LINCOLNSHIRE COUNTY COUNCIL

NORTH HYKEHAM RELIEF ROAD PUBLIC LOCAL INQUIRY

THE LINCOLNSHIRE COUNTY COUNCIL (A1461 NORTH HYKEHAM RELIEF ROAD, CLASSIFIED ROAD) (SIDE ROADS) ORDER 2024 and THE LINCOLNSHIRE COUNTY COUNCIL (A1461 NORTH HYKEHAM RELIEF ROAD)

THE LINCOLNSHIRE COUNTY COUNCIL (A1461 NORTH HYKEHAM RELIEF ROAD)

COMPULSORY PURCHASE ORDER 2024

Notes to the Inquiry

Adam Lakin - Note 2 - Closing response to the remaining objections

Prepared by Adam Lakin MSc MIHE 8 July 2025

- 1. Introduction
- 1.1. This note provides Lincolnshire County Council's closing response to remaining objections. I have been assisted by other professional advisors with the preparation of this Note.
- 2. OBJ01 Mrs Smith and Mrs Garfoot
- 2.1. This objection has been withdrawn.
- 3. OBJ02 National Grid Electricity Distribution (East Midlands) Plc
- 3.1. This objection has been withdrawn.
- 4. OBJ03 Rontec
- 4.1. The land and interests held by Rontec are in plots 15, 16, 17, 26, 27, 28, and 29 in the CPO.
- 4.2. Rontec did not object to the SRO but did object to the CPO. The matters that were originally raised are recorded in section 14.12 and following in the proof of evidence of Mr Adam Lakin. The three matters raised were as follows:
 - a) Insufficient attempts to acquire the land by negotiation;
 - b) Unclear how access will be maintained; and
 - c) Permanent acquisition of plots 27 and 28 cannot be justified.
- 4.3. Those three matters were addressed within the Statement of Case, and further updates were given in the evidence of Mr Adam Lakin including Note 1 to the inquiry: update on the status of objections. The Council incorporates and continues to rely on those matters without repeating the contents in full as answers to the matters of objection being presented to the inquiry.
- 4.4. As set out in the evidence presented to these Inquiries, the Council has held further constructive dialogue with Rontec and their representatives and has provided further supporting information. That engagement has continued throughout the course of the inquiry.
- 4.5. It is not clear what Rontec's remaining objection is in respect of the Orders. Rontec have not submitted any evidence to the Inquiry, have not attended the Inquiry, and have not cross examined any of the Council's expert witnesses. Despite this, Rontec's representatives continue to request further and more detailed information from the Council. The ongoing discussions comprise of two topics:
 - a) Scheme design specifically traffic modelling and junction design; and
 - b) Accommodation works and terms for voluntary acquisition and occupation.
- 4.6. The ongoing discussions in respect of the scheme design include a very detailed analysis of the traffic model and junction design including provision of survey

- data, analysis, traffic signal design using LinSig models and discussion around the signal timings including intergreen gaps.
- 4.7. In most cases the level of detail to support the design would not have reached the point which would have allowed such a detailed forensic examination as that which Rontec's representatives have been undertaking. The request for detailed specific counts, detail in layout shown on CAD drawings and the detail on the Scheme particularly in the form of loops to detect and control queuing would not normally be available at this stage. Although the Council has not shown any reluctance in sharing the information, it does support a conclusion that the matters being raised are not properly valid objections to the Orders themselves. However, having shared the information and the objection being maintained, albeit with an expectation of withdrawal, the Council needs to address it at a level of detail that allows the proper conclusion to be drawn. That then permits the Inspector to report the matter in a way that reflects the true position in the context of the Orders and further allows the matter to proceed.
- 4.8. Rontec has commented on the traffic flows and traffic signal management associated with the proposed signalised roundabout connecting NHRR, A46, Newark Road and Middle Lane. They are concerned that traffic will queue from the roundabout across the access to the Petrol Filling Station ("PFS") and therefore traffic could have difficulty gaining access to the site.
- 4.9. The junction is designed to cater for variations in traffic up to 2043 for both the morning (AM) and evening (PM) peak periods. Traffic data and forecasts are recent (post Covid traffic) and all data, forecasting and designs have been approved by both Lincolnshire County Council ("LCC") and National Highways ("NH").
- 4.10. Rontec has raised concerns about the weekday average traffic flows modelled and have suggested alternative flows. However, the Council do not believe the alternative flows suggested by Rontec are valid for the following three reasons.
 - a) Increase the traffic flow into the roundabout Rontec has taken the maximum PM traffic flow recorded over two weeks in April 2023 (251 vehicles) to the west of the PFS. This flow is double the arithmetic mean flow that is recommended by DfT, LCC and NH for use in design. Data quality checks include removing any observations that are more than two standard deviations of the arithmetic mean. As such, the 251 vehicles observation fails this 'outlier' test and had already been excluded.
 - b) Increase PFS traffic generation Rontec has proposed a further 100 to 150 egress trips from the PFS be added to the 251 vehicles outlier. They also assume that all traffic associated with the PFS is only from the east, which is an overestimation as some traffic will be associated with Middle Lane west (Thorpe on the Hill). This suggested trip generation is too high. Comparison of inbound and outbound traffic either side of the PFS shows

