the A50 Field Head junction (just east of the M1 Junction 22) to the A42 Junction 13 near Ashby-de-la-Zouch as shown on the Plan at the Appendix of this Statement.
- 5.2 The current route of the A511 is a mixture of single and dual carriageway and forms a bypass around the north of the town of Coalville in the North West Leicestershire District, providing accessibility to employment and service areas, both within the local area and at larger centres such as Leicester.
- 5.3 The demand from both local and through-traffic, combined with capacity limitations along the route are a significant cause of the congestion currently experienced. The OBC highlighted a number of capacity issues associated with the existing A511 Growth Corridor as summarised in the ensuing paragraphs.
- 5.4 Due to it connecting two elements of the SRN (the A42 and the M1), the A511 acts as a key artery for commuter and freight movements. At present, delays to traffic on the A511 mean that the benefits of the ongoing capacity and reliability investments on the SRN by National Highways are not fully realised as the delays on the A511 affect access and egress on the SRN.
- 5.5 The A511 Growth Corridor currently experiences notable levels of congestion and peak hour delay at several of its key junctions which results in journey time delay upwards of forty seconds at each junction and leading to tailbacks that disrupt the flow of traffic along the approaching links, resulting in speeds of less than 10mph on sections of road designed for 60mph. This lack of journey time reliability reduces people's ability to utilise the network freely, reducing their choice of amenities which they can access.
- 5.6 The A511 acts as a key north west to south east corridor, with its eastern end connecting to Leicester and the M1. Additionally, there are currently a wide number of transport & logistics and industrial firms on the corridor, including Amazon, as well the Bardon Hill Quarry (a nationally significant quarry and aggregate business), which is reflected in the high levels of employment in these sectors in local demographics. The existing levels of congestion on the corridor make freight movement slower, less reliable and subsequently more expensive.

6. The Justification of and Need for Intervention

- 6.1 The current use of the road and its significance as part of the road network in this part of the County has been recognised by the Council for a considerable period of time. It has been subject to consideration as part of the proper planning of the area including in relevant planning policy documents.
- 6.2 The Scheme is also recognised at the local level by Leicester and Leicestershire Enterprise Partnership in its SEP as one of five Growth Areas. The SEP states through appropriate investment and improvements along the corridor, there is the potential to deliver at least 5,275 houses and 25ha of employment land.
- 6.3 In order to meet the ambition for the A511 Growth Corridor as described within the SEP it was anticipated that additional capacity would be required along with a new link road to link into development sites. Traffic modelling undertaken in 2014 and presented in support of the OBC for the Scheme indicated that several junctions along the A511 were operating at, or near their capacity. The results showed that without intervention, conditions at these junctions would continue to worsen, with more junctions reaching or nearing their capacity in the following years. Paragraphs 4.2.8 to 4.2.14 of the OBC detail the traffic modelling results that demonstrate the need for intervention at the junctions that make up the Scheme.
- 6.4 The cost to the local economy of congestion will be exacerbated by the level of traffic growth resulting from the many residential and employment developments currently committed. Coalville has pockets of some of the highest economic deprivation in the country and efforts to address this will be hampered by the performance of the road. In addition, there are planning applications for 3,500 new dwellings and employment concentrated to the south of the town, which, whilst not dependent on the A511 being improved, will benefit from the journey time and reliability improvements of the scheme and supporting the local economy.
- 6.5 Traffic counts collected by the Council using automatic traffic counters demonstrate how the A511 is a key strategic and logistic route, carrying around 28,000 vehicles a day on average, with HGVs forming around 12% of that total. Between 2013 to 2018, an average growth of 22% in HGVs was recorded; a trend which reinforces the need for intervention along the corridor to support industry which relies on the efficient movement along the route.
- 6.6 From an analysis of those various concerns, it emerged that an intervention was required. That intervention would seek to address the current conditions and to meet a number of objectives. The objectives which were identified are outlined in section 7 of this Statement.
- 6.7 In addition to the issues identified above there is a need for intervention from a safety and environmental perspective. Data collected from Stats19 records shows that the route currently experiences around 21 personal injury collisions ("PICs") a year, two of which on average result in a serious or fatal casualty.

Other schemes carried out at M1 Junction 22 and A42 Junction 13 have resulted in a noticeable reduction in PICs recorded by Stats19 derived data, and the package of improvements proposed for the A511 aims to build on this trend.

7. Scheme Objectives

7.1 To address the issues identified along the A511 Corridor, and taking into account national, regional, and sub-regional policy and strategy; seven objectives were identified at the concept stage, against which to assess the various Scheme options as detailed in Section 8 of this Statement. The seven objectives are:

- Objective 1 – Make journeys on the A511 faster and more reliable;
- Objective 2 - Provide a resilient and safer road network, resilient to road collisions;
- Objective 3 – Improve reliability and capacity for freight along the A511 Growth Corridor and in doing so, support the efficient operation of logistics and mineral extraction needs of the area;
- Objective 4 - Support North West Leicestershire District Council's objectives of facilitating economic and housing growth by delivering improved transport infrastructure;
- Objective 5 - Improve connectivity for all road users;
- Objective 6 - Support the SRN by providing a reliable and resilient link to the M1 and A42; and
- Objective 7 - Improve air quality and traffic noise impact along the corridor.

7.2 These objectives align with and expand on the DfT's five central MRN objectives:

- MRN Objective 1: Reducing congestion;
- MRN Objective 2: Supporting economic growth and rebalancing that economic growth across regions;
- MRN Objective 3: Supporting housing delivery;
- MRN Objective 4: Supporting all road users; and
- MRN Objective 5: Supporting the Strategic Road Network.

8. Scheme Options

8.1 Taking into account the identified seven objectives outlined in paragraph 7.1 of this Statement, an options assessment exercise was carried out in accordance with WebTAG guidance using the DfT Early Assessment Sifting Tool (EAST) methodology to review the current and future issues relating to the A511 Growth Corridor and how these could be addressed. This process is described within the Option Assessment Report from June 2019 ("OAR"). The table below from that document sets out the current issues experienced on the A511 Growth Corridor, the future issues anticipated without intervention, the cause of these issues and why improvements are required. It should be noted that the assessment was carried out prior to the announcement that two legs of the proposed HS2 were no longer being progressed. References to HS2 are made in the table but are therefore no longer relevant. The remainder of the points relating to supporting the Scheme are still valid.

Theme	Current Issue	Future Issues	Underlying Cause	Need for Intervention
Sustaining and supporting economic growth	Delays along the A511 creates network resilience issues with limited route choice. This has a knock-on impact on the performance of its strategic junctions with the M1 J22 and A42 J13. This also poses journey time reliability issues for the logistics and mining activities which is prevalent along the corridor. Pockets of deprivation.	A failure to address the issues posed by underperforming junctions will increase delays to traffic accessing the SRN at M1 J22 and A42 J13, and impact on the economic output and productivity of the area. There is potential to unlock 5000 jobs and this would not be realised without the adequate infrastructure along the corridor.	80% of residents in North West Leicestershire and 76% of Coalville residents travel to work by car or van. This contributes to traffic congestion and air quality issues which ultimately has an increased cost on the local economy.	The addition of essential infrastructure to the existing highway network would enable it to operate more efficiently and support development within North West Leicestershire. The development and delivery of the suggested package of measures will support the efficient operation of the logistics and quarry needs on the corridor and the continued sustainable economic and housing growth in North West Leicestershire. The growth of these logistics companies requires not just improvements in journey times, but also greater reliability on journey times to their destinations.
Support all road users	Very high proportion of people travelling to work by non-sustainable transport modes. This is somewhat attributable to no publicly accessible railway services within North West Leicestershire and slow and indirect bus services available in Coalville. Increased congestion also contributes to air quality issues which has consequently led to the A511 (by Coalville) becoming an AQMA.	Continued growth in background traffic and freight related activities leading to poor air quality and safety issues for vulnerable road users.	There are limited sustainable interventions in place / proposed for North West Leicestershire. This, coupled with the lack of public transport opportunities in the area, creates a car culture which would require significant behavioural change for a mode shift.	At a local level residents and businesses will benefit from improved road, cycle and pedestrian connectivity in the area, providing more opportunities to access jobs in Coalville, Ashby and the wider area. This will help to alleviate air quality issues. In addition, route improvements would assist the safety of vulnerable road users on the A511.
Facilitating Housing Growth	Existing traffic data indicates that the A511 Growth Corridor currently has considerable issues with road capacity and network congestion.	North West Leicestershire aims to deliver circa 8,300 houses within the vicinity of the A511 by 2031, including the delivery of 3,500 homes in Coalville. Housing growth will further contribute to increased congestion over capacity with an additional increase in traffic demand on the existing road network. This will ultimately limit the delivery of housing.	Development is constrained by lack of infrastructure.	Need to support the development of future housing including SUEs, as well as the visions from the LTP3 to support economic growth and more sustainable communities. The scheme will accelerate delivery of transport infrastructure necessary to facilitate housing growth. This will reduce the barrier to developers investing in Coalville by enabling sites to come forward where meeting the full cost of the infrastructure would make delivery unviable.
Support the Strategic Road Network	The A51 Growth Corridor is one of the key east-west road links in Leicestershire linking the A42 to the M1 at Junction 12 and therefore acts a connecting route to the SRN. It also performs a resilience function for the SRN by acting as an alternative route between the M1 and A42.	Continued growth in background traffic and freight related activities can lead to delays and journey time reliability issues for the corridor and in so doing affecting vehicles accessing the SRN. In addition to this the HS2 compound is located near the corridor and would result in additional traffic along the corridor during construction.	Inadequate infrastructure to support the SRN and future growth in the area, as well as HS2 activities. Lack of resilience - the A511 is vulnerable to collisions and incidents which can cause significant disruption over a wide area.	The A511 Growth Corridor performs a resilience function for the SRN. It is therefore paramount that is brought to suitable standard to support the SRN and prevalent freight activities along the corridor. It is also required to support the construction of the HS2 railway line through North West Leicestershire, which traffic implications for the area.
Environmental Impacts	North West Leicestershire District Council (NWLDC) has declared an Air Quality Management Area (AQMA) for Nitrogen Dioxide (NO2) exceedances at the junction of A511 Stephenson Way and Broom Leys Road.	Growth in background traffic and planned developments for the area will increase traffic along the corridor and in so exacerbate the existing Air Quality Issues with the possibility of causing it to extend to other locations along the corridor.	The main source of pollution is caused by emissions from stationary vehicles queuing on the A511 on both approaches to the junction.	Need to reduce congestion along the corridor by providing more available 'green time' for A511 traffic and help reduce queuing and engine idling.

