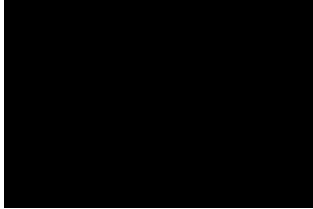


Mr S. Tivey



Date: [REDACTED]  
My ref: [REDACTED]  
Your ref:  
Contact: Janna Walker  
Phone:  
Fax:  
Email: [REDACTED]

Dear Simon,

**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”)**

**These are referred to either separately as the CPO and the SRO or collectively as the Orders**

**Your client: Western Range Ltd**

#### **Letter of Assurance**

I write with reference to your client’s notice of objection made to the above Orders dated [REDACTED], and our subsequent meetings held virtually on [REDACTED] [REDACTED], and [REDACTED]

It is clear from your Representations, both written and oral, that what you are seeking on behalf of your client is a degree of assurance in respect of the Councils approach and ambitions related to the provision of the North and East Melton Mowbray Distributor Road (the “Scheme”) to bypass Melton Mowbray.

This letter is intended to provide assurances given in respect of your client’s interests in the land affected by the Orders for the Scheme such that your client is able to withdraw his objection to the Orders without delay.

Environment and Transport Department  
Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RJ  
Telephone: 0116 305 0001 Fax: 0116 305 0006 Minicom: 0116 305 0007  
Email: [etd@leics.gov.uk](mailto:etd@leics.gov.uk)

Director: Ann Carruthers

[www.leicestershire.gov.uk](http://www.leicestershire.gov.uk)

1. You have expressed concern in respect of your client's existing access off the A606 Burton Road.
  - 1.1. The existing vehicular access off the A606 Burton Road adjacent Childs Cottages is outside the Scheme boundary and is unaffected by the Orders. A short section of public footpath E5 will be stopped up to accommodate the Scheme however that access will be replaced such that public footpath E5 re-joins the new highway in approximately the same position. For clarity, the arrangements are shown on the plan attached at Appendix A.
  - 1.2. Notwithstanding the above point, this access is the only access to your client's land from Burton Road and serves a significant area of productive agricultural land. This access is not wide enough to allow access for large agricultural vehicles, but this can currently be facilitated by lifting the gate post to allow unimpeded access from Burton Road. The location of the CPO boundary hard up to the edge of this access is problematic in that your client would lose the ability to be able to do this. The CPO boundary cannot be amended as the Council needs to make provision for the new bridleway to connect onto the existing restricted byway D106 on the same route as the access track. To facilitate both the Council's requirements and suitable access for your client, the Council can assure you that:
    - 1.2.1. The Council will ensure that there will be no new landscape planting within a 4m wide strip parallel to and immediately adjoining the existing access track adjacent Child's Cottage such that the 4m wide strip is free from new encumbrances.
    - 1.2.2. If required, the Council will grant by means of easement a private right of way over the same 4m wide strip for the benefit of Western Range Limited and associated parties and its successors in title to ensure unimpeded access directly from the retained land to the adopted highway, provided that any altered access benefits from the grant of planning permission and any requisite highway approvals.
2. You have expressed concern in respect of potential land severance and access to the severed extent.
  - 2.1. No part of your client's land is severed. Vehicular access is unaffected and public footpath E5 will be replaced as described in point 1.1 above.
3. You have expressed concern in respect of the requirement to permanently acquire Plot 145 and elements of Plot 142.
  - 3.1. All parts of plots 142 and 145 are required permanently for the Scheme, being necessary for construction of the roundabout with the A606 Burton Road and a landscaped area to provide screening for the Scheduled Monument of St Mary and St Lazarus Hospital at Burton Lazars. The monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979. The planning consent for the Scheme requires, on the advice of Historic England, that screening in the form of indigenous hedgerow, tree and shrub planting is included at this location. The approved plans follow substantial consultation and design amendments made to satisfy this requirement.
  - 3.2. The Council can assure your client that it will consult with Western Range, prior to implementation, regarding the landscaping situated immediately adjacent the Scheme's boundary with your client's retained land.

