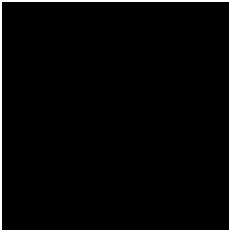


Mr M Herbert



Date: [REDACTED]
Reference: [REDACTED]
Contact: Andy Jackson
Phone: [REDACTED]
E-mail: [REDACTED]

Dear Mr Herbert,

The Leicestershire County Council (A606 North and East Melton Mowbray Distributor Road) Compulsory Purchase Order 2020 (“CPO”)

The Leicestershire County Council (A606 North and East Melton Mowbray Distributor Road) Side Roads Order 2020 (“SRO”)

I write to thank you for your written comments dated the [REDACTED], which have been forwarded to me, as the Promoter’s representative, by the Department of Transport following your objection to the above identified Orders. This response concerns objections relating to your clients’ Spreckley Farm land; a separate response will be sent regarding the Home Farm land.

I note from your written comments that eight matters of objection and three other matters for consideration have been raised by the landowner in respect of the Leicestershire County Council’s proposal to bring forward a bypass to Melton Mowbray. The Scheme itself, which we have called the North and East Melton Mowbray Distributor Road (NEMMDR) is intended to enable through traffic to avoid passing through the town and to enable additional residential development to take place to meet the identified needs.

I would like to take this opportunity to address the eleven matters which have been raised in your letter so that you can understand the Council’s position in respect of them. It is hoped that your clients would then be able to reconsider the matters raised and whether they would wish to present them as objections to the Public Inquiry, which will be held later this year.

1. Your clients have requested an additional access from Roundabout 6 be provided, otherwise developer interest and therefore value of their land is compromised.

Environment and Transport Department
Leicestershire County Council, County Hall, Glenfield, Leicestershire, LE3 8RJ
Telephone: 0116 305 0001
Email: etd@leicestershire.gov.uk

Director Ann Carruthers

www.leics.gov.uk

- 1.1 This matter has been discussed at previous meetings earlier in the Scheme's development. Provision in the Scheme design of an additional arm to Roundabout 6 was not included due to uncertainty of development coming forward as the land is not in the Melton Local Plan (2011-2036). Further to this, safety concerns, increased environmental impacts and negative effects on the Scheme's business case were also highlighted with regard to the provision of a six-arm roundabout or potential double roundabout. LCC maintains that, should it come forward, development on this land is not prejudiced as other options for access could be considered.
2. Your client is concerned that the Scheme affects the accessibility within the farm and further detail regarding accommodation works is required.
 - 2.1 Accommodation works, along with compensation are not matters for the Public Inquiry to consider. The Council is committed to working with you to seek to minimise intrusion arising from the Scheme. The Scheme's accommodation plans have been shared with you and suitable access is proposed to be provided for all retained land.
3. You state that there is no need to acquire Plots 124, 130 and 132 and so a holding objection is maintained until this is resolved.
 - 3.1 The requirement for the acquisition of all the various Plots is explained in the Statement of Reasons and updated Statement of Case. All the areas of land are required to enable the Scheme to be developed and constructed. Areas shown on the CPO are those required to provide the land or other interests needed to enable the Scheme to be built. At present there is no power available to allow land to be acquired for temporary purposes. The Council must therefore ensure it has sufficient access to allow the Scheme to be constructed. The Council has made it clear previously that once the Scheme is completed if it is possible to offer land back to the current owners that is the approach that the Council will take. As you will be aware, a Heads of Terms has been prepared for agreement with your client to enable a different

mechanism to enable LCC to use this land during construction, further to confirmation of the orders.

4. You have raised a concern regarding severance issues relating to the acquisition of part of Plot 129 required for new highway rights.

4.1 Footpath E1 is to be intersected by Section 5 (Roundabout 5 to Roundabout 6) of the proposed route. It is not possible to include at grade crossing at existing location on safety grounds. The footpath is to be diverted, via Sawgate Road and the splitter islands at Roundabout 6. A diversion to Footpath E1 is to be created to the west of the proposed scheme to eventually re-join the existing Footpath E1.

In accordance with Department of Transport Local Authority Circular 2/97, LCC has included in the CPO plans the acquisition of part of Plot 129, necessary in order to establish the new highway footpath rights on land where highway rights do not currently exist. LCC will continue to discuss with you other mechanisms to achieve the creation of highway rights in this instance.

5. Plot 131 is not required as it is only for temporary rights.

5.1 Please see response to objection 3 above.

6. The objections states that Plot 133 is to be used as a compound and acquisition is not justified.

6.1 Plot 133 is different in that it is a Plot required for the site compound which needs to be located in the way explained above. In addition, it will need to be established early in the overall programme, which will include engineering works to level and strengthen the land, to enable the storage of items required for the build. It will then be required for the full duration of the works, currently estimated to be 24 months and then would require restoration prior to reuse or an offer of handing back. As such that land needs to be acquired to permit the Scheme to proceed. A Heads of Terms has been prepared for

agreement with your client to enable a different mechanism to enable LCC to use this land during construction, further to confirmation of the orders.

7. Your client is concerned that access to Lag Lane is required and stopping it up will create severance.

7.1 The Council has proposed the stopping up of Lag Lane from point “k” shown on SRO Plan 5 and for its entire length to the south (intersection with Sawgate Road) and create new bridleway with gating. This decision was taken due to Lag Lane being no longer required as highway for public motorised vehicles as the Distributor Road would be open for this purpose. The Council has no authority under Section 14 of the Highways Act 1980 to ‘downgrade’ rights associated with a highway. To achieve the new status, the Council must first stop up the existing highway rights before creating new highway rights. For the entire stopped up length of Lag Lane a New Private Means of Access has been included in the SRO Plans 5 to 7 to ensure that continued access can be provided for those landowners and statutory bodies who require it.

8. Detail is required to judge the acceptability of the works to Roundabout 6, Footpath E1 and accommodation works.

8.1 Access throughout the duration of the construction phase will be maintained and, following completion, permanent accesses will be agreed further to our ongoing discussions but will broadly be as per the plans provided to you. LCC is committed to continuing to discuss accommodation issues with you.

9. The three other matters relate to the need to maintain access throughout the construction phase.

9.1 Please see response to objection 8 above

I would hope that this letter addresses the concerns raised and provides your clients with the information necessary to enable them to formally withdraw their objection. If

they would wish to do so, please could they write to the Department for Transport at the following address:

National Transport Case Work Team



Alternatively, if they prefer they could send an email to them at the [REDACTED] and I would ask to be please copied in at [REDACTED]

In the meantime, if there are any questions with regard to the above, please do not hesitate to contact me quoting [REDACTED] in any correspondence, whether by letter or email.

Yours sincerely,



Andy Jackson
Senior Engineer (NEMMDR Project Manager)
Asset & Major Programmes Team
Leicestershire County Council