- 8.2 In total, 28 different potential interventions were assessed in the OAR against the Scheme objectives, wider objectives and criteria relating to feasibility, acceptability and affordability to identify the better performing options. The OAR assessment was derived from the evidence base, with stakeholders engaged in the decision-making process. The interventions ranged from improvements to a single junction on the route, to various packages of improvements across multiple junctions, as well as options for public transport improvements.
- 8.3 What followed that process was an assessment which sought to reduce the potential interventions by removing any that failed to meet some or all of the Scheme objectives. That initial sifting of options (i.e. Stage 1 Assessment) was carried out following step 6 of DfT's Transport Analysis Guidance – the Transport Appraisal Process. This is a process which involves discarding options that:
- would clearly fail to meet the key objectives identified for intervention;
 - do not fit with existing local, regional and national programmes and strategies, and do not fit with wider government priorities, and,
 - would be unlikely to pass key viability and acceptability criteria (or represent significant risk) in that they are unlikely to be:
 - deliverable in a particular economic, environmental, geographical or social context e.g. options which would result in severe adverse environmental impacts which can not be mitigated against or where the cost of doing so is too high;
 - technically sound;
 - financially affordable; and,
 - acceptable to stakeholders and the public.
- 8.4 Following initial sifting, 15 transport options were discarded from the long list of 28 and 13 options were taken forward for further assessment. Of these different options each was ranked against the Scheme objectives and other aspects listed above. Package 1, with a set of full interventions, was ranked highest. The OAR details the full exercise undertaken to select the final Scheme.
- 8.5 The results demonstrated that highway interventions along the A511 Growth Corridor as proposed in Package 1 (which now comprise the Scheme) were the highest-ranking performers due to their potential for providing a material benefit to both road users and other residents, as well as supporting the growth proposals in North West Leicestershire District Council's Local Plan 2011 - 2031.
- 8.6 Of the 28 options, 5 options consisted of a package of junction improvements rather than improvements to just a single junction (Packages 1 to 5). These options identified that packages of improvements at multiple junctions

performed better when assessed against the scheme objectives compared with individual highway interventions, with the largest package ranking highest. This largest package (Package 1 which comprises the Scheme) has the added benefit of providing a continuity of standard for the A511 Growth Corridor as all improvements will be constructed at a similar time and likely under the same contract. In addition to economies of scale, this provides a greater certainty of benefit and achievement of outcomes compared with an alternative approach of incremental implementation over a longer duration. Implementing the interventions individually would also add uncertainty that the scheme will be fully delivered and that the full benefit will be realised.

- 8.7 The strategic case for the Scheme in the OBC includes consideration of the alternative options and those were assessed against the scheme objectives to settle on the preferred option for the A511 Growth Corridor.

9. Description of the Scheme

- 9.1 The Scheme (identified as Package 1 in the OAR) comprises Projects, consisting of improvements to seven roundabouts, one signalised crossroads junction, dualling a section of single carriageway and construction of a new link road (“the Bardon Link Road”). The Projects making up the Scheme along the A511 corridor are listed in the following table:

Project	Description of Improvements
A511 / Hoo Ash Roundabout	Widened entry and exit to the roundabout allowing two ahead lanes for the A511 in both directions.
A511 / Thornborough Road Roundabout	Widened entry and exit to the roundabout allowing two ahead lanes for the A511 in both directions. The existing crossing on the western (McDonalds) side of the A511 will be retained.
A511 Stephenson Way Dualling	Alter the existing single lane road to a dual carriageway on Stephenson Way between the Thornborough Road and Whitwick Road roundabouts.
A511 / Whitwick Road Roundabout	Widened approaches and exits allowing two ahead lanes for A511 in both directions and from Thornborough Road from the south. New signalised pedestrian crossing on the junction’s eastern side (Morrisons). This will aid walking and cycling movements between Whitwick and Coalville.
A511 / Broom Leys Road Junction	Modify the existing traffic signal junction by altering the existing left turn lane on Stephenson Way into Broom Leys Road (eastbound) to enable ahead and left traffic. Removing some of the verge and footway to provide two ahead lanes for traffic travelling northbound on Stephenson Way. This will enable improved vehicle throughput, reduced queuing and thus reduced pollution.
A511 Bardon Road Roundabout	Upgrading of the existing roundabout at the A511 Stephenson Way / Bardon Road Junction to create a new enlarged gyratory to allow a new southern arm and road connection to the Bardon Link Road.
Bardon Link Road	A new 450m length of road south of the Bardon Road Roundabout, with new underbridge through the railway embankment, shared

	footway/cycle way on both sides, balancing pond, additional drainage features and landscaping. This new road will tie into the spine road of the development off Grange Road to the south.
A511 / Birch Tree Roundabout	Widened entry and exit lanes allowing three lanes around part of the roundabout to enable an additional lane on the exit towards Coalville, supporting better traffic flow and reducing the risk of collision. Widening on the A511 southbound approach to facilitate an additional lane on the exit of the A511 eastbound.
A511 / Flying Horse Roundabout	Modification of the current partially signalised roundabout so that traffic from Stanton Road and traffic from Copt Oak Road can only turn left onto the A511. Traffic travelling on the A511 will not be able to turn right into Stanton Lane. The scheme will also see the existing pedestrian crossings kept with an additional crossing provided on Stanton Lane.
A50 / Field Head Roundabout	Introduction of part time signals on the A50 approaches to the roundabout. A two-lane exit is proposed on Launde Road. This adjustment enables regulation of the traffic flow across the roundabout, as well as improving traffic control at a junction that shows a considerable number of PICs over the last five years.

10. Meeting the Objectives

- 10.1 The final Scheme was assessed against the objectives set out at concept stage. The paragraphs that follow describe how the Scheme meets these objectives.

10.2 Objective 1 – Make journeys on the A511 faster and more reliable.

The Scheme will provide capacity improvements at all key junctions and will improve the reserve capacity at the junctions, thus helping to alleviate the current congestion along the A511 corridor and providing faster and more reliable journeys. The new Bardon Link Road will provide relief for the currently congested Birch Tree Roundabout, as well as reducing conflict with vehicle and rail movements accessing the Bardon Hill Quarry, and in so doing increasing capacity along the A511 Growth Corridor.

10.3 Objective 2 - Provide a resilient and safer road network, resilient to road collisions.

The Projects included in the Scheme will aid in improving safety of the corridor's users. Improving junction design and capacity will help alleviate pre-existing PIC clusters that centre on the intersections. Additionally, of the 88 recorded PICs along the corridor, 18 (20%) involved vulnerable road users (pedestrians / cyclists and motorcyclists). Projects within the Scheme package, such as junction signalisation are expected to assist the safety of vulnerable road users on the corridor. Since the beginning of 2019, there have been an average of 10 accidents per year along the corridor where these involved 12 vulnerable road users (pedestrians, cyclists and motorcyclists) and 8 accidents were classified as "killed or serious injury".

10.4 Objective 3 – Improve reliability and capacity for freight along the A511 MRN Growth Corridor and in doing so, support the efficient operation of logistics and mineral extraction needs of the area.

The delivery of the Scheme will support the efficient operation of the logistics and quarry needs on the corridor by providing faster and more reliable journeys.