that 138 vehicles use the site in total, both inbound and outbound. This was derived by comparing the two-way flow on Middle Lane both east and west of the PFS. Reference to the industry standard national trip generation database (TRICs) indicates a two-way PM flow of 138 vehicles, with the two-way flow of 145 vehicles used in the traffic models. The 100 to 150 oneway PM flow proposed by Rontec is therefore not considered appropriate. Further, it would be incorrect to add all of the suggested traffic to the Middle Lane entry to the roundabout count as that already accommodates both background and PFS as counted in April 2023.

- c) **Traffic Queues** The strategic traffic modelling predicts minimal queueing on Middle Lane, which is supported by 2025 queue length surveys that show an average PM queue of 1.2 vehicles. This means that, for design purposes, all queuing traffic can be accommodated between the proposed give way lines on the roundabout and the PFS access. The detailed traffic modelling also predicts minimal queueing on Middle Lane. Across numerous tests undertaken in the AM and PM periods in 2043, with different scenarios and signal configurations, the mean maximum queues at the Middle Lane entry do not go above 2 vehicles.
- 4.11. The Scheme design incorporates mechanisms to deal with variations in traffic flows. The current design includes for a 'Keep Clear' marking to be provided at the eastern PFS access on Middle Lane, a solution featured at the recently improved A46 Riseholme roundabout to the north of Lincoln. This should prevent any excessive queuing from blocking the PFS access that might occur outside of the weekday average used for design purposes. Only the service area's western junction with Middle Lane provides an egress for the site and in no reasonable scenario would queuing traffic ever be expected to be of sufficient queue length to block the exit.
- 4.12. National Highways has approved the signal design which includes a traffic signal detector loop to the west of the roundabout that would trigger an extension to the all-red on the circulatory carriageway and the A46 approach downstream of the Middle Lane entry in the event that queuing did extend to the west of the 'Keep Clear' marking. This will allow more opportunities for traffic from Middle Lane to enter the roundabout and therefore allow excessive queuing (occupying the loop) from blocking the PFS access that might occur outside of the weekday average used for design purposes. The detailed junction modelling shows that during the all-red period there is little queuing on the circulatory section of the traffic junction upstream of the Middle Lane entry and adequate space to accommodate traffic entering from Middle Lane.
- 4.13. In addition, further details of the proposed accommodation works have been shared with the Objector's representatives. These build on previous proposals but are now developed in fine detail. Construction phasing plans have also been shared alongside swept path analysis to demonstrate how the Scheme, including the means of access from Middle Lane, can be built whilst maintaining

access to the Petrol Filling Station and the wider Thorpe on the Hill Services. The Council has also provided assurances to Rontec that it will be able to access the Thorpe on the Hill Services on Middle Lane at all times during the construction of the Scheme. Land plans specific to Rontec have been produced based on the CPO plans together with a plan of the site which explains the various land interests overlaid with the new and existing National Highways boundaries, and the scheme design. Furthermore, initial proposed terms for the voluntary occupation of land on a temporary basis have been shared. These build on principles accepted by both parties in respect of land to be acquired and also land to be temporarily occupied. An extensive exchange of correspondence has taken place beginning as part of the development of the planning application, and most recently in the period October 2024 to the present day. That correspondence has been undertaken on a 'without prejudice' basis and thus is not included as part of this note; however, the following plans can be made available and are appended to this note:

