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Date: 24 May 2024

Email: [REDACTED]

Dear Mr Brown

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

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

I refer to the above-named Orders. Following an assessment of the Orders I have the following comments to make:

**Side Roads Order:**

1. I note that your covering letter of 14 December 2023 states that the SRO was advertised in the Coalville Times on 1 and 8 December 2023 and in the London Gazette on 1 December 2023. I note, however, that no SRO Press Notice for 8 December 2023 has been received. As the time allowed for objections to a Side Roads should be not less than 6 weeks from the date of the last publication of the Notice, if the SRO Notice was also published on 8 December 2023 I would be grateful if you could confirm that no objections were received by the Council within 6 weeks of the 8 December 2023 and disregarded.
2. I note that the Order does not follow the specimen form in Circular 1/97. Whilst no modifications are proposed in this instance it is to be noted that the specimen forms in Circular 1/97 should be followed for any future Side Roads Orders. In accordance with Article 1(1)(b) and Article 1(1)(d) highways to be stopped up and private means of access to be stopped up are the only provisions that need to be described. The highways to be improved need only be named (Article 1(1)(a)) and those highways to be constructed and new means of access to be provided identified as per Article 1(3) of the Order.
3. Should the Order be confirmed it is proposed to modify Article 1(3) of the Order to read 'Each new highway is given a unique reference on a Site plan, which is also placed in the respective schedule and will be a Road unless the word "footpath" or "bridleway" or "cycle track" appears **within its description** in the Schedule in which case it will be a footpath or bridleway or cycle track (as the case may be). Each new access is given a **unique reference** on a Site Plan ...'.

4. As the new highway or new access reference in connection with a stopping up is not placed in the Schedule opposite the description of the highway or private means of access to be stopped up it is proposed to delete Article 1(4) of the Order should the Order be confirmed (this would be the case in the format of the specimen forms which should be followed with future Orders). Article 1(5) is proposed to be renamed Article 1(4) accordingly.

5. I refer to the 'Classified Road' definition given in Article 3(c) and to paragraph 8.2 of Local Authority Circular 1/97. The 'Classified Road' should be clearly defined and then shown on the plan simply with the 'Classified Road' symbol. Having been defined, the Order can then seek no authority for works of the 'Classified Road' as the Order is made in relation to that 'Classified Road'. Improvements/ new highways can, therefore, either be defined as 'the Classified Road' or included in the Order as Side Roads Order provisions but cannot be included as both. Stipple and cross hatching should only be used to show, respectively, any new highway(s) that are to be created and highway(s) that are to be improved as provisions of the Order. In this case the new highway within the 'Classified Road' definition (ie. The Bardon Link Road) is also included as a provision of the Order and shown on the Order plan with stipple. It is, therefore, proposed to delete new highway BR-N1 'Bardon Link Road' from page 12 of the Schedule to the Order. Amended site plans will be required with the stipple removed from the Bardon Link Road (as described in "the Classified Road") and Bardon Link Road shown with the Classified Road symbol (see Appendix II of Circular 1/97) which should also be included on the plan keys. Correspondingly, the wording '(see BR-N1)' will need to be deleted from new highway BR-N2 on page 12 and BR-P2 and BR-P3 on page 13 will need to refer to the 'Classified Road'/ new link road rather than to BR-N1.

6. Page 5 of the Order refers to Copt Oak Road but Site Plan 13 is labelled Copt Oak Lane. Page 16 of the Order refers to Copt Oak Road and Copt Oak Lane. I would be grateful if you could confirm the name of this road.

7. I understand that new highway HA-N1 is to be a footpath. It is, therefore, proposed to insert 'footpath' into the description of the footpath on page 7 in line with Article 1(3) of the Order and in the same way that is in the description of BR-N2 on page 12 should the Order be confirmed.

8. I refer to the Private Means of Access to be stopped up and the new Private Means of Access to be provided on pages 7 and 8. The description should describe the premises to which the access relates. I would, therefore, be grateful if you could provide amended wording for the 'Identifier' column and the description which identify the premises to which the private access relates (see paragraph 8.6 of Circular 1/97). Please also confirm that the description of the new Private Means of Access should refer to HA-H1 and not HA-H7.