10.5 Objective 4 - Support North West Leicestershire District Council's objectives of facilitating economic and housing growth by delivering improved transport infrastructure.

3,500 dwellings to the south-east of Coalville are proposed as a key element of the adopted North West Leicestershire Local Plan 2011 to 2031, which identifies the A511 Growth Corridor as one of five growth areas. The Scheme will aid in providing capacity across the corridor to mitigate traffic growth anticipated as a result of new development. Without the package, increasing congestion on the corridor would risk making additional development unattractive, reducing future investment and jeopardising the growth targets set out in the Local Plan, which extend to 5,275 new homes across the corridor. The Bardon Link Road Project will deliver a new section of road, linking to

ongoing housing development off Grange Road to the south of Coalville.

10.6 Objective 5 - Improve connectivity for all road users.

At a local level, residents and businesses will benefit from improved car, bus, cycle and pedestrian accessibility in the area, providing more opportunities to access jobs in Coalville, Ashby and the wider area. This includes access to Leicester, East Midlands Airport and the strategic rail freight interchange at Castle Donnington. Car and bus passengers will benefit from the enhanced journey time reliability on the corridor enabled by increased junction capacity, whilst pedestrians and cyclists will benefit from the new Bardon Link Road providing a shorter access to Bardon Hill from Coalville, as well as the signalised junction schemes providing safer crossing opportunities. The new Bardon Link Road will also support the proposed residential developments by providing a northern access which connects to the A511 and Coalville town centre and a more direct route for residents of Coalville's eastern estates to access the Bardon industrial area, independent of the A511 MRN route.

10.7 Objective 6 - Support the SRN by providing a reliable and resilient link to the M1 and A42.

The A511 forms a part of the Primary 'A' Road network and is one of the two key east-west road links in Leicestershire. It also provides a key link between the A42 at Junction 13 and the M1 at Junction 22, thus forming a key feeder between these two SRN routes. The Scheme therefore benefits trips to and from the SRN and will improve overall journey time reliability for trips using both networks, further realising benefits from investing in the SRN. Additionally, in the event of disruption on the SRN, an enhanced A511 could function as an alternative link between the A42 and M1 or other SRN routes, therefore increasing SRN resilience.

10.8 Objective 7 - Improve air quality and traffic noise impact along the corridor.

Up until March 2022 there was an Air Quality Management Area ("AQMA") at A511 Stephenson Way / Broom Leys Road Junction which was mainly caused by emissions from stationary vehicles queuing on the A511 on both approaches to the junction. This leads to excessive amounts of Nitrogen Dioxide (NO₂). The AQMA was revoked in 2022 and the proposals for the junction will further improve the situation by providing more available 'green time' for A511 traffic and help reduce queuing and engine idling.

11. Other Scheme Benefits

11.1 In line with the DfT's "Transport Business Case Guidance" document, an Economic Case was compiled by the Council as part of the OBC to demonstrate that the Scheme demonstrates value for money.

11.2 The Economic Case was driven by use of the PRTM developed from the existing Leicester and Leicestershire Integrated Transport Model (LLITM 2014 Base), by DfT and industry standard software usage. Specific benefits listed below were monetised to establish the Schemes initial Benefit Cost Ratio ("BCR"):

- Transport User and Provider benefits (including travel time and vehicle operating cost savings);
- Safety benefits;
- Noise output;
- Air Quality emission changes; and
- Greenhouse Gases emission changes.

11.3 Additional valuations of other objectives were also monetised to be included in the Scheme's adjusted BCR:

- Journey time reliability benefits; and
- Wider economic impacts.

11.4 The BCR is a measure of value for money and allows the Scheme to be categorised under one of the DfT's value for money categories:

VfM Category	Implied by...*
Very High	BCR greater than or equal to 4
High	BCR between 2 and 4
Medium	BCR between 1.5 and 2
Low	BCR between 1 and 1.5
Poor	BCR between 0 and 1
Very Poor	BCR less than or equal to 0

11.5 The Scheme currently demonstrates an initial BCR of 1.59. Inclusion of journey time reliability benefits and wider economic impacts gives an adjusted BCR of 2.22. As shown in the table above, this demonstrates that the Scheme offers 'Medium to High' value for money.

12. The Order Land

- 12.1 The full extent of the land subject to powers of compulsory acquisition and required in order to enable the Council to construct and operate the Scheme is shown on the CPO Maps which comprise five sheets. It comprises 42 plots, each of which is described in the CPO Schedule.
- 12.2 The land comprises plots required permanently at:
- Whitwick Road Roundabout;
 - Broom Leys Road Junction; and
 - Bardon Road Roundabout and Bardon Link Road
- 12.3 The CPO also includes the acquisition of new permanent rights without acquisition over land owned by Network Rail in respect to the creation of an underbridge below the railway embankment related to the Bardon Link Road.
- 12.4 Certain areas are only required temporarily for the purpose of construction access and to locate compound locations. The Council's intention is not to acquire these plots permanently provided access can be achieved by private treaty agreement with relevant landowners, however access must be guaranteed. Such plots are at:
- Hoo Ash Roundabout;
 - Thornborough Road Roundabout;
 - Whitwick Road Roundabout;
 - Broom Leys Road Junction;
 - Bardon Road Roundabout and Bardon Link Road; and
 - Field Head Roundabout.
- 12.5 The works for each of the Projects are described below and each are shown in the Scheme Plans which are listed in Section 23 of this Statement.
- 12.6 In preparing the Orders, the Council has carried out diligent inquiry in order to identify all persons with an interest in the land.
- 12.7 The categories of persons identified, and the methods used to identify them are described below. Land referencing will continue to be undertaken throughout the making of the Orders to ensure that any changes in ownership or other interests are identified and to ensure that any new persons will be subject to appropriate engagement.
- 12.8 Persons with land interests were first identified using information from the Land Registry (registered freehold and leasehold titles). The titles contain details of the registered proprietors, as well as their mortgagees (if applicable). They

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- also contain details of various rights and restrictions that burden the title. Analysis of those details outlines further parties as the beneficiaries of these rights and restrictions. Other interests (such as options to purchase or contracts for sale) may be found in the registered titles as well.
- 12.9 Visits to the site were undertaken to speak to parties in the area, both to confirm that their details, and details regarding their interests are correct, and to identify any further unregistered interests (such as tenancies or occupancies).
- 12.10 Finally, all parties with an interest in the land were sent a Land Interest Questionnaire, complete with a plan demonstrating their interest. The questions included confirmation of the party's details, of the nature of their interest(s), and whether there are any other parties with an interest in the land in question.
- 12.11 All parties have been web validated so far as possible to confirm that their details are correct. For registered companies, this includes checking their details with Companies House to confirm their registered details.
- 12.12 The Council is complying with the requirement in paragraph 2 of the DLUHC Guidance to take reasonable steps to acquire all of the land and rights included in the CPO by agreement.
- 12.13 At the same time, the Council notes that the DLUHC Guidance recognises that although compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Accordingly, the DLUHC Guidance recognises at paragraph 2 that it may often be sensible for the acquiring authority to plan a compulsory purchase timetable as a contingency measure and initiate formal procedures (i.e. progress the making of an order). The DLUHC Guidance notes that this will help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.
- 12.14 The Council has engaged with all landowners and occupiers with a view to acquiring their interests by agreement. This has involved sending land interest questionnaires and consultation letters, inviting them to consultation exhibitions held in October 2019 and October 2020 and one to one meetings. A further consultation period was held from 27th September to 31st October 2021 specifically with regard to the proposals for the Bardon Link Road.
- 12.15 The consultation comprised a series of informal discussions with directly affected neighbours, consultation events where members from the project team attended and spoke with interested parties. A dedicated web page on the Council's website was also created. 29 letters were delivered to those residents located immediately adjacent to the proposed new road. Following the initial distribution of the letters, each of the 29 properties were visited to give the residents an opportunity to discuss the scheme proposals and to

address any questions. The feedback received at this point indicated that the engagement was well received and much appreciated. A further 1,700 letters were delivered to a wider area of properties around the scheme, as well as to a number of stakeholders. Further information about this consultation can be found in the Statement of Community Engagement submitted with the Bardon Link Road planning application reference 2022/RegMa/0069/LCC (the application is referred to in this Statement as “the Original Bardon Link Road Planning Application” and the resulting planning permission is referred to as “the Original Bardon Link Road Planning Permission”).

- 12.16 As a result of these consultation exercises, the Council is in the process of engaging with the landowners/occupiers with regard to the acquisition of their interests by agreement, and negotiations with this objective will be ongoing throughout the process. Where appropriate, negotiations will consider agreements to use land for a specified, temporary period rather than permanent acquisition.
- 12.17 Whilst negotiations are ongoing, the Council is mindful that it is under a duty to acquire land at best value and that it is required to deliver the Scheme within a specified timescale. It has concluded that it may not be possible to acquire all land interests necessary to deliver the Scheme within this timescale. In addition, some plots are unregistered with untraceable ownership and cannot be acquired by agreement. The Council has therefore concluded that the Scheme is unlikely to be capable of being delivered without compulsory acquisition powers.