- Rontec Permanent Land Acquisition.pdf this shows Rontec's land to be permanently acquired by LCC (plot 16, plot 26 and part of plot 27).
- Rontec Temporary Land.pdf this shows Rontec's land over which LCC would like to agree a licence to temporarily occupy for the works (plots 17, part of plot 27, plot 28 and plot 29).
- Rontec Permanent and Temporary Land.pdf this combines the above two bullet points into one drawing for ease of reference.
- Rontec and TL Propco1 Ownership.pdf this shows the extent of land owned by Rontec, TL Propco1 and National Highways. It separately shows the area of land owned by both Rontec and TL Propco1 to be acquired and temporarily occupied. It also shows the extent of the proposed National Highways ownership boundaries once the scheme has been implemented.
- Thorpe on the Hill Services Accommodation Plan.pdf this is a works drawing for the Thorpe on the Hill Services showing the Scheme design together with the accommodation works.
- A46 Service Area Tracking.pdf this demonstrates that the revised internal layout continues to accommodate all existing manoeuvres and the geometry is suitable for a box van.
- NHRR Highways TM Phasing Plans A46 Roundabout Rev 05.pdf this shows the intended traffic management phasing at the A46 Hykeham Roundabout which complements the written narrative provided to Rontec.
- NHRR-RAM-HSN-HYKE-SK-CH-12013.pdf A46 Roundabout Services Sign Layout this shows the 'local facilities' signage agreed with National Highways to replace the non-policy compliant 'Services' signage.
- 4.14. The Council does not consider the matters raised to be valid objections to the CPO as they relate to the scheme design which benefits from the grant of planning consent and to accommodation works and compensation, which are not matters for the inquiry to consider.

- 5. <u>OBJ04 Lilly</u>
- 5.1. This objection has been withdrawn.
- 6. OBJ05 Mrs Burgess
- 6.1. This objection has been withdrawn.
- 7. OBJ06 Quay Bronze Ltd.
- 7.1. This objection has been withdrawn.
- 8. OBJ07 TL Propco1
- 8.1. This objection has been withdrawn.
- 9. OBJ08 Mr O'Boyle
- 9.1. This objection has been withdrawn.
- 10. OBJ09 Travelodge
- 10.1. This objection has been withdrawn.
- 11. OBJ10 Mr and Mrs James
- 11.1. The interest held by the objector is in plot 264 of the CPO being public highway at 44 Station Road, Waddington.
- 11.2. Mr and Mrs James originally raised a number of matters as objections to the CPO and SRO before these Inquiries. These are recorded in section 14.63 and following in the proof of evidence of Mr Adam Lakin. Four matters were raised as follows:
 - a) Lack of engagement with the owners of the land;
 - b) Non-compliance with circular 2/97 guidance;
 - c) Insufficient time for the process to be completed; and
 - d) Funding shortfall.
- 11.3. Those four matters were addressed within the Statement of Case, and further updates were given in the evidence of Mr Adam Lakin including Note 1 to the inquiry: update on the status of objections. Matters relating to funding were further addressed in the evidence of Mr Sam Edwards. The Council incorporates and continues to rely on those matters without repeating the contents in full as answers to the matters of objection being presented to the inquiry.
- 11.4. Since the evidence was published, there have been no further developments in respect of the Objections made.
- 12. OBJ11 Network Rail
- 12.1. This objection has been withdrawn.
- 13. OBJ12 Wolfson Trago

