

Alison Squires
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date: 24 February 2021
My ref: [REDACTED]
Your ref:
Contact: Adam Lakin
Phone:
Fax:
Email: [REDACTED]

Dear Alison,

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: Jelson Limited (“Jelson”)

I write to thank you for your written comments dated 17 November 2020, which have been forwarded to me, as the Promoters representative, by the Department for Transport following your objection to the above identified Orders. I note from your written comments that you have raised three matters of concern in respect of Leicestershire County Council’s proposal to bring forward a bypass to Melton Mowbray. The Scheme, which we have called the North and East Melton Mowbray Distributor Road (the “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 wish to take this opportunity to address the three matters which you have raised in your letter to help you to understand the Council’s position in respect of them. We would hope that you would then be able to reconsider the matters you have raised to see if you would wish to present them as objections to the Public Inquiry which will be held later this year.

1. Your first objection is that the Council has failed to make substantive attempts to acquire interests by agreement.
 - 1.1. The land in Plot Numbers [REDACTED], is highway land. Although the Council as Highway Authority is responsible for the surface of the highway over which the public can pass, the subsoil beneath the road foundations is deemed to

Environment and Transport Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RJ

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Director: Ann Carruthers

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be owned by the owners of the land on either side in equal parts up to the centre of the road, which arises in this case due to the recent housing development at Southwell Close by Jelson. The Council, in seeking to promote a scheme must ensure that it has access to all the land it needs to permit the scheme to be built and further where the legal presumption applies that includes the subsoil of the existing highway.

- 1.2. The land in Plot Numbers ■ and ■ is arable land owned by Ms Wood and Messrs Hill. Jelson have an option agreement over this land and are listed in Table 2 of the CPO Schedule. The Council has twice engaged with the landowner's representative, in April 2018 and January 2019.
 - 1.3. CPO guidance requires reasonable steps to be taken to acquire interests by agreement. However, the CPO guidance does not require that an Acquiring Authority wait until negotiations fail before starting the compulsory purchase process and in fact provides that it may be sensible for an Acquiring Authority to initiate the CPO process in parallel with stakeholder discussions.
 - 1.4. The Council remain committed to securing Jelson's interests in the land by agreement and are open to negotiation.
2. Your second objection is that the proposed land take is excessive; in Plots ■ and ■ appearing sufficient to deliver a dual carriageway road on a very shallow embankment.
- 2.1. The NEMMDR is a single carriageway road that has been designed in accordance with the Design Manual for Roads and Bridges to achieve, as far as is possible, an earthwork cut / fill balance. This minimises the need to import or export large quantities of material, thereby achieving a cost-effective and environmentally sustainable construction and reducing disruptive construction traffic impacts. In this location, the vertical alignment is further predicated on the tie-in with the existing highway network at Melton Spinney Road to the west and the culverting of Thorpe Brook to the east.
 - 2.2. The embankments are near the maximum permitted incline, stipulated by virtue of both geotechnical design and future maintenance requirements in accordance with the Construction (Design and Management) Regulations 2015. Attached to this response in Appendix A is a plan which shows a typical cross section adjacent to Plot ■. This plan illustrates the construction of the road and the embankment and is provided to aid your understanding of the requirement for the extent of the land take in this location.
 - 2.3. The location of the attenuation pond on the south side of the NEMMDR is necessitated by the superelevation of the road which falls north to south.
 - 2.4. Also attached to this response in ■■■■■ are plans which show the scheme General Arrangement overlaid with the CPO boundaries. It can be observed that the permanent construction is confined to Plot ■. The need for Plot ■ is a long-term operational requirement, being necessary for the construction of the road. As set out in the ■■■■■, this plot may be capable of being offered back to the owners on completion of the works, although the nature of the land may be altered.
 - 2.5. Accordingly, the land take is the minimum required to deliver the Scheme.
3. Your third objection relates to the impact on retained land at Plots ■ and ■ and access to that land during and after construction.

- 3.1. Access to the retained land south of Plots [REDACTED] and [REDACTED] is outside the Scheme extents and is not affected by the Scheme. Accordingly, there is no requirement to deliver a turning head into the retained land.
- 3.2. Whilst the Scheme will result in a smaller land holding, parties with interests affected by the Scheme will be entitled to statutory compensation.
- 3.3. Diversion of statutory undertaker's apparatus is a complex matter; however, sector guidance is that the number and extent of diversionary works should be reduced to those necessary, and where diversion is necessary, to ensure it is done in a way to minimise cost to the community at large. Diversion of the overhead electricity cables over your client's interests in the retained land to the south of Plots [REDACTED] and [REDACTED] is not necessary and therefore does not form part of the Scheme.

I would hope that this letter addresses the concerns that you have raised and provides you with the information necessary to enable you to formally withdraw your objection. If you would wish to do so, please write to the Department for Transport at the following address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

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

Yours sincerely,

[REDACTED]

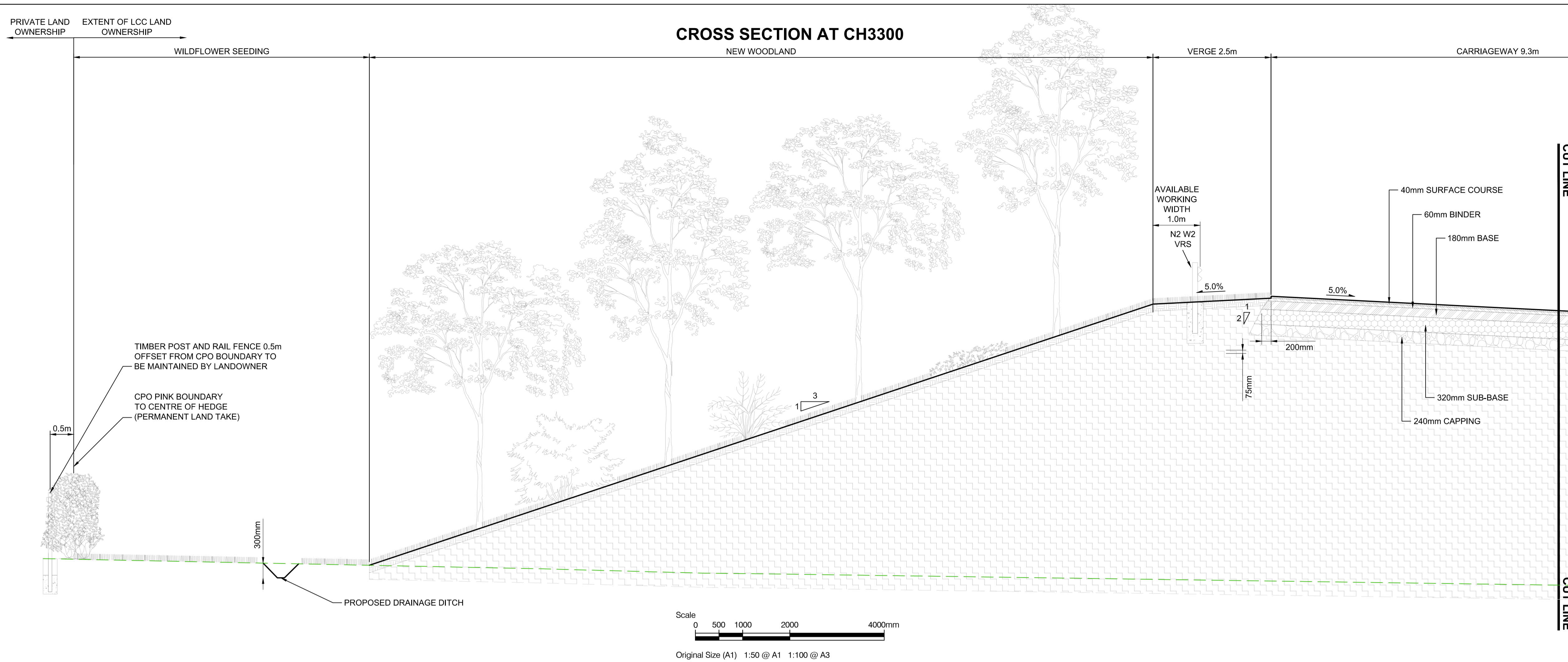
Adam Lakin
Project Manager
Asset & Major Programmes Team
Leicestershire County Council

Appendix A

TYPICAL CROSS SECTIONS - SECTION 3 MAINLINE - CH3300, drawing
number [REDACTED]

CROSS SECTION AT CH3300

NEW WOODLAND



Scale
0 500 1000 2000 4000mm
Original Size (A1) 1:50 @ A1 1:100 @ A3

PROJECT
NORTH & EAST MMDR



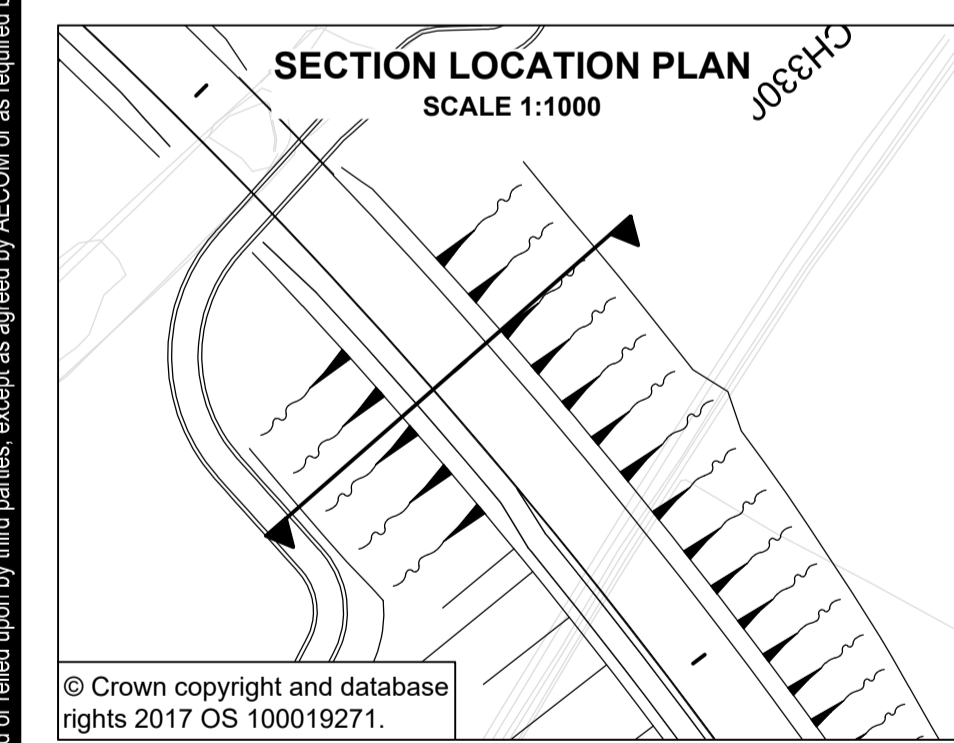
CLIENT
County Hall, Glenfield
Leicester, LE3 8RA
tel: [REDACTED]
www.leicestershire.gov.uk

CONSULTANT
AECOM
[REDACTED]
www.aecom.com

- NOTES**
- ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
 - EXISTING GROUND DATA IS BASED ON THE COMBINED AECOM AND LCC TOPOGRAPHICAL SURVEY.
 - THIS DRAWING IS BASED ON THE D1 DETAILED DESIGN HIGHWAYS ALIGNMENT MODELS (SPRING 2020) AND IS SUBJECT TO FURTHER DESIGN DEVELOPMENT.
 - FOR DETAILS OF SERVICES AND UTILITIES, SEE DRAWINGS 60542201-ACM-HUT-XX_XX_XXX_Z-DR-CU-0001 TO 0038.
 - PROPOSED UTILITY DIVERSION ARE SUBJECT TO DESIGN DEVELOPMENT FOLLOWING RESPONSES FROM STATUTORY UNDERTAKERS.
 - FOR DETAILS OF FILTER DRAINS, SEE DRAWING 60542201-ACM-HDG-GEN_GEN_ZZ_Z-SD-CD-0001.
 - SUB-BASE AND CAPPING TO BE CONTIGUOUS WITH FILTER DRAIN WHERE PRESENT. REFER TO CARRIAGEWAY EDGE DETAILS 60542201-ACM-HPV-GEN_GEN_ZZ_Z-SD-CH-0002.
 - EXISTING TOPSOIL WILL BE STRIPPED BEFORE PLACING FILL MATERIAL (INDICATIVELY SHOWN AS 300MM DEEP).
 - ENGINEERING FILL MATERIAL, AS SPECIFIED IN SERIES 600 SPECIFICATION, MAY VARY BETWEEN LOCATIONS.
 - FOR DETAILS OF STARTER LAYER, REFER TO DRAWING 60542201-ACM-GEN-GEN_GEN_ZZ_Z-DR-GE-0121 OR THE SPECIFIC GROUND IMPROVEMENT DRAWING AND THE SERIES 600 SPECIFICATION.
 - HB2 AND EF DENOTE HALF BATTERED KERBS AND EDGING, RESPECTIVELY SEE DRAWING 60542201-ACM-HKF-GEN_GEN_ZZ_Z-SD-CH-0001 TO 0003.

KEY

	EXISTING GROUND PROFILE
	PROPOSED GROUND PROFILE
	TOP SOIL TO BE REMOVED
	FILL MATERIAL
	CONCRETE
	TOP SOIL



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DETAILED DESIGN ISSUE	II	AS	16/10/20	P01
REVISION DETAILS	BY	CHECK	DATE	SUFFIX

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DESIGNED: II CHECKED: JS APPROVED: AS

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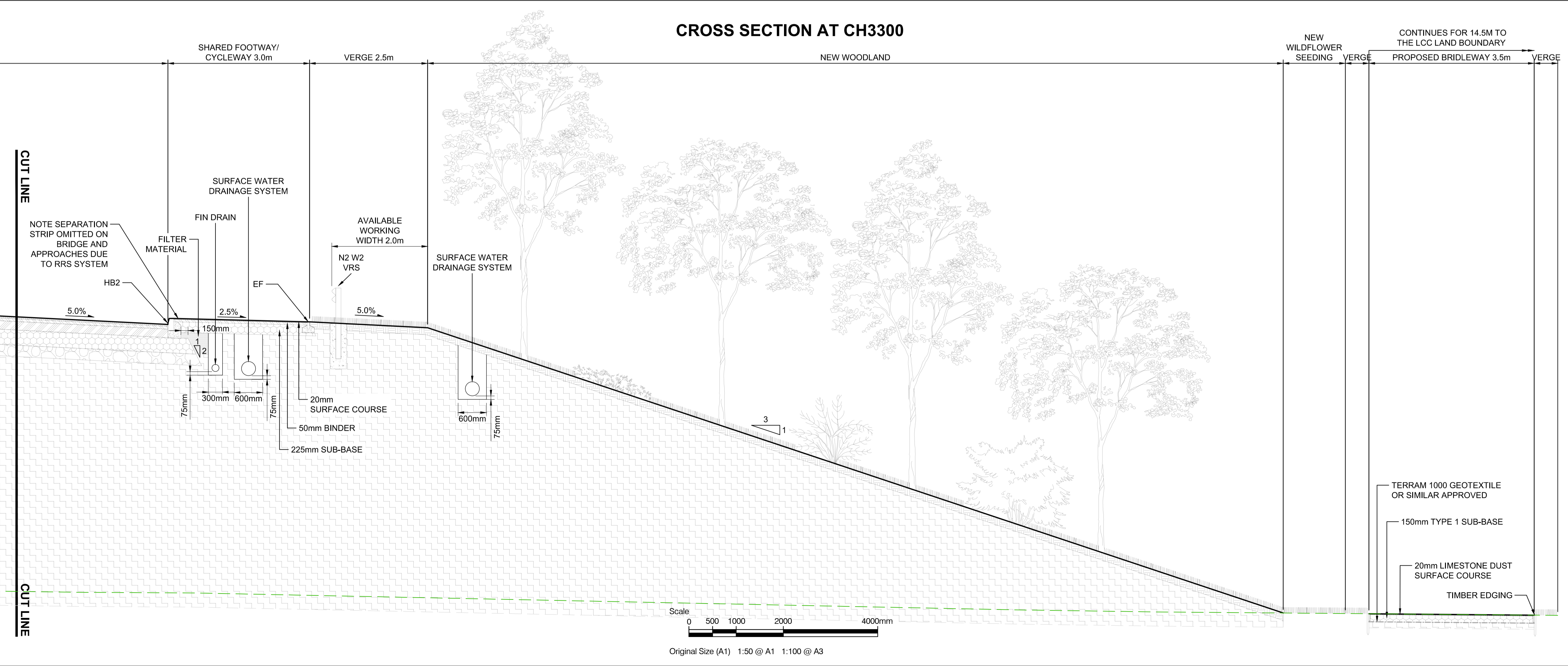
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FOR COSTING D1

SHEET TITLE
TYPICAL CROSS SECTIONS
SECTION 3 MAINLINE
CH3300

DRAWING NUMBER **REV**
[REDACTED] [REDACTED]

CROSS SECTION AT CH3300

NEW WOODLAND



Scale
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Original Size (A1) 1:50 @ A1 1:100 @ A3

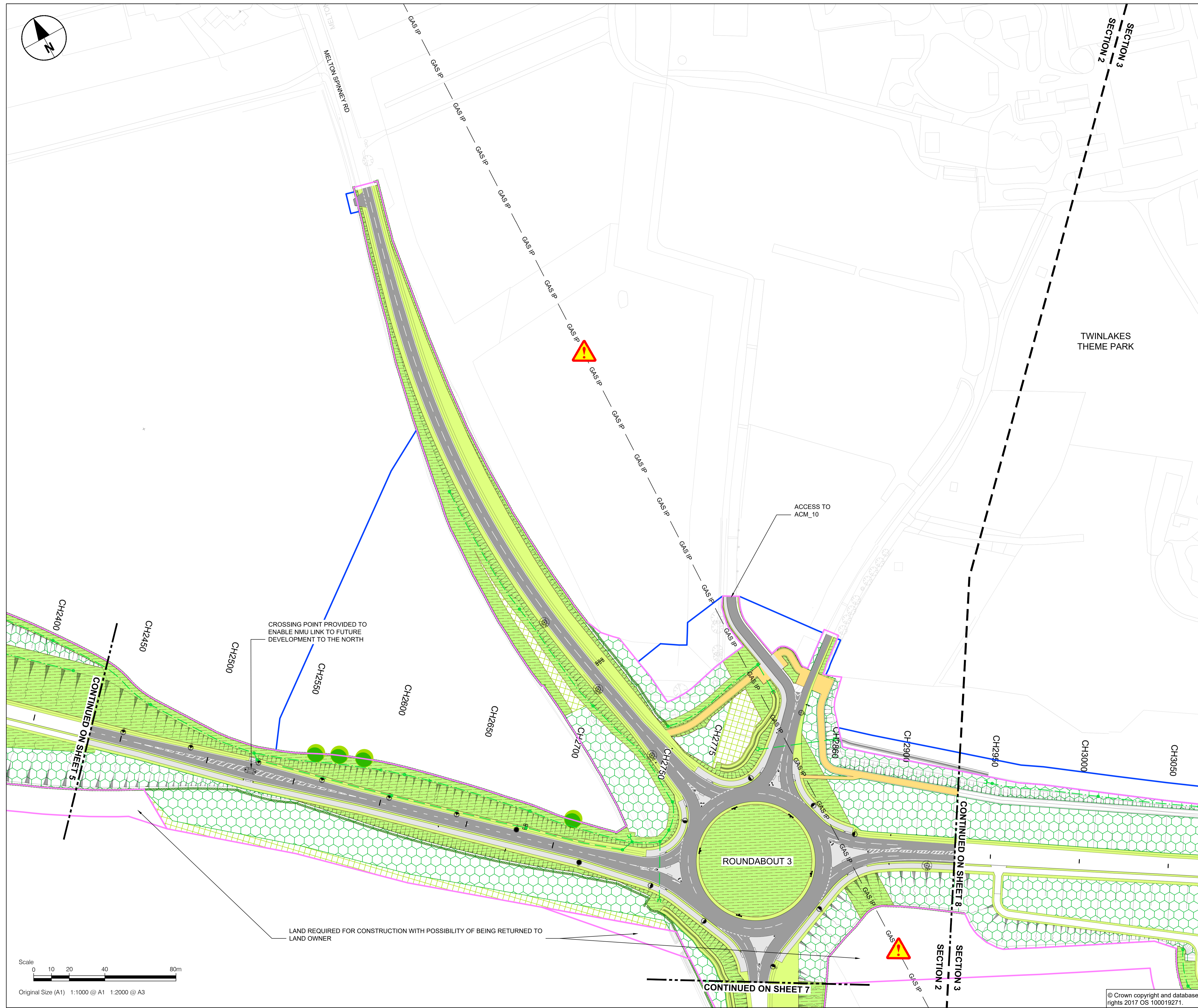
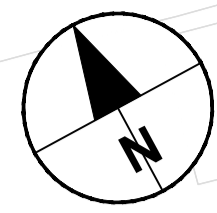
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Appendix B

GENERAL ARRANGEMENT AND CPO OUTLINE SHEET 6 OF 21, drawing number [REDACTED]

GENERAL ARRANGEMENT AND CPO OUTLINE SHEET 7 OF 21, drawing number [REDACTED]

GENERAL ARRANGEMENT AND CPO OUTLINE SHEET 8 OF 21, drawing number [REDACTED]



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 5. FENCE LINE HAS BEEN OMITTED FOR CLARITY. DETAIL TO BE PROVIDED IN BESPOKE DESIGN DRAWINGS.

KEY

	CARRIAGEWAY
	FOOTWAY OR FOOTWAY/CYCLEWAY
	BRIDLEWAY OR FOOTPATH
	ACCESS TRACK
	GRASSCRETE
	DITCHES
	VERGES AND LANDSCAPED AREAS
	HEDGE
	TREES
	FENCING & GATES
	TRAFFIC SIGNS
	LIGHTING COLUMNS
	FEEDER PILLAR
	TITLE
	RIGHTS
	BURIED DRAINAGE PIPE, CHAMBERS AND HEAD WALLS

FOR LANDOWNER DISCUSSIONS	VH	AS	03/02/21	P01
REVISION DETAILS	BY	CHECK	DATE	SUFFIX

PROJECT MANAGEMENT INITIALS

DESIGNED: VH	CHECKED: JS	APPROVED: AS
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INTERNAL PROJECT NUMBER	SCALE
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STATUS	BS1192 SUITABILITY
FOR REVIEW & COMMENT	S3

SHEET TITLE
GENERAL ARRANGEMENT AND CPO OUTLINE SHEET 6 OF 21

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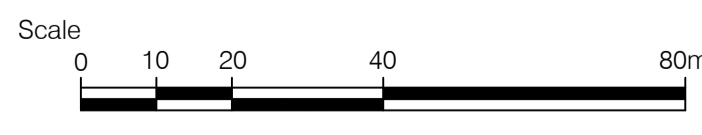
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CH2800
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CH3000
CH3050

CROSSING POINT PROVIDED TO ENABLE NMU LINK TO FUTURE DEVELOPMENT TO THE NORTH

ACCESS TO ACM_10

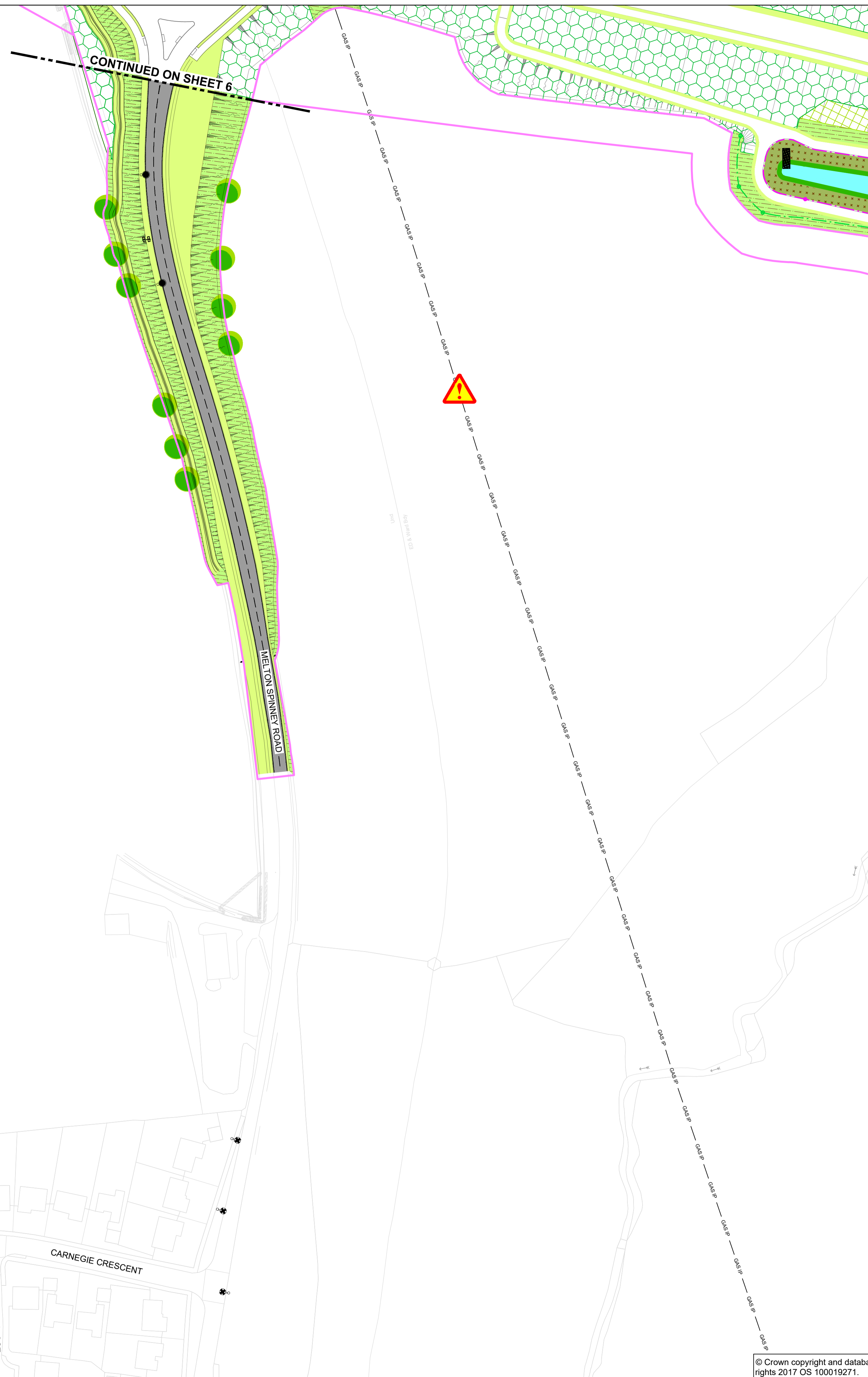
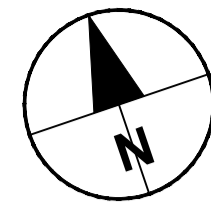
ROUNDAABOUT 3

LAND REQUIRED FOR CONSTRUCTION WITH POSSIBILITY OF BEING RETURNED TO LAND OWNER



















Original Size (A1) 1:1000 @ A1 1:2000 @ A3

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	TITLE
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FOR LANDOWNER DISCUSSIONS	VH	AS	03/02/21	P01
REVISION DETAILS	BY	CHECK	DATE	SUFFIX

PROJECT MANAGEMENT INITIALS

DESIGNED: VH	CHECKED: JS	APPROVED: AS
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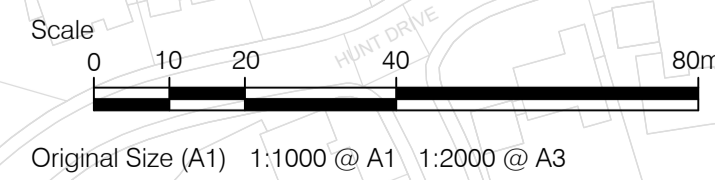
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FOR REVIEW & COMMENT	S3
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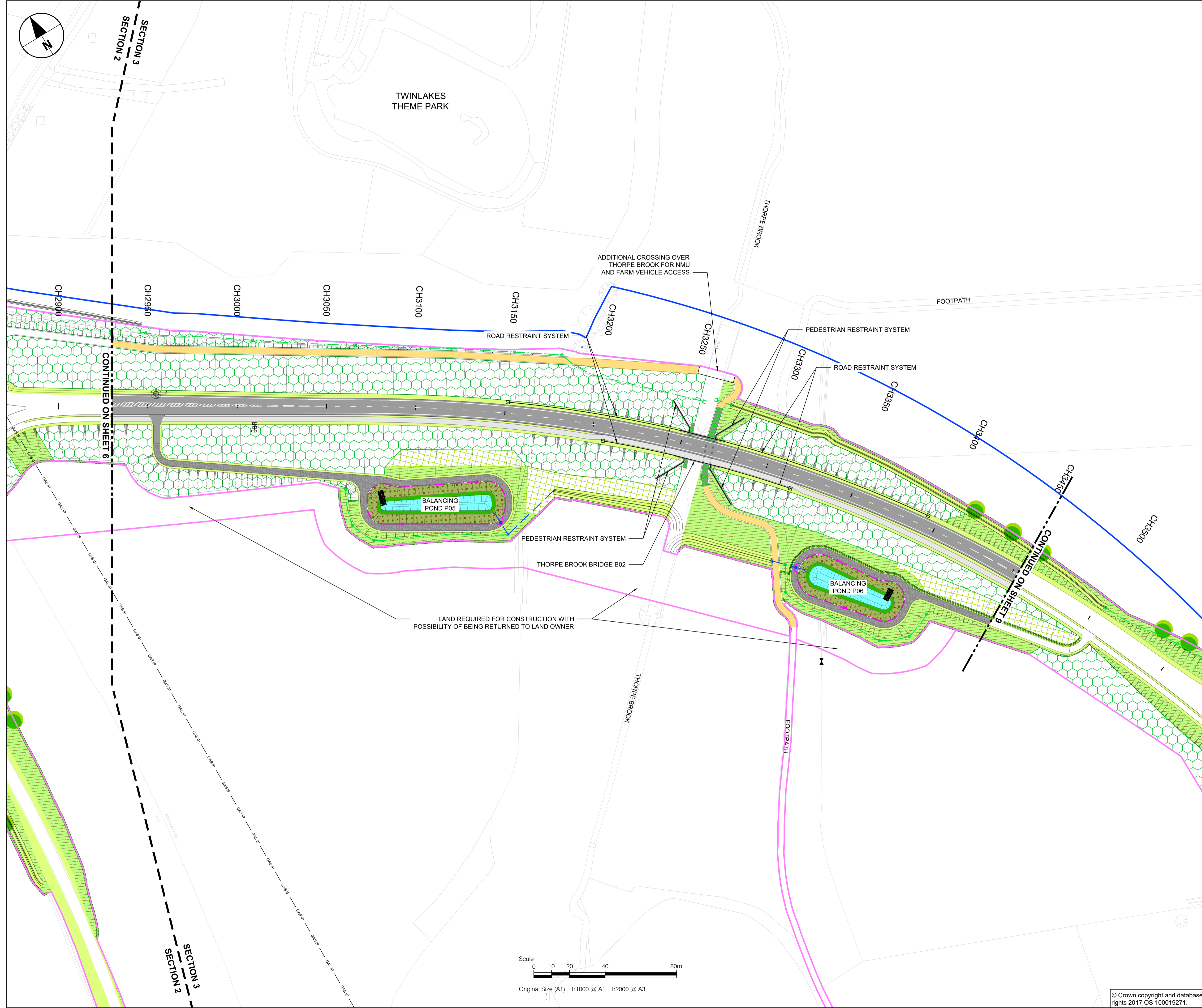
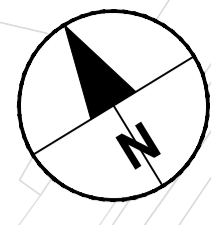
SHEET TITLE
GENERAL ARRANGEMENT
AND CPO OUTLINE
SHEET 7 OF 21

DRAWING NUMBER **REV**

[REDACTED]	[REDACTED]
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FOR LANDOWNER DISCUSSIONS	VH	AS	03/02/21	P01
REVISION DETAILS	BY	CHECK	DATE	SUFFIX

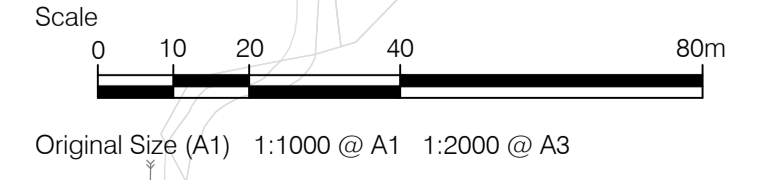
PROJECT MANAGEMENT INITIALS
DESIGNED: VH CHECKED: JS APPROVED: AS

INTERNAL PROJECT NUMBER **SCALE**
60542201 1:1000

STATUS **BS1192 SUITABILITY**
FOR REVIEW & COMMENT S3

SHEET TITLE
GENERAL ARRANGEMENT
AND CPO OUTLINE
SHEET 8 OF 21

DRAWING NUMBER **REV**
[REDACTED] [REDACTED]



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