Whitwick Road Roundabout – permanent land take required

- 12.18 The Whitwick Road roundabout connects the A511 Stephenson Way, Hermitage Road and Whitwick Road. Each arm currently has two short approach lanes and one exit lane.
- 12.19 Analysis carried out in 2017 and presented in a report titled Junction Options Feasibility Report (Stage 1) showed that the Network Residual Capacity (NRC) – a measure of how much traffic can be increased or decreased through the Whitwick Road roundabout to obtain satisfactory operation, was -7% during the AM peak and 2% during the PM peak. This showed that the junction was expected to be operating over its capacity in the AM peak and very close to its capacity at the PM peak.
- 12.20 Generated traffic flows for the year 2031 using traffic modelling software showed that the NRC was projected to worsen to -18% during the AM peak and -14% during the PM peak. These figures conclude that the junction would be operating significantly over capacity in both peak hours by 2031 without intervention.
- 12.21 Once an intervention need was identified at this junction, several options were initially considered by the Council’s Traffic Engineering Teams to address the predicted issues:
- Option A – widen all approaches to allow three entry lanes on all arms

and two exit lanes on the A511 exits.

- Option B – as per Option A but with the addition of traffic signals on all arms.
- Option C – widen all approaches to extend the length of the existing second entry lanes and provide two exit lanes on the A511 exits. Full signalisation was also considered with this option.

- 12.22 Analysis of the options was undertaken to determine which offered the best balance between cost and benefits expected.
- 12.23 Option A offered the greatest benefits, followed by Option B and then Option C. However, Option C was still found to offer significant predicted benefits by increasing the NRC in 2017 to 35% during the AM peak and 17% during the PM peak; and in 2031 to 16% during the AM peak and 0% during the PM peak. This option could be achieved at a substantially lower cost than Options A and B due to a smaller area of additional carriageway construction required and reduced third party land take requirements.
- 12.24 Option C was therefore chosen and further refined by removing the traffic signals from the design to increase the benefit during off-peak hours by reducing delays. A signalised pedestrian crossing was also added to the design on the eastern A511 arm to improve pedestrian connectivity across the junction.
- 12.25 In order to implement Option C, an area of permanent land take is required on the eastern side of the southern arm, adjoining the existing adopted highway. To enable reconstruction of the embankment, an additional area of land is required temporarily for construction access. This land is included in the CPO to ensure the Project can be constructed.
- 12.26 To facilitate the construction of the improvements at Whitwick road roundabout and the dualling of the section of road between this roundabout and Thornborough Road roundabout, a construction compound is required and has been incorporated into the CPO as land to be acquired. The land will be acquired on the basis described earlier within this Statement.
- 12.27 Public Bridleway O8 passes along the track which is proposed to be the access to the construction compound and will require an Order for a temporary prohibition under Section 14 of the Road Traffic Regulation Act 1984 to prohibit public access due to the likelihood of danger to the public. An alternative diverted route will be advertised.

Broom Leys Road Junction – permanent land take required

- 12.28 The Broom Leys Road junction is a four-arm signalised crossroads between the A511 Stephenson Way and Broom Leys Road.
- 12.29 The proposed Broom Leys junction improvements broadly retain the existing layout but will widen the entry and exit on the A511 to allow two ahead lanes for the A511 in both directions.

- 12.30 To accommodate the two lane approach on the southbound approach of the A511 Bardon Road to the north of the junction, the westbound right turn into Broom Leys Road will be banned.
- 12.31 In order to construct the widened approach to the junction from the south, an area of permanent land take is required on the western side of the southern arm, adjoining the existing adopted highway. Although under the ownership of the Council, it is not adopted highway and so is included in the CPO to ensure all interests are acquired. A further area of land is required abutting this permanent land take, albeit only temporarily to allow construction access.
- 12.32 To facilitate the construction of the improvements at the Broom Leys Road junction, a construction compound is required and has been incorporated into the CPO as land to be acquired. The land will be acquired on the basis described earlier within this Statement.

Bardon Road Roundabout and Bardon Link Road – permanent land take required

- 12.33 The Bardon Road roundabout in Coalville is a three-arm roundabout at the junction between the A511 Stephenson Way to the north, the A511 Bardon Road to the south-east and Bardon Road to the north-west.
- 12.34 It is proposed to add a fourth arm to the south of the Bardon Road roundabout and construct a new link road approximately 450 m in length with a carriageway width of 6.75 m across land to the rear of the properties on Bardon Road (i.e. The Bardon Link Road). The Bardon Link Road will tie-in to the spine road being delivered as part of the Grange Road residential development, contributing to the south-east Coalville Sustainable Urban Extension .
- 12.35 In addition to the Bardon Link Road, the Scheme comprises the following:
- 3 m wide shared footway/cycleway on both sides of the new road;
 - a 12 m long, 13 m wide underbridge through the embankment that carries the Leicester to Burton railway freight line;
 - a balancing pond and associated drainage including a new culvert through the railway embankment;
 - the diversion of a public footpath;
 - landscaped areas for ecological mitigation; and
 - demolition of four properties along with alterations to a remaining neighbouring property's PMA.
- 12.36 Construction of the Bardon Link Road requires the acquisition of land and the demolition of four residential properties on Bardon Road, Coalville:
- 38 Bardon Road;

- 40 Bardon Road;
- 42 Bardon Road; and
- 44 Bardon Road.

12.37 It is not possible to construct the Bardon Link Road without the demolition of these properties as connectivity is required to the Bardon Road roundabout.

12.38 The access road off the main Bardon Road currently serves the driveways of nos. 32 to 42 Bardon Road. The reconfiguration of the highway and demolition of four neighbouring properties affects the access to the driveway of no. 36 Bardon Road. A Road Safety Audit identified a safety concern where a vehicle would be required to reverse out of the driveway of no. 36, along the service road and onto the main Bardon Road without a design amendment. To address this issue, it is proposed to transfer an area of land to no. 36 Bardon Road to enable an enlarged driveway to be constructed that would allow a vehicle to turn around within the property curtilage. The CPO includes the land required to carry out these changes.

12.39 The four properties to be demolished are currently tenanted by way of periodic assured shorthold tenancy agreements.

12.40 An options assessment process was undertaken to consider the alignment of the road and the preferred engineering solution for crossing the railway embankment. The alignment options were extremely limited owing to the need to tie in with an existing roundabout to the north and a proposed spine road to the south but full consideration was given to minimising land take and the need to demolish properties.

12.41 WSP were commissioned to produce a report to consider the options for crossing the railway embankment. This work was completed in December 2020 (the Bardon Road Bridge Option Report) and two options were presented.

- Option A proposed going underneath the embankment with an underline bridge;
- Option B proposed crossing over the top with an overline bridge.

The report concluded that the underline bridge was recommended instead of the overline bridge for the following reasons:

- Less land take required;
- Less visually intrusive;
- Easier future inspection and maintenance possibilities;
- Less material to be moved; and
- An overall more economic solution in cost and sustainability

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- 12.42 The proposals interface with land owned by Network Rail and a live railway carrying freight trains. It is proposed to create permanent rights over land owned by Network Rail to facilitate the removal of the track and embankment; installation of the underbridge under a 104 hour possession of the railway; and rebuilding of the track and embankment. In addition, permanent rights for the public highway to pass beneath the railway embankment are required. New permanent rights are required to facilitate these works and future maintenance of the works.
- 12.43 The risk of flooding was assessed in relation to the construction of the new Bardon Link Road and underbridge. It was concluded that by creating a route through the railway embankment, flood water that was previously held back by the embankment before passing through the existing culvert in a controlled manner, would now flow uncontrolled over the new highway and through the railway embankment, flooding land to the south which includes residential development.
- 12.44 A number of options were investigated to determine how best to manage flood risk. The option that satisfied the hydraulic model consisted of a large balancing pond to the south of the railway embankment.
- 12.45 The Original Bardon Link Road Permission approved this drainage solution but further discussions with the landowner ensued and an additional option was considered that could reduce the size of the balancing pond (as requested by the landowner/developer) by utilising the area north of the railway embankment as an additional naturalised flood storage area consisting of a number of meandering channels and a lowered basin. This had further benefits of creating an improved ecological area with soft landscaping.
- 12.46 The S73 Bardon Link Road Planning Application (described at Section 14.37 of this Statement of Reasons) was therefore submitted to alter the drainage design of the Bardon Link Road Permission and thereby reducing the size of the balancing pond and the area of permanent land take required south of the railway embankment.
- 12.47 To facilitate the construction of the new Bardon Link Road and associated drainage and soft landscaping, access for construction activities and a construction compound is required which have been incorporated into the CPO as land to be acquired. The land will be acquired on the basis described earlier within this Statement in relation to land that is required on a temporary basis.
- 12.48 Through the planning process, the landscape and visual impact of the proposals was considered and where a negative impact was identified, this was mitigated through soft landscaping proposals where possible; notably to the west of John Cooper Way where the existing residential properties will overlook the new Bardon Link Road, a native woodland area is proposed to screen the Bardon Link Road from the residential properties. An area of land which is currently lightly planted with low shrubs at the edge of the relatively new housing estate is included within the CPO to achieve this.
- 12.49 Public footpath N86 passes through the land on which the Bardon Link Road

will be constructed. To facilitate a safe crossing point of the new highway between two traffic calming features and via tactile paving dropped kerbs, this public footpath will be subject to a small diversion, achieved through the SRO.