- 13.1. The interests held by the objector are in plots 18, 19, 20, 22, 23 of the CPO at Thorpe on the Hill Services, Lincoln.
- 13.2. Wolfson Trago did not object to the SRO but did object to the CPO. The matters that were originally raised are recorded in section 14.74 and following in the proof of evidence of Mr Adam Lakin. The two matters raised were as follows:
 - a) Adverse effect on the access arrangements and consequently trading performance; and
 - b) Directional signage.
- 13.3. Those two matters were addressed within the Statement of Case, and further updates were given in the evidence of Mr Adam Lakin including Note 1 to the inquiry: update on the status of objections.
- 13.4. Since the evidence was published there has been further development of the objections given.
- 13.5. Wolfson Trago's representative, Tim Hancock Associates, confirmed its position by way of letter dated 4 July 2025. The letter confirmed that the Acquiring Authority through its agents has engaged with Wolfson Trago's representative on the substantive issues raised and also confirmed that Wolfson Trago is prepared to withdraw its objection to the Orders, subject to 5 conditions. The letter went on to say that provided the Acquiring Authority could meet these conditions, then the objection could be withdrawn.
- 13.6. The Council responded by way of letter on 7 July 2025, confirming that it is able to satisfy all the conditions identified. The conditions are set out below, together with the Council's response.
 - i. That satisfactory 'Local Facilities' signage is provided in accordance with the signage plans provided by the Acquiring Authority to my client.
 - The 'Local Facilities' signage will be provided in accordance with the plans previously provided. For clarity, the plans are shown on drawing NHRR-RAM-HSN-HYKE-SK-CH-12013 rev P01.1 and appended to this letter.
 - ii. That satisfactory internal access arrangements to the restaurant premises and the adjoining service area is provided for all types of vehicles, including delivery vehicles, in accordance with revised Scheme plans provided by the Acquiring Authority to my client.
 - The internal access arrangements will provide for the same movements that currently exist and are suitable for delivery vehicles in accordance with the revised Scheme plans previously provided. For clarity the plans are shown in drawing NHRR-RAM-GEN-HYKE-SK-CH-60401 and the tracking is shown on drawing NHRR-RAM-HGN-HYKE-SK-CH-60419.

- iii. That following the completion for the Scheme, my client's restaurant property will continue to benefit from all requisite rights for access and that accordingly, any deficiency of rights caused by the Scheme proposals will be remedied by the Acquiring Authority, through the detailed design of the Scheme.
 - The restaurant property currently benefits from a right of access from the public highway via land owned by TL Propco1. The Orders and scheme design ensure that the same rights and access will continue to be enjoyed by your client's restaurant property.
- iv. That the Acquiring Authority will confirm, following completion of the Scheme, that there will not be any intervening land in third party ownership between the wider holding of my client's landlord and superior landlord, over which my client requires continued rights, and the new public highway boundary.
 - LCC confirms that, following completion of the Scheme, there will not be any intervening land in third party ownership between the wider holding of your client's landlord and superior landlord, over which your client requires continued rights, and the new public highway boundary.
- v. That satisfactory adjustment of levels and services are delivered within the Scheme to ensure my client's continued operation of its restaurant facility.
 - The Scheme design necessitates the adjustment of levels and services. LCC confirms that the adjustments necessary will ensure the continued operation of the restaurant facility.
- 13.7. The Council considers that none of the above points are valid objections to the CPO as they relate to matters of accommodation works.
- 13.8. Matters relating to the means of access as described in points (iii) and (iv) have been raised and could be considered as valid concerns in relation to the SRO but the original objection was not to the SRO (which deals with the stopping up and creation of private means of access).
- 13.9. However, the Council considers that all matters of concern, whether related to the CPO or SRO, have been satisfactorily addressed as described above. Given the position as described, it is not clear what Wolfson Trago's remaining objection is to the Orders, and further, given their letter of 4 July 2025, why the objection has not been withdrawn.