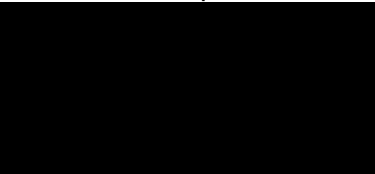
4. You have expressed concern in respect of other extents within the Orders that may not be required permanently.
  - 4.1. As you have identified, there is, at present, no power available to allow land to be acquired for temporary purposes. The Council must therefore ensure it has sufficient access to allow the Scheme to be constructed. As set out in the Statement of Reasons, and as previously discussed, it was intended that Plots 143 and 144 would be capable of being offered back to the owners on completion of the works. Once offered back, your client's land would benefit from an additional access which immediately adjoins the adopted highway. It is however understood that your client prefers an alternative mechanism to give certainty that his retained land immediately adjoins the adopted highway. The Council can therefore assure your client that a modification to the SRO will be sought to extend the highway boundary at this location, such that Plots 143 and 144 are entirely within the adopted highway. This approach would give certainty that your client's land will immediately adjoin the adopted highway but will preclude the subsequent disposal of plots 143 and 144 to the original owners.
5. You have expressed concern about the demarcation of land permanently acquired post Scheme.
  - 5.1. The land to be permanently acquired will be enclosed, secured and demarked by stock netting on treated posts with two strands of barb wired. A temporary boundary feature comprising gates, or the like, will be provided at the two stubs off the roundabout serving the future provision of the southern extension to the Melton Mowbray Distributor Road and the proposed housing development. Such temporary boundary features off the new roundabout will be sufficiently robust as to restrict access by third parties and trespass by vehicles on to the retained land.
6. You have expressed concern about the drainage arrangements post Scheme and how existing field drains will be impacted by the Scheme.
  - 6.1. The Scheme drainage has been designed in accordance with the Design Manual for Roads and Bridges, Sewers for Adoption, CIRIA reports C697 & C753, Non-Technical Standards for SUDS and Leicestershire County Council design standards.
  - 6.2. Attached to this response in Appendix B are plans which show the drainage layout adjacent your client's retained land and is provided to aid your understanding of the drainage arrangements post Scheme.
  - 6.3. A principle of the drainage design is that where adjacent land falls towards the new road, overland surface water runoff will be intercepted and diverted into cut-off drains or ditches. Similarly, where the road is on embankment, cut-off ditches will intercept and divert surface water runoff arising from the highway extents.
  - 6.4. The Council can assure your client that any existing field drains reasonably proximate and directly impacted by the Scheme will be made good such that the field drainage post Scheme is no worse than the existing situation pre-Scheme.
  - 6.5. The Council will make reasonable endeavours to maintain the existing water supply to the retained land during and post construction.

7. You have expressed concern in respect of future access provision to land adjacent Plots 142, 143 and 144 prior to the land being required for alternative uses and that such accesses will adjoin the adopted highway.
  - 7.1. Vehicular access is unaffected and public footpath E5 will be replaced as described in point 1.1 above. A modification to the SRO will be sought such that Plots 143 and 144 are entirely within the adopted highway as described in point 4.1 above.
8. You have expressed concern in respect of access to your client's retained land during construction of the Scheme.
  - 8.1. Access to your client's retained land will be continuous throughout the construction of the Scheme by means of the existing vehicular access off the A606 Burton Road adjacent Childs Cottages which is outside the Scheme boundary and is unaffected by the Orders.
  - 8.2. The Council will ensure the land adjacent the access is free from new encumbrances and, where approvals are secured, grant rights of access, all as discussed in point 1.2 above.

The Council will also seek to modify the SRO to omit PMA 24. This private means of access was erroneously included in the SRO in the same location as footpath E5. No access has been removed in this location and therefore there is no requirement to provide a new means of access.

I trust this letter reflects our discussions held in the meetings of [REDACTED], [REDACTED], and [REDACTED] and provides the assurances necessary to enable your client to withdraw his objection without delay. To withdraw the objection, please write to the Department for Transport at the following address:

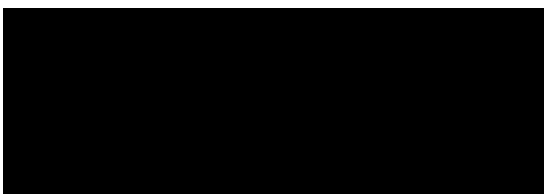
National Transport Case Work Team



Alternatively, you could send an email to them at [REDACTED] and I would ask you to please copy Adam Lakin in at [REDACTED]

In the meantime, if you have any questions with regard to the above please do not hesitate to contact Adam Lakin at [REDACTED] I would be grateful if you could quote the reference "[REDACTED]" in future correspondence.

Yours sincerely,



Janna Walker  
MMDR Senior Responsible Owner  
Environment & Transport  
Leicestershire County Council

## Appendix A

SIDE ROAD ORDERS PLAN 7 – NEMMDR; LAG LANE / SAWGATE ROAD TO  
A606 BURTON ROAD, drawing number [REDACTED]  
[REDACTED]

**Appendix B**

DRAINAGE LAYOUT SHEET 35 OF 36, drawing number [REDACTED]

DRAINAGE LAYOUT SHEET 36 OF 36, drawing number [REDACTED]