Land required on a temporary basis

- 12.50 In addition to the land take required and described above at Whitwick Road roundabout, Broom Leys Road junction and the Bardon Road roundabout and Bardon Link Road; land is also required temporarily for siting construction compounds and providing access for construction activities at Hoo Ash roundabout, Thornborough Road roundabout and Field Head roundabout.
- 12.51 To ensure the Scheme can be constructed, these areas of land have been included in the CPO but all efforts will be made to negotiate temporary access with the landowners by licence.
- 12.52 At Broom Leys Road junction, where the compound is proposed at a location over which passes public footpath O6 at the edge of the site, access will be maintained for the public on the footpath throughout construction. If at any point, this is unachievable, an Order for a temporary prohibition under Section 14 of the Road Traffic Regulation Act 1984 to prohibit public access due to the likelihood of danger to the public will be made. An alternative diverted route will be advertised.

13. The Side Roads Order (SRO)

- 13.1 The SRO will, subject to confirmation by the Secretary of State for Transport, allow the Council to stop up existing side roads and PMA affected by the Scheme, to improve existing side roads and to create new side roads and PMA required as a consequence of the Scheme.
- 13.2 The full title of the SRO published under the 1980 Act is: The Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023.
- 13.3 The proposed alterations to existing highways and PMA that will be affected by the Scheme are detailed in the Schedule attached to the SRO and shown diagrammatically on the fourteen SRO site plans numbered 1 to 14 respectively. The following descriptions should be read in conjunction with the Schedules in the Order and the Order Site Plans.
- 13.4 The SRO is made under section 14 and 125 of the Highways Act 1980 and authorises the Council to:
- Improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching;
 - Stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
 - Construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple;
 - Stop up each PMA to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
 - Provide new PMA to premises at each location shown on a Site Plan by thin diagonal hatching.
- 13.5 The proposed arrangements are detailed below.
- 13.6 Any improvements to the existing highway network may result in disposal, replacement, renewal and additions to existing assets within the public highway. The exact work will be dependent upon the detailed design requirements and layout at each section of the highway. The area of improvement shown on the site plans includes the full extent of public highway including verge areas where they form part of the highway, unless otherwise stated.
- 13.7 **Site Plans 1 and 2 of 14 – Hoo Ash Roundabout**
- Highway to be stopped up**
- 13.8 Footpath N25 and highway rights over Bog Lane are to be stopped up from a point approximately 151 m west of Hoo Ash Roundabout running north west along Bog Lane for 51 m.

New Highways

- 13.9 New highway along the route of existing Footpath N25 / Bog Lane. This is to allow the public footpath to be re-provided after completion of the works, as the Footpath N25 will only need to be obstructed by reason of the works temporarily.

PMA of access to be stopped up

- 13.10 PMA to Bog Lane from A511 Ashby Road will be closed during construction. This PMA will be reinstated after construction is completed as described in Section 13.11 of this Statement of Reasons.

New PMA

- 13.11 To re-provide the PMA to Bog Lane from the A511 Ashby Road after construction of the Scheme as the existing PMA will only be obstructed by reason of the works temporarily.

Improvements

- 13.12 Widened entry and exit to the roundabout allowing two ahead lanes for the A511 in both directions.

- 13.13 **Site Plans 3, 4 and 5 of 14 – A511 Dual Carriageway**

New Highways

- 13.14 Existing highway boundary to be widened to include 57 m of new highway to the east of the Whitwick Road, 28 m south of the A511 Roundabout at the junction with Hermitage Way / Whitwick Road and A511 Stephenson Way.

Improvements

- 13.15 Alterations to the existing single lane road to a dual carriageway on Stephenson Way between the Thornborough Road and Whitwick Road roundabouts.

- 13.16 **Site Plans 6 and 7 of 14 – Broom Leys Junction**

New Highways

- 13.17 Existing highway boundary to be widened to include 16 m of new highway approximately 8 m east of the A511 Stephenson Way junction with Broom Leys Road.

- 13.18 **Improvements**

- 13.19 Modify the existing traffic signal junction by altering the existing left turn lane on Stephenson Way into Broom Leys Road (eastbound) to enable ahead and left traffic. Removing some of the verge and footway to provide two ahead lanes for traffic travelling northbound on Stephenson Way.

13.20 Site Plans 8, 9 and 10 of 14 – Bardon Road Roundabout and Bardon Link Road**Highway to be stopped up**

- 13.21 Footpath N86 is to be stopped up from a point approximately 93 m south of its connection to the A511 Bardon Road for 115 m in a south westerly direction to a point approximately 59 m north of the entrance of footpath N86 crossing under railway. This footpath will be re-provided as described at Section 13.23 of this Statement of Reasons.

New highways

- 13.22 Creation of the Bardon Link Road, a new highway, from a point on the edge of the existing highway boundary at Number 44, 42, 40 and 38 Bardon Road, heading in a south/south-westerly direction for 450 m. The new highway runs through fields towards the railway line. The new route crosses underneath the line (approximately 267 m South of Bardon Road) via a new underpass which is to be created as part of the scheme. South of the railway, the route continues in a southerly direction for 166 m through fields.
- 13.23 New highway (footpath) from a point on footpath N86 92 m south of the footpath junction with A511 Bardon Road in a South Westerly direction for 55 m towards the new Bardon Link Road.

PMA to be stopped up

- 13.24 PMA's for 36, 38, 40, 42 and 44 Bardon Road will be stopped up.

New PMA

- 13.25 A new private mans of access is to be created for access to 36 Bardon Road.
- 13.26 A new PMA is to be created off the new highway BR-N1 approximately 225 m south from Bardon Road along the route of the Bardon Link Road.
- 13.27 A new PMA is to be created off the Bardon Link Road approximately 119 m south of the railway.

Improvements

- 13.28 Upgrading of the existing roundabout at the A511 Stephenson Way / Bardon Road Junction to create a new enlarged gyratory to allow a new southern arm and road connection to the Bardon Link Road.
- 13.29 A new 450m length of road south of the Bardon Road Roundabout, with new underbridge through the railway embankment, shared footway/cycle way on both sides, balancing pond, additional drainage features and landscaping. This new road will tie into the spine road of the development off Grange Road to the south.

13.30 Site Plan 11 of 14 – Birch Tree Roundabout

Improvements

- 13.31 Widened entry and exit lanes allowing three lanes around part of the roundabout to enable an additional lane on the exit towards Coalville, supporting better traffic flow and reducing the risk of collision. Widening on the A511 southbound approach to facilitate an additional lane on the exit of the A511 eastbound.

13.32 Site Plans 12 and 13 of 14 – Flying Horse Roundabout

Improvements

- 13.33 Modification of the current partially signalised roundabout so that traffic from Stanton Road and traffic from Copt Oak Road can only turn left onto the A511. Traffic travelling on the A511 will not be able to turn right into Stanton Lane. This signalisation aids in regulating traffic flow and thus reducing the potential for accident at this location which currently shows a large number of PICs. The scheme will also see the existing pedestrian crossings kept with an additional crossing provided on Stanton Lane.

13.34 Site Plans 14 of 14 – Field Head Roundabout

Improvements

- 13.35 Introduction of part time signals on the A50 approaches to the roundabout. A two-lane exit is proposed on Launde Road.

13.36 SRO Summary

The making and confirmation of the SRO will enable the Council to improve, raise, lower, divert or otherwise alter highways; stop up highways; construct new highways; stop up PMA to premises, required as a consequence of the construction of the classified road and; to provide new private means of access to premises as required for the Scheme. Where PMA are stopped up during the construction phase, suitable temporary PMA will be afforded until such time as any new PMA is provided.

14. The Planning Position

- 14.1 Set out below is a description of the relevant planning and associated policies that are considered relevant to the Scheme. The Scheme is either supported by these policies directly, or the Scheme will contribute towards achieving the aims of the policies in question.
- 14.2 Express planning permission exists for part of the Scheme (specifically the Bardon Link Road which benefits from the S73 Bardon Link Road Planning Permission described at Section 14.37 of this Statement of Reasons), which has been assessed by the planning authority against relevant policies. The remainder of the Scheme will be undertaken in accordance with permitted development rights, which are works that the government considers to be such that blanket planning permission can be provided to highway authorities to undertake without the need for specific assessment by planning authorities. As such these works do not require specific assessment against planning policies. Nonetheless the council considers the Scheme in its entirety is consistent with the planning policy framework.