APPENDICIES

NHRR-RAM-LLO-HYKE-DR-ZH-00110 Rontec Permanent Land Acquisition

NHRR-RAM-LLO-HYKE-DR-ZH-00111 Rontec Temporary Land Acquisition

NHRR-RAM-LLO-HYKE-DR-ZH-00112 Rontec Permanent and Temporary Land Acquisition

NHRR-RAM-LLO-HYKE-DR-ZH-00116 Rontec & TL Propco1 Ownership

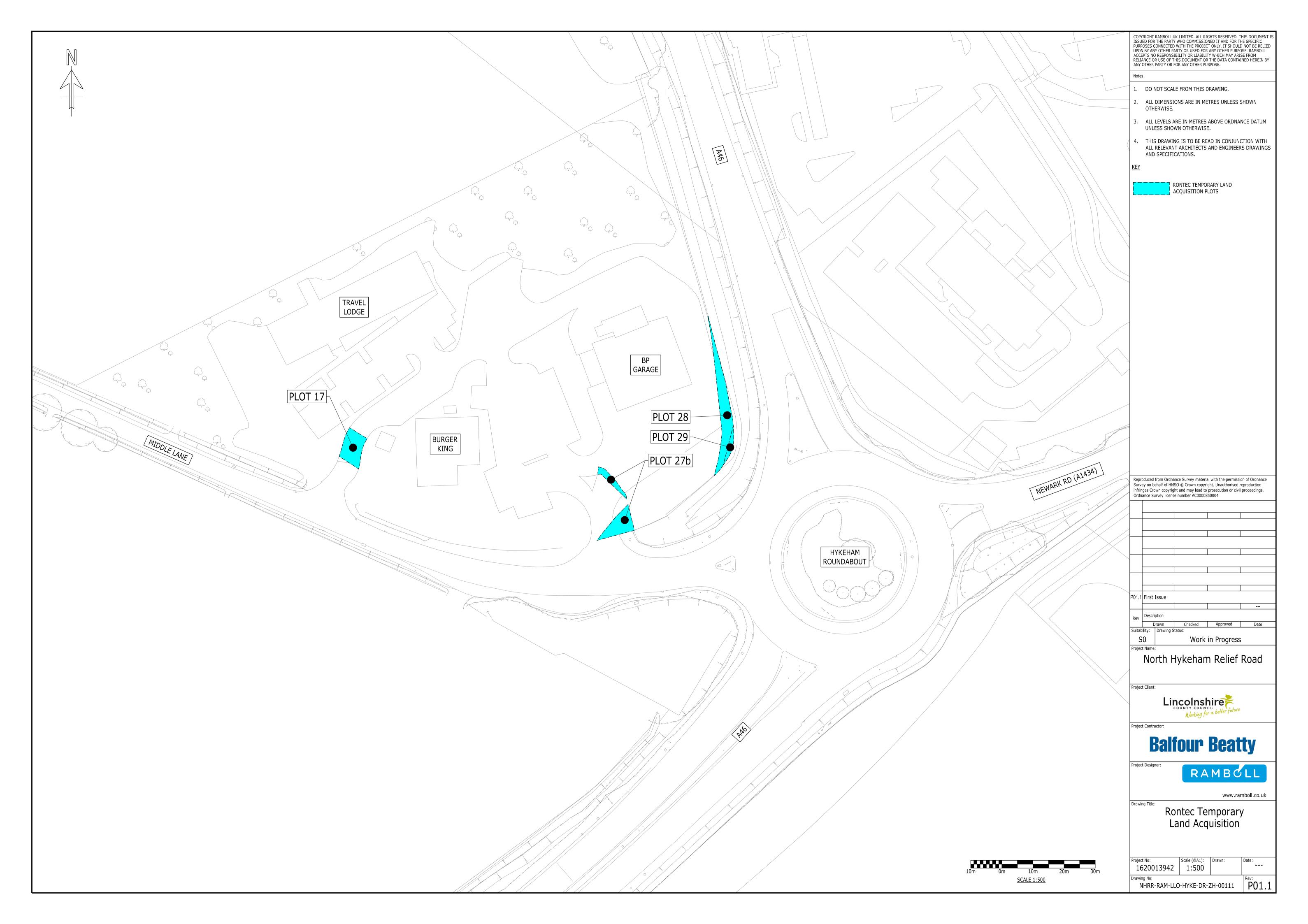
NHRR-RAM-GEN-HYKE-SK-CH-60401 A46 Service Area Works Proposed Layout and Internal Amendments