9. Insert A on Plan 1 should show the private means of access extending along the full length of the footpath. I would be grateful if you could provide an amended plan.

10. The new highways to be constructed identified below appear rather to be improvements of existing highways:

- i. DC-N1 described on Page 9 of the Schedule and shown on Site Plan 5 appears to be a widening of the existing highway Whitwick Road.
- ii. BL-N1 described on Page 11 and shown on Site Plan 6 appears to be a widening of the existing highway Stephenson Way.

It is, therefore, proposed that they should be deleted from the Schedule and new plans provided on which they should be shown cross hatched.

11. I note that Hermitage Way in the SRO (Plan and Schedule) is referred to as Hermitage Road in the CPO. I would be grateful if you could confirm the correct name for this road.

12. It is proposed to modify 'Existing road to be improved' in the 'Identifier' column on page 11 of the schedule to 'Broom Leys Road' should the Order be confirmed.

13. Where only part of an access is to be stopped up the relevant measurements should be provided if possible. I would be grateful if you could provide these for the access to 36 Bardon Road on page 13.

14. It is proposed to modify the plan reference numbers in BR-H2, BR-H3, BR-H4 on page 13 to read '60710419-ACM-LSI\_**BR**-DR-ZL-0001' should the Order be confirmed.

15. I would be grateful if you could confirm if there is a reason why BT-H2 and BT-H3 are described as unnamed footway and not referred to as part of A511 Bardon Road.

16. 'Approximately' is used in a number of the descriptions. Distances should, however, always be precise and it is not considered acceptable to approximate measurements given in Local Authority Orders and Schemes. It is, therefore, proposed to delete the word 'approximately' where it is given in relation to stopping up in the Order should the Order be confirmed.

#### **Compulsory Purchase Order:**

17. I note that the new road will connect to the spine road being delivered as part of the Grange Road residential development and that SRO Site Plan 10 indicates the point at which the new highway provided by LCC is to tie into the housing development and states that the design to the south of this point is subject to separate Orders. I would, therefore, be grateful if you could confirm that the Bardon Link Road is a standalone scheme. If not, and the Link Road requires the Grange Road development spine road to be implemented, we would need to be satisfied that there were no impediments to the spine road going ahead before any confirmation of these Orders.

18. Please confirm that no further Orders are required and that you do not anticipate any consents or licenses required to be an impediment to the scheme going ahead.

19. I note that the Statement of Reasons states that no open space is included in the Order land (paragraph 17.8) but the Resolution (270.c)(iii)) and Cabinet Report (2(c)(iii))

refer to open space. I would be grateful if you could confirm that no open space is included in the Order.

20. I would be grateful if you could confirm whether or not the Order contains any consecrated land.

21. Should the Order be confirmed the following modifications are proposed:

- i. the title of the SRO given in Article 1.e. to be modified to read the 'Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023' so that it is fully in accordance with the title of the Order;
- ii. the word 'Schedule' to be inserted above Table 1 in accordance with the Prescribed Forms;
- iii. Table 1 column (4) to be renamed column (3) as there is no column (3) and correspondingly Table 2 columns (5), (6) and (7) to be renamed columns (4), (5) and (6); and
- iv. the headings in Table 2 to be modified to read 'Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981' and 'Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 and 2'.

22. Please confirm whether or not there is an unlabelled plot to the south of Plot 029 or whether this forms part of one of the adjoining plots as this is difficult to see from the Map.

23. In note that paragraph 17.9 of the Statement of Reasons states that no Crown land is affected but that the Secretary of State for Transport has an interest in Plot 005. I would be grateful if you could confirm the position in this regard.

24. I would be grateful if you could advise on the kilometre linear scale included on the maps as I am unable to ascertain how this relates to the scale of the maps which are as given elsewhere on the maps.

I would be grateful if you could confirm whether you are content for the proposed modifications to the SRO and CPO to be made should the Orders be confirmed.

Please do not hesitate to contact me should you have any queries or require any clarification. I look forward to hearing from you.

Yours sincerely



**National Transport Casework Team**