National Planning Policy Framework (2023)

- 14.3 The National Planning Policy Framework ("NPPF") sets out the Government's planning policies for England. The NPPF places emphasis on achieving sustainable development through meeting three overarching interdependent objectives; economic, to help build a strong, responsive and competitive economy; social, to support strong, vibrant and healthy communities; and environmental, to protect and enhance our natural, built and historic environment.
- 14.4 Central to the NPPF is a presumption in favour of sustainable development, as detailed at paragraph 11, which states that:

"Plans and decisions should apply a presumption in favour of sustainable development, for decision-taking this means:

c) approving development proposals that accord with an up-to-date Development Plan without delay; or,

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

14.5 At paragraph 110:

‘in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that (amongst others):

- a) appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location.*

14.6 At paragraph 111:

‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.

14.7 Paragraph 112 of the NPPF states that: ‘Applications should (amongst other things):

a) give priority first to pedestrian and cycle movements, both within the scheme and within neighbouring areas; and second so far as possible to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles’

14.8 The aims of NPPF paragraph 112 are assisted by the proposed Bardon Link Road which will provide new pedestrian and cycle links with the inclusion of a shared cycleway/footway along the full length of the route, speed cushions will be included along the length of the road as a method of speed calming; chosen as they allow vehicles with a larger wheelbase (such as buses or ambulances etc.) to straddle them without feeling the deflection. A weight limit is also proposed for the road to prevent HGVs from using the route as a cut through.

14.9 Chapter 12 of the NPPF addresses the Framework’s commitment to achieving well-designed places, emphasising that:

‘good design is a key aspect of sustainable development, it creates better places in which to live and work and helps make development acceptable to communities.’

14.10 Chapter 12 also refers to the importance placed on:

‘effective engagement between applicants, communities, local planning authorities and other interests throughout the process’.

North West Leicestershire Local Plan, March 2021

14.11 The development plan for the area comprises The NWLDC Local Plan (as amended by the Partial Review), which was adopted in March 2021. The

NWLDC Local Plan vision identifies Coalville as the District's main town. It states within the vision for the future that:

“As the district's main town, Coalville will have grown significantly and the town will have benefitted from major new investment in infrastructure and as a result, the town centre regeneration as a heritage town will be well underway”.

- 14.12 The key Local Plan policies likely to be significant in the consideration of this proposed development are detailed below:
- 14.13 Chapter 5: Strategy, of the NWLDC Local Plan sets out the main components of the strategy, including how much development is required and where that development should be located. Policy S1: Future Housing and economic development needs, details the requirement for a minimum of 9,620 dwellings and 66 ha of employment land over the plan period (2011-2031).
- 14.14 The Scheme plays a key role in assisting with the housing delivery requirements of the Local Plan as well as the vision for Coalville, as outlined in paragraph 10.6 of this Statement.
- 14.15 Chapter 10: Environment, of the NWLDLP addresses concerns with regards to conserving and enhancing the natural environment. Policy En1: Nature Conservation, states that,
- “proposals for development will be supported which conserve, restore or enhance the biodiversity in the district”.*
- 14.16 Chapter 12: Climate Change, discusses the role planning has in helping to minimise the vulnerability and providing resilience to the impacts of climate change. Within chapter 12, Policy Cc2: Flood Risk, seeks in accordance with the NPPF, to direct development proposals to areas with the lowest probability of flooding and to ensure any proposal does not increase the risk of flooding elsewhere. Policy Cc3: Sustainable Drainage Systems, seeks to promote the inclusion of SuDs into development proposals where surface water drainage would be required. Policy Cc3 suggests that SuDs are linked into wider initiatives to enhance green infrastructure, improve water quality, benefit wildlife or contribute to the provision of the ecosystem service.
- 14.17 The above matters have all been addressed in respect of the Bardon Link Road Permission, and measures to address the same have been incorporated into the design for works in other areas (where express planning permission is not required).

Leicestershire Local Transport Plan 3

- 14.18 The Leicestershire Local Transport Plan 3 (LTP3) Strategy was published in 2011 with implementation plans published for each three-year period. The LTP3 covers the county of Leicestershire, including the City of Leicester, 7 Boroughs and a number of towns including Coalville. The Local Transport Plan strategy recognises that a number of towns experience 'appreciable congestion' with Coalville being one of the four towns mentioned.

- 14.19 The LTP3 Strategy provides objectives to improve air quality such as encouraging active and sustainable travel and managing the movement of freight and tackling congestion. The County has set a quality-of-life indicator (KPI7) to reduce total CO2 emissions from road transport within the area. The Scheme will assist with this objective by reducing congestion and also providing better accessibility for the new residential development (via the new Bardon Link Road) which may encourage use of more sustainable modes of travel.
- 14.20 The LTP3 focuses on the delivery of transport schemes that will facilitate growth and one of the long-term priorities of LTP3 is to support the economy and population growth through 'more consistent, predictable and reliable journey times for people and goods' (LTP3 Second Implementation Plan, para 1.24). The Scheme provides better links for new and existing developments off Grange Road, and the Bardon Link Road will directly benefit these developments and support growth of the Coalville area.

Infrastructure Delivery Plan

- 14.21 In paragraph 5.10 of the North West Leicestershire Infrastructure Delivery Plan (2016) it recognises that highway infrastructure improvements at various junctions along the A511 corridor between the M1 and A42 are required in order to ensure that the necessary development can take place.
- 14.22 The Infrastructure Delivery Plan goes on to detail the work required on the A511 corridor which will be delivered by the Scheme.

Leicestershire Highway Design Guide, Interim Guidance

- 14.23 The Leicestershire Highway Design Guide deals with highways and transportation infrastructure for new development in areas where the Council is the highway authority. The current interim updated version (January 2022) sets out adoption standards for roads which will be adhered to in design of the Scheme.
- 14.24 The Scheme design has been prepared in accordance with the Guidance.

Interim Coalville Transport Strategy, Leicestershire, 2021

- 14.25 The Interim Coalville Transport Strategy addresses the need for, and funding/delivery of, new or improved transport infrastructure within the Coalville area. The Strategy details the existing transport challenges comprising the congestion on the A511 and low levels of non-motorised user trips. The Strategy also details future growth challenges identifying that Coalville is an area which is under pressure from development adding to this is the significant growth planned for Coalville as part of the NWLDC Local Plan. Its vision for Coalville is for a town that has grown significantly and benefitted from major investment in new infrastructure by 2031.
- 14.26 The Interim Coalville Transport Strategy builds upon previous studies with the original Coalville Transport Strategy developed in 2011. The original Coalville Transport Strategy comprised a series of sustainable transport measures,

junction improvements and the building of a Bardon Relief Road to mitigate the projected levels of growth to 2026. This scheme was not found to offer value for money and as a result, that proposal was amended to a Bardon Link Road, with the aim to provide some level of mitigation and support to the delivery of new housing to the south east of Coalville.

- 14.27 The Interim Coalville Transport study directly supports the Scheme.

North West Leicestershire Cycling Strategy, Part 1: Coalville Supplementary Planning Document, 2018

- 14.28 The NWL Cycling Strategy identifies that there is little existing infrastructure for cyclists in Coalville. Shared use foot/cycle tracks have been provided in a handful of locations and the Sustrans National Cycle Network Route 52 passes through Coalville however, there is a missing section of this through the town centre.
- 14.29 The Cycling Strategy presents an aspirational Cycle Network Plan for Coalville, prepared following consultation with key stakeholders. The aspirational cycle network plan shows a number of potential cycle routes and groups them by priority.
- 14.30 Proposals for the Bardon Link Road include shared cycleway/footway to be included on both sides of the carriageway between the roundabout and the underbridge.