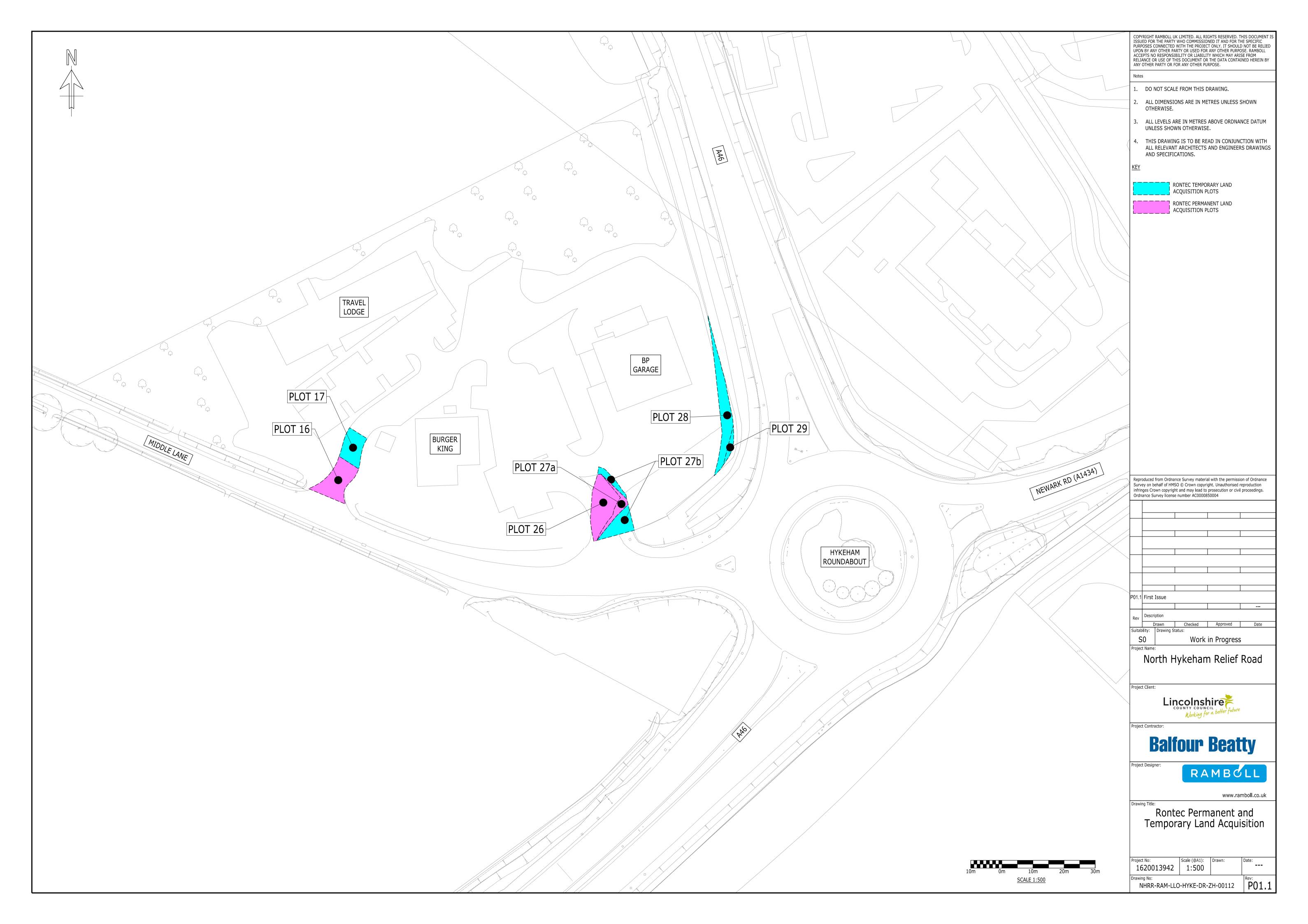
NHRR-RAM-HGN-HYKE-SK-CH-60419 A46 Service Area Tracking Proposed Layout

