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Tel: 01522 782070

Email: cschighways@lincolnshire.gov.uk

Ref: JH/NHRR/JC

Date: Monday 23rd December 2024

Dear Henry,

The Lincolnshire County Council (A1461 North Hykeham Relief Road) Compulsory Purchase Order 2024 ("CPO")

The Lincolnshire County Council (A1461 North Hykeham Relief Road) (Classified Road) (Side Roads) Order 2024 ("SRO")

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

Your client: Rontec Service Station 1A Limited ("Rontec")

I write to thank you for your written comments dated 18 November 2024, which have been forwarded to me, as the Promotor's representative, by the Department for Transport following your objection to the above Orders. Following the closure of the Objection period into the Scheme proposals, the Council has considered with care the various objections and representations made including those made by yourselves. The Council has decided, however, that the basis for proceeding with the Scheme is sound, especially given the advantages that flow from it, and will therefore be progressing the Scheme including the pursuit of any public inquiry into the proposals should that be necessary.

In respect of the comments you have submitted, I have identified three matters of concern in respect of Lincolnshire County Council's ("LCC" or "the Council") proposal to bring forward the North Hykeham Relief Road ("NHRR" or "the Scheme").

In looking at your concerns it is important to recall the purposes underlying the promotion of the Scheme itself. The NHRR is intended to assist the sustainable economic growth of Lincoln and Lincolnshire and reduce congestion in and around North Hykeham and the surrounding villages. The scheme will improve journey time reliability by providing additional network capacity and route choice, in particular for east-west movements, as well as journey time savings on longer trips around or bypassing the Lincoln urban area. The NHRR is a vital part of Lincolnshire's plans to support the growth of its priority economic sectors and unlocks the South West Quadrant Sustainable Urban Extension. This development, which is dependent on the delivery of the NHRR, is an essential part of the housing supply within Central Lincolnshire, providing approximately 2,000 dwellings and up to 5ha of additional general employment land, along with retail and community uses including a new primary school, open space and formal sports pitches.

I wish to take this opportunity to address the three matters of concern 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 any public inquiry which may be necessary.

1. Your first concern is that there have been insufficient attempts to acquire the land by negotiation in advance of the CPO.
 - 1.1. 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.
 - 1.2. The council has engaged with your client and their representatives at both CBRE and Peter Evans Partnership throughout the scheme development. This has resulted in changes to the design to accommodate your client's requirements and, more recently, initial negotiations to acquire and occupy land by agreement.
 - 1.3. The Council remain committed to securing Rontec's interests in the land by agreement and remain open to negotiation.
2. Your second concern is that if the land identified is acquired then it is unclear how access to your client's property will be maintained.
 - 2.1. There are currently two junctions which serve your client's property. The western junction provides access into and egress from the site, whilst the eastern junction provides access only into the site.
 - 2.2. Western Junction
 - 2.2.1. The Scheme provides for improvements to the western junction which will create a larger junction to improve its operation and provide for safe pedestrian facilities.
 - 2.2.2. The existing junction will be maintained and enlarged as shown on the Side Roads Order Plan 1 at N1.
 - 2.2.3. By maintaining and improving this access, the Scheme ensures that access continues to your client's retained land directly from the public highway and further your client will benefit from the improvements to the junction.
 - 2.3. Eastern Junction

- 2.3.1. It is necessary to amend the eastern junction in order to bring forward the Scheme in a form which complies with the Design Manual for Roads and Bridges ("DMRB") and which National Highways, who are the responsible authority for the A46 Hykeham Roundabout, would accept. This is essential given the proximity of the junction to the roundabout.
 - 2.3.2. Part of the existing access point nearest the A46 Hykeham Roundabout will be stopped up, as shown on the Side Roads Order Plan 1 at X1a.
 - 2.3.3. A new, reasonably convenient, means of access to the site is provided off Middle Lane immediately adjacent, and to the west of, the existing access. This is shown on the Side Roads Order Plan 1 at 1i.
 - 2.3.4. This revised layout was developed with your client and their representatives during the Scheme design. This design forms part of the Scheme which benefits from the grant of planning permission.
 - 2.3.5. By providing this replacement access, the Scheme ensures that access continues to your client's retained land directly from the public highway on a like-for-like basis.
 - 2.4. During construction of the works, the Council will ensure that access is maintained to your client's property. Disruption will be reduced by careful planning of the works and the use of traffic management in accordance with the relevant Code of Practice and guidance documents. The details of the proposed phasing are still under development, and will be subject to approvals, but the Council remains committed to the principle of continued public access to the service station throughout the construction phase.
3. Your third concern is that the permanent acquisition of plots 27 and 28 cannot be justified.
 - 3.1. In seeking to promote the Scheme, the Council must ensure that it has all the land and rights it needs to allow the Scheme to be built. Plots 27 and 28 are essential for construction working space. The Statement of Reasons which accompanied the Orders identifies these plots as being ones which are required for the construction of the Scheme but also ones which may be capable of being offered back to the owners upon completion of the works. The Council has no powers at present to seek to acquire land on a temporary basis and therefore to bring forward the proposals the land and rights in Plots 27 and 28 within the CPO are required. Nevertheless, the Council is committed to acquire any affected parties' interests voluntarily. This approach extends to the temporary occupation of land and as such the Council will continue discussions to negotiate licences where possible.

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:

Secretary of State for Transport
National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne

NE4 7AR

Alternatively you could send an email to them at nationalcasework@dft.gov.uk and I would ask you to copy Adam Lakin in at adam.lakin@bentleyprojectmanagement.co.uk

In the meantime, if you have any questions with regard to the above, please do not hesitate to contact the project team who are managing this element of the Scheme on behalf of the Council.

- Adam Lakin, Project Manager for NHRR
adam.lakin@bentleyprojectmanagement.co.uk
- Tom Aylmer, Land Agent for NHRR
tom.aylmer@darleyassociates.co.uk

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'Sam Edwards', with a stylized, elongated flourish extending to the right.

Sam Edwards

Head of Highway Infrastructure

sam.edwards@lincolnshire.gov.uk