Bardon Road Roundabout and Bardon Link Road Planning Application

- 14.31 On 20th May 2022, the Original Bardon Link Road Planning Application was submitted by the Council for the Bardon Road Roundabout and Bardon Link Road.
- 14.32 The Original Bardon Link Road Planning Application was submitted to the Council as the Planning Authority, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992. Under this regulation, the Council determines planning applications for development which it is carrying out (or which is being carried out on its behalf). The detailed submission can be viewed via the Council's Planning Portal.
- 14.33 Under Part 2, Regulation 6 of the Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017, a Screening Opinion was requested. However, the screening opinion determined that an Environmental Impact Assessment was not required for this application. Nonetheless, a suite of environmental reports were prepared in support of the Original Bardon Link Road Planning Application. These were:
- Phase 1 desk study (geotechnical and geo-environmental);
 - Noise assessment;
 - Landscape appraisal summary;
 - Heritage statement (including archaeology);

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- Flood risk assessment and outline drainage strategy;
 - Air quality assessment;
 - Preliminary ecological appraisal;
 - Arboricultural impact assessment;
 - Protected species reports (badgers, bats, reptiles, riparian mammals);
 - Aquatic ecology survey report; and
 - Biodiversity Net Gain (BNG) assessment and report
- 14.34 The resulting information gathered was then used to propose impact mitigation for the Project.
- 14.35 The Council, as Planning Authority undertook a statutory consultation exercise and a small number of minor modifications were proposed.
- 14.36 Leicestershire County Council's Development Control and Regulatory Board resolved on 12th January 2023 to approve the Original Bardon Link Road Planning Application subject to conditions (resulting in the "Original Bardon Link Road Planning Permission").
- 14.37 On 20th June 2023 an application to make an amendment to the Original Bardon Link Road Planning Permission was submitted under Section 73 of the Town and Country Planning Act 1990 to alter the drainage design and associated landscape proposals as detailed in section 12 and was allocated planning application reference 2023/VOCRMa/0055/LCC ("the S73 Bardon Link Road Planning Application"). The S73 Bardon Link Road Planning Application was approved on 22nd September 2023 ("S73 Bardon Link Road Planning Permission"). The S73 Bardon Link Road Planning Permission is the one that will be implemented as part of the Scheme.
- 14.38 The Council is in the process of preparing the necessary documentation required to discharge the conditions attached to the S73 Bardon Link Road Planning Permission. The conditions attached to the S73 Bardon Link Road Planning Permission are not considered to be onerous or unusual and as such the Council considers that there are no impediments within the planning conditions that would prevent or cause delay to the construction of the Bardon Link Road.

15. Human Rights and Equalities

- 15.1 The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights ("ECHR"). The ECHR includes provisions in the form of Articles, which aim to protect the rights of the individual. The relevant Articles can be summarised as follows:
- Article 1 of The First Protocol protects the rights to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest.
 - Article 6 entitles those affected by compulsory powers to a fair and public hearing.
 - Article 8 protects the right of the individual to respect for his private and family life, his home and his correspondence. Interference with this right can be justified if it is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
- 15.2 Section 6 of the Act prohibits public authorities from acting in a way which is incompatible with the rights protected by the ECHR.
- 15.3 Paragraph 12 of the DLUHC Guidance sets out how applicants should approach the issue of human rights:
1. *"An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention."*
- 15.4 The Council recognises that the Scheme may have an impact on individuals but considers that the significant public benefits that will arise from the Scheme as set out in this Statement outweigh any impact on those individuals. The CPO strikes a fair balance between the public interest in seeing the Scheme proceed (which is unlikely to happen in the absence of the CPO) and the private rights which will be affected by the compulsory acquisition.
- 15.5 In relation to both Article 1 and 8, the compelling case in the public interest for the compulsory acquisition powers included within the CPO has been demonstrated in this Statement. The land over which compulsory acquisition powers are sought as set out in the CPO is the minimum necessary to ensure the delivery of the Scheme. The Scheme has been designed to minimise harm whilst achieving its publicly stated objectives. In this respect the interference with human rights is both proportionate and justified.
- 15.6 In relation to Article 6, the Council is content that the proper procedures have been followed for both the consultation on the Scheme and in determining the compulsory acquisition powers included within the CPO. Throughout the

- development of the Scheme, the Council has given persons with an interest in the land an opportunity to comment on the proposals and has endeavoured to engage with landowners. The Council has had regard to landowner feedback in both the initial design of the Scheme and in iterative design changes throughout the life of the Scheme.
- 15.7 Furthermore, any individuals affected by the CPO may submit representations to the Secretary of State during the period specified in the notice advertising the making and preparation of the CPO (a copy of which will be served on all persons affected by the CPO). If an inquiry is held subsequently then any party objecting to the CPO may make representations to the Secretary of State as part of that process. Additionally, if the CPO is confirmed, a person aggrieved may challenge that decision by way of judicial review in the High Court if they consider that the grounds for doing so are made out.
- 15.8 Accordingly, it is considered that those affected by the CPO are entitled to a fair and public hearing.
- 15.9 The Public Sector Equality Duty ("the PSED") was introduced by the Equality Act 2010 ("the EA 2010") as part of the government's aim to protect people from discrimination in the workplace and in wider society. The PSED came into force on 5th April 2011 and means that public bodies have to consider all individuals when carrying out their day-to-day work including when shaping policy and delivering services.
- 15.10 Section 149 of the EA 2010 established the general equality duty which is that all public authorities are required in the exercise of their functions to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Advancing equality of opportunity means, in particular, having due regard to the need to remove or minimise disadvantages suffered by people due to their protected characteristics; take steps to meet the needs of people with certain protected characteristics where these are different from the needs of others; and encourage people with certain protected characteristics to participate in public life where their participation is disproportionately low.
- 15.11 The legislation is not prescriptive about the approach that a public authority should take in order to comply with the PSED. However, principles from case law suggest that each public authority should keep in mind, amongst other things, that the duty must be complied with before and at the time that a particular policy is under consideration, as well as when a decision is taken; and that a public authority must consciously think about the need to do the things set out in the PSED as an integral part of the decision-making process, exercising the duty in substance, with rigour and with an open mind.
- 15.12 In light of this, the Council undertook an Equality & Human Rights Impact Assessment in October 2019 which has been reviewed in April 2022 and October 2022 ("EHRIA"). The EHRIA assessed the impact of the Scheme as well as the potential impact of the use of compulsory purchase powers. The EHRIA found that potential negative impacts for people with the protected characteristics of age and disability, notably during the construction period.

However there were also potential positive impacts identified if the Scheme succeeds in reducing accidents and congestion. Other potential benefits of the Scheme were found to be assisting with housing delivery and job creation (which helps reduce rural deprivation) and increasing community cohesion through reducing traffic.

- 15.13 In addition the EHRIA finds that the demolition of four houses for the Bardon Link Road will have a negative impact on the families who reside there as they will be required to find other residence - this may result in feelings of insecurity and worry.
- 15.14 The EHRIA carried out an assessment of these impacts and proposes a number of measures to mitigate the impact of the development. The Council has committed to implementing these measures.
- 15.15 The Council considers that the potential negative impacts of the Scheme identified in the EHRIA are significantly outweighed by the benefits. Further, the Council is confident that it can mitigate the potential issues to minimise impacts on those with protected characteristics and the public generally.
- 15.16 The EHRIA will be kept under review as the Scheme progresses.

16. Funding

Investment Planning Guidance for the Major Road Network (MRN) and Large Local Majors (LLM) Programme

- 16.1 In December 2018 the DfT published its investment strategy document for the Major Road Network and Large Local Majors ("LLM") programmes for the period 2020-2025, announcing £3.5 billion to be invested in the major road network.
- 16.2 This programme seeks to form an MRN; a "middle tier of the country's busiest and most economically important local authority A-Roads, sitting between the SRN and the rest of the local road network".
- 16.3 The strategy identified that this tier of roads was prioritised when funding was allocated in 2020-2025, due to their importance. Funding allocations were made to schemes between £20m and £50m. Schemes seeking a contribution of more than £50m were dealt with as potential LLMs.

Scheme Specific Funding

- 16.4 In August 2021 the DfT confirmed approval of the Council's Outline Business Case which sought £41.712m of the Government's MRN Fund towards the implementation of the Scheme. On 4th October 2023, the government published 'Network North'; a policy paper outlining a £36 billion plan to improve the transport that people use everyday following the announcement of the cancellation of Northern and Midlands legs of HS2. The A511 Growth Corridor is specifically mentioned as one of the Schemes which will benefit from an uplift in government contribution from 85% to 100%. At the time of writing this Statement, the Council has been advised by DfT that further information will follow about the new funding arrangements.
- 16.5 The balance of the required funding is to be met from developer contributions as described in Sections 16.6 to 16.9 of this Statement of Reasons.
- 16.6 Major improvements to the A511 corridor were identified as a priority need through the work to develop the Coalville Transport Strategy in 2008 ("CTS"). The CTS identifies the need for developer contributions to be collected from development sites that have a traffic impact on the A511 route within the boundaries of the Scheme. This was re-affirmed during assessment of the transport impacts of growth proposals, including the NWLDC Local Plan, the Leicester and Leicestershire Strategic Growth Priorities and the Interim Coalville Transport Strategy in 2021 (ICTS").
- 16.7 Developer contributions have been collected through agreements under section 106 of the Town and Country Planning Act 1990 in accordance with Policy IF4 of the NWLDC Local Plan (adopted in 2017 and re-adopted following review in 2021) which requires that where *"new development has a demonstrable impact upon the highway network, contributions towards improvements will be sought commensurate with the impact. The following*

specific highway improvements are identified as priorities..... the A511 corridor between J22 of the M1 and J13 of the A42".

- 16.8 NWLDC policy titled "Priorities for Developer Financial Contributions for infrastructure provision relating to Major Residential Development Proposals in and around Coalville" was adopted in 2013. This policy sets out the NWLDC's approach towards dealing with competing developer financial contributions from major residential development in its area and gives highway infrastructure investment the highest priority for funding.
- 16.9 Since 2014 NWLDC has been securing developer contributions towards highway improvements that includes the Scheme pursuant to the above policies. The Council has identified sufficient funds through this channel that will be available within the timescales of the Scheme delivery.
- 16.10 The Council is content that the necessary funds for land acquisition and subsequent construction of the Scheme will be available. The financial case has demonstrated that the Scheme is affordable, that risks have been taken into account in the costings and are being actively managed, and that efficiency targets are in place and being managed.

17. Special Considerations

- 17.1 There are no listed buildings affected by the Scheme.
- 17.2 Three heritage assets have been identified within the land affected by the S73 Bardon Link Road Planning Permission: a former Roman road along the line of Bardon Road and two 19th century railways, one extant and one disused.
- 17.3 The approved Heritage Statement submitted with the Original Bardon Link Road Planning Application and the S73 Bardon Link Road Planning Application concluded that there is potential for these assets to be physically affected by the construction of the proposed development, although any impacts are unlikely to be significant.
- 17.4 The Heritage Statement also indicates that, as the site of the proposed Bardon Link Road is of undeveloped, agricultural nature there is some potential for previously unrecorded archaeology to survive.
- 17.5 There are no ancient monuments or listed buildings affected by the Scheme.
- 17.6 The Scheme does not affect a conservation area, nor land owned by the National Trust.
- 17.7 The Scheme does not impact on ecclesiastical or burial ground.
- 17.8 The Scheme does not affect any common land or any area identified as public open space.
- 17.9 The Scheme does not affect any Crown land.

18. Statutory Undertaker Apparatus and Land

- 18.1 In order to mitigate the impact of the Scheme on the undertakings of Severn Trent Water, Gas Networks, National Grid, UK Power Networks and telecommunications companies, the Council has identified a number of diversions of apparatus, and protective measures to be taken in respect of apparatus to be retained in situ, which will prevent any disruption to those undertakings. Where applicable, arrangements will be made to divert or protect the apparatus under the provisions of the New Roads and Street Works Act 1991 ("NRSWA").
- 18.2 In addition to the statutory public consultation, engagement has taken place with the statutory undertakers to determine likely diversion requirements and estimated costs as part of the NRSWA C3 process. The diversions will be contained within the proposed highway boundaries. The Council has identified possible diversions to Severn Trent Water, Cadent Gas Limited, Western Power, BT Openreach, Vodafone and Virgin Media apparatus.
- 18.3 Written confirmation (diversion agreements) that statutory undertakers are content with the proposed solutions in respect of their apparatus will be obtained at the detailed design stage. Discussions with the affected statutory undertakers are ongoing and the Council is content that agreement will be reached with those undertakers who have not yet provided such written confirmation.
- 18.4 The Council is in regular communication with Network Rail with regards to the proposals that affect land and railway infrastructure in their ownership. Technical approval for the underbridge, culvert and track replacement has been received and a disruptive possession of the railway line has been booked for Christmas 2025 to enable the bridge to be moved into place.
- 18.5 The Council will continue to liaise with all affected undertakers as the Scheme progresses.

19. Implementation of the Scheme

- 19.1 The Scheme will be implemented and delivered by the Council. The current intention, subject to completing the relevant procedures to acquire the land, is to start work on site in March 2025 once the Full Business Case is approved by DfT and the funding can be drawn down. The works are programmed to take approximately 24 months from starting on site to completion.
- 19.2 The current procurement strategy recommends a mini competition between contractors on the current Midlands Highway Alliance (MHA) Medium Schemes Framework (MSF4). The successful contractor would enter into a contract to undertake Stage 1, Early Contractor Involvement (ECI) around late spring 2024. An expression of interest is being prepared to be issued to contractors on MSF4 to ensure that there is sufficient interest in the bidding process.
- 19.3 During ECI, the contractor will input on the phasing of the construction works, access, buildability and advise on value engineering.
- 19.4 Site compounds will be used to enable delivery of the Scheme and will accommodate office space; storage for materials and vehicles; and car parking for staff.

20. Conclusions

- 20.1 This Statement sets out why compulsory powers have been sought in the CPO and explains why the Council considers such powers to be necessary, proportionate, and justified.
- 20.2 In determining the extent of the compulsory acquisition powers proposed in the CPO, the Council has had regard to the requirements of the relevant legislation and to the advice in the DLUHC Guidance and the DfT Guidance. The Council is content that the scope of the powers sought and the extent of the interests in the land to be acquired by compulsory acquisition are required for the Scheme and are the minimum necessary that will allow the Council to construct, operate and maintain the Scheme.
- 20.3 The Council has consulted all persons affected by the compulsory acquisition powers and persons who may have a claim for compensation arising from the Scheme. The Council has sought to acquire interests in the Land by agreement wherever practicable.
- 20.4 The Council has considered the human rights of the individuals affected by the compulsory acquisition powers. It is satisfied that there is a compelling public interest case for compulsory acquisition and that the public benefits arising from the Scheme will outweigh the harm to those individuals.
- 20.5 Without the granting of compulsory acquisition powers, the Council considers that it will not be possible to construct the Scheme or realise the public benefits arising from it.
- 20.6 The Scheme has strong support from Government through the DfT and the MRN and it is expected that construction will start on site during the 2020-2025 investment period. Further support for the Scheme is found in the NPPF, which both emphasises the importance of, and indeed the "critical need" for, projects such as the Scheme. Local planning policy is supportive of the Scheme, with North West Leicestershire District Council recognising the need for improvements to transport infrastructure, including the Scheme, to enable the ambitions in their plans to be realised.
- 20.7 The Council considers that there is a compelling case in the public interest for confirmation of the CPO and that the CPO, if confirmed, would strike an appropriate balance between public and private interests.

21. Inspection of Documents

- 21.1 The documents listed in section 23 of this Statement are available for inspection at: www.leicestershire.gov.uk/A511mrn or copies can be provided on request via the contact details listed at section 22 below.

22. Contact Details

- 22.1 Further information on the Scheme and the Orders can be obtained from Leicestershire County Council by email: A511MRN@leics.gov.uk or phone: 0116 305 7009.

23. List of Related Documents

- 23.1 Without limitation, the Council may refer to the following documents and legislation in the event of a public inquiry into the Orders:

Order documents

- CPO Order and CPO map (consisting of five maps)
- SRO Order and SRO map (consisting of 14 maps)
- Scheme Plans (consisting of eight plans)

Original Bardon Link Road Planning Application documents

- Planning Statement
- Statement of Community Engagement
- Transport Assessment
- Biodiversity Net Gain Report
- Arboricultural Impact Assessment
- Air Quality Assessment
- Aquatic Ecology Report
- Flood Risk Assessment
- Heritage Statement
- Noise Assessment
- Landscape and Visual Appraisal
- Bat Report
- Reptile Report
- Riparian Mammals Report
- Overview Plan
- Landscape Plan

Section 73 Bardon Link Road Planning Application documents

- Cover Letter
- Biodiversity Net Gain Report
- Arboricultural Impact Assessment
- Flood Risk Assessment
- Landscape and Visual Appraisal Addendum
- Overview Plan
- Landscape Plan

Legislation selected provisions (as amended)

- Compulsory Purchase Act 1965
- The Highways Act 1980
- The Acquisition of Land Act 1981
- The Town and Country Planning Act 1990
- New Roads and Street Works Act 1991
- The Human Rights Act 1998
- The Town and Country Planning (General Permitted Development) (England) Order 2015
- The European Convention on Human Rights (as amended) (2021)

National Policy and Guidance

- Major Road Network and Large Local Majors Programmes: programme investment planning (2018)
- Guidance on Compulsory purchase process and The Criche Down Rules (2019)
- Circular No. 2/97, Department for Transport Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority
- Transport Analysis Guidance – the Transport Appraisal Process (2018).
- The National Planning Policy Framework (2021)
- Network North: Transforming British Transport (2023)

Local Policy and Guidance

- Coalville Transport Strategy 2008
- Leicester and Leicestershire Enterprise Partnership (LLEP) Strategic Economic Plan 2011-2020
- Infrastructure Delivery Plan (2016)
- North-West Leicestershire Local Plan
- Local Development Scheme 2018 – 2021
- Leicestershire Local Transport Plan 3 (2011)
- Leicestershire Highway Design Guide, Interim Guidance (2022)
- Interim Coalville Transport Strategy, (2021)
- Good Design for North West Leicestershire: Supplementary Planning Document, (2017)
- North West Leicestershire Cycling Strategy, Part 1: Coalville Supplementary Planning Document (2018)

Other

- Bardon Road Bridge Option Report (2021)
- Strategic Outline Business Case
- Outline Business Case
- Options Assessment Report
- Appraisal Specification Report
- Junction Option Feasibility Report (Stage 1) (2017)

Appendix – Overview Map of the Scheme