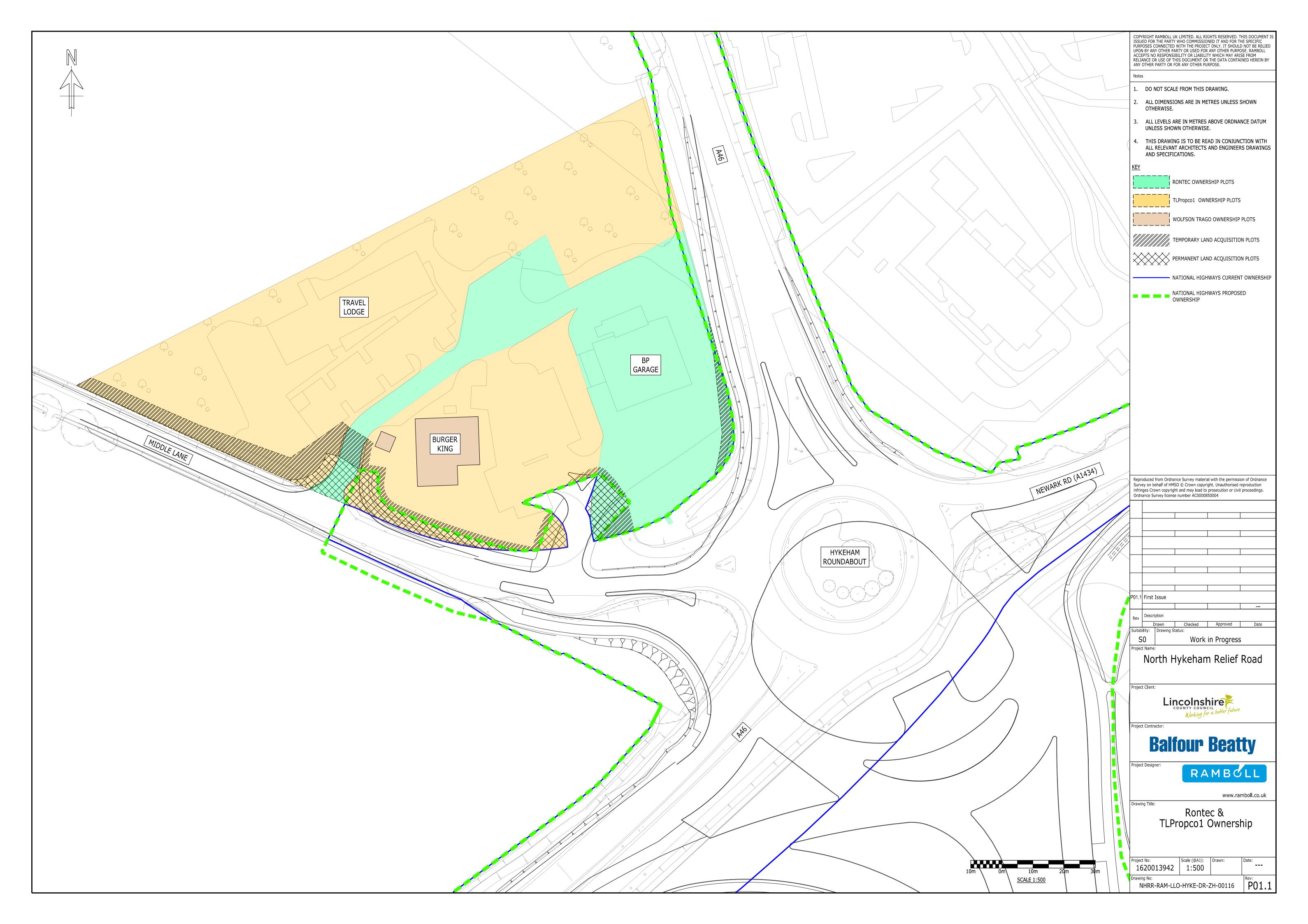
NHRR - Highways TM Phasing Plans - A46 Roundabout - Rev 05

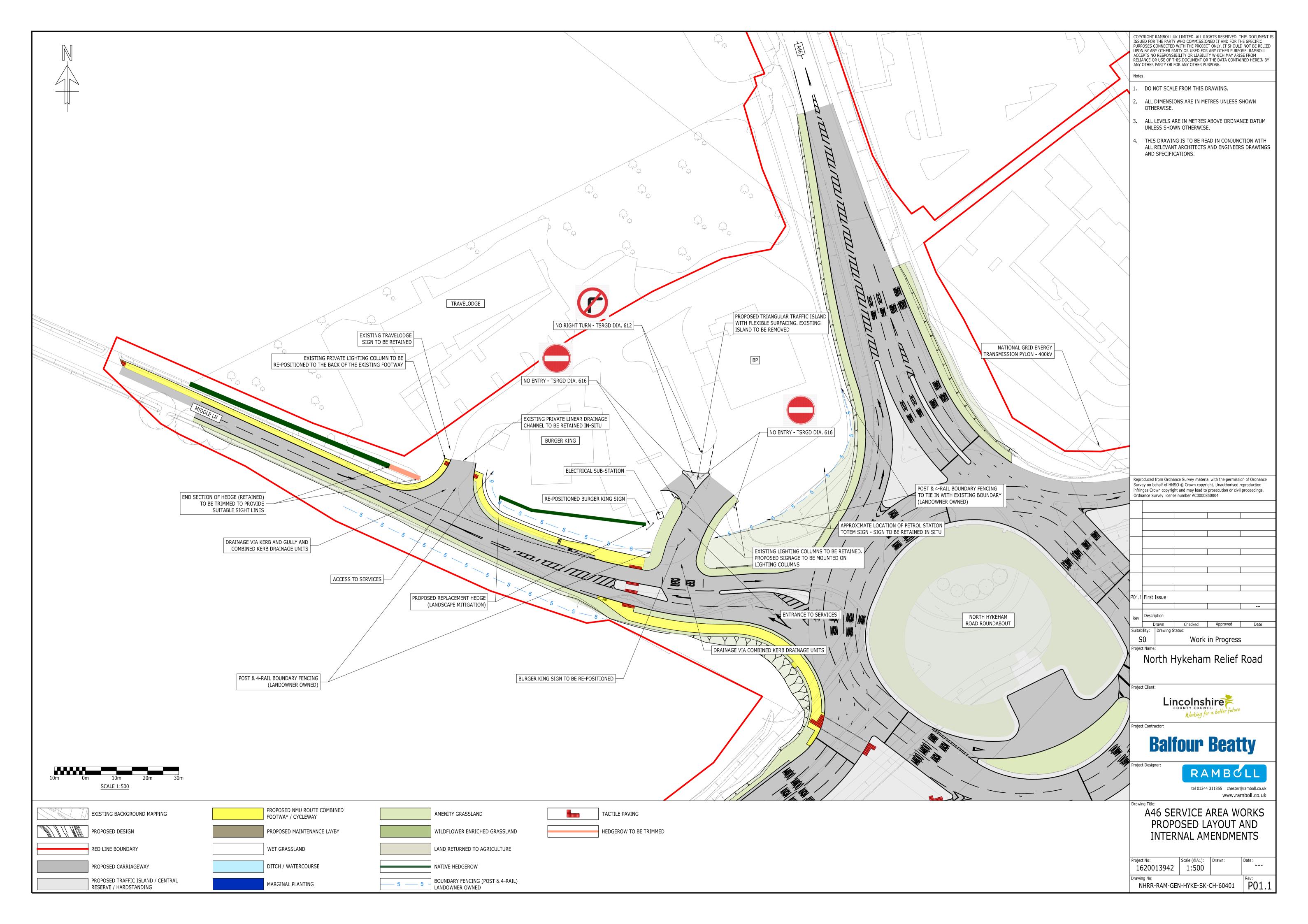
NHRR-RAM-HSN-HYKE-SK-CH-12013 A46 Roundabout Services Sign Layout

