

Jonathan Allen
[REDACTED]

Date: [REDACTED]

My ref: [REDACTED]

Your ref: [REDACTED]

Contact: Adam Lakin

Phone: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Dear Jonathan,

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: Elaine Holmes, Fiona Long and Penelope Williams

I write to thank you for your written comments dated [REDACTED], which have been forwarded to me, as the Promoters representative, by the Department for Transport following your objection to the above identified Orders.

The Council welcomes your recognition that there is no objection to the acquisition of those areas required for the physical structure of the road and related facilities. However, I note that you have raised six matters of concern in respect of those areas where land is being acquired to ensure the Scheme can be built but would not be required permanently.

I wish to take this opportunity to address the six 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 Plots 40-43 and part of Plot 44 are required on a temporary basis.

1.1. The starting point for consideration of this is the fact that 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

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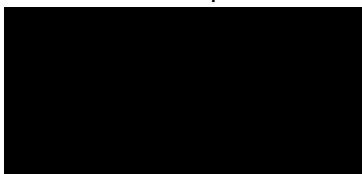
be constructed. As set out in the Statement of Reasons, Plots 40, 42 and 43 may be capable of being offered back to the owners on completion of the works, although the nature of the land may be altered.

- 1.2. Turning to the specific plots which you mention, the Council would indicate the following. The permanent construction is confined to Plot 44. The need for Plots 40, 42 and 43 is a long-term operational requirement, being necessary for the construction of the road. The title to Plot 41 will not be acquired, rather a right of access to construct and maintain drainage as detailed in the CPO Schedule.
2. Your second objection is that the plots are used for farming activities and also form part of the proposed Melton North Sustainable Neighbourhood.
 - 2.1. The Council would note that the use of the land for farming activities and use as part of the proposed residential development area is not compatible. In terms of farming, which is the current use, the Scheme will enable access to continue to all the remaining land once the Scheme is complete including areas which may be suitable to be offered back to the owners. If the land is to be developed as part of the residential extension, then any planning permission in respect of that will determine the use. The Council would reiterate that the intention is to offer back any land not permanently required for the Scheme following its completion and once it becomes operational subject to agreement with the landowner. Parties with interests affected by the Scheme will be entitled to statutory compensation.
3. Your third objection is that your client is willing and able to enter into licence agreements to facilitate use of plots 40-43 and the relevant part of plot 44, and therefore there is no need to include these plots in the CPO.
 - 3.1. 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.
 - 3.2. Notwithstanding the above requirement, a Heads of Terms has been prepared and shared to enable an alternative mechanism for the acquisition and occupation of your client's land, subject to confirmation of the orders.
 - 3.3. The Council are committed to securing your client's interests in the land by agreement and remain open to negotiation.
4. Your fourth objection is that the principle of proceeding by way of licence has been agreed but there is no legal certainty that the scheme will proceed via that mechanism.
 - 4.1. The Council must ensure that it has access to all the land it needs to permit the scheme to be built.
 - 4.2. Although negotiations are ongoing, 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.
5. Your fifth objection is that proceeding by way of compulsory purchase will deprive your client's ability to use its land for ongoing farming and potential strategic development.

- 5.1. Plot 44 is required for the scheme construction and plot 41 is a rights plot. Plots 40, 42 and 43 may be capable of being offered back to the owners on completion of the works.
- 5.2. Parties with interests affected by the Scheme will be entitled to statutory compensation.
- 5.3. Negotiations to acquire and occupy your client's land via an alternative mechanism are ongoing.
6. Your sixth objection is that where your client is willing and able to negotiate terms of temporary access, there is no compelling case in the public interest to proceed with the Orders in their current form.
 - 6.1. As discussed earlier, the Council must ensure that it has access to all the land it needs to permit the scheme to be built. Since there is no power available to allow land to be acquired for temporary purposes, the Council has included all the land it needs to construct the Scheme within the CPO.

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:

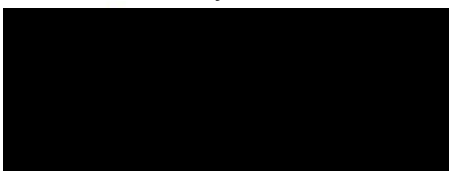
National Transport Case Work Team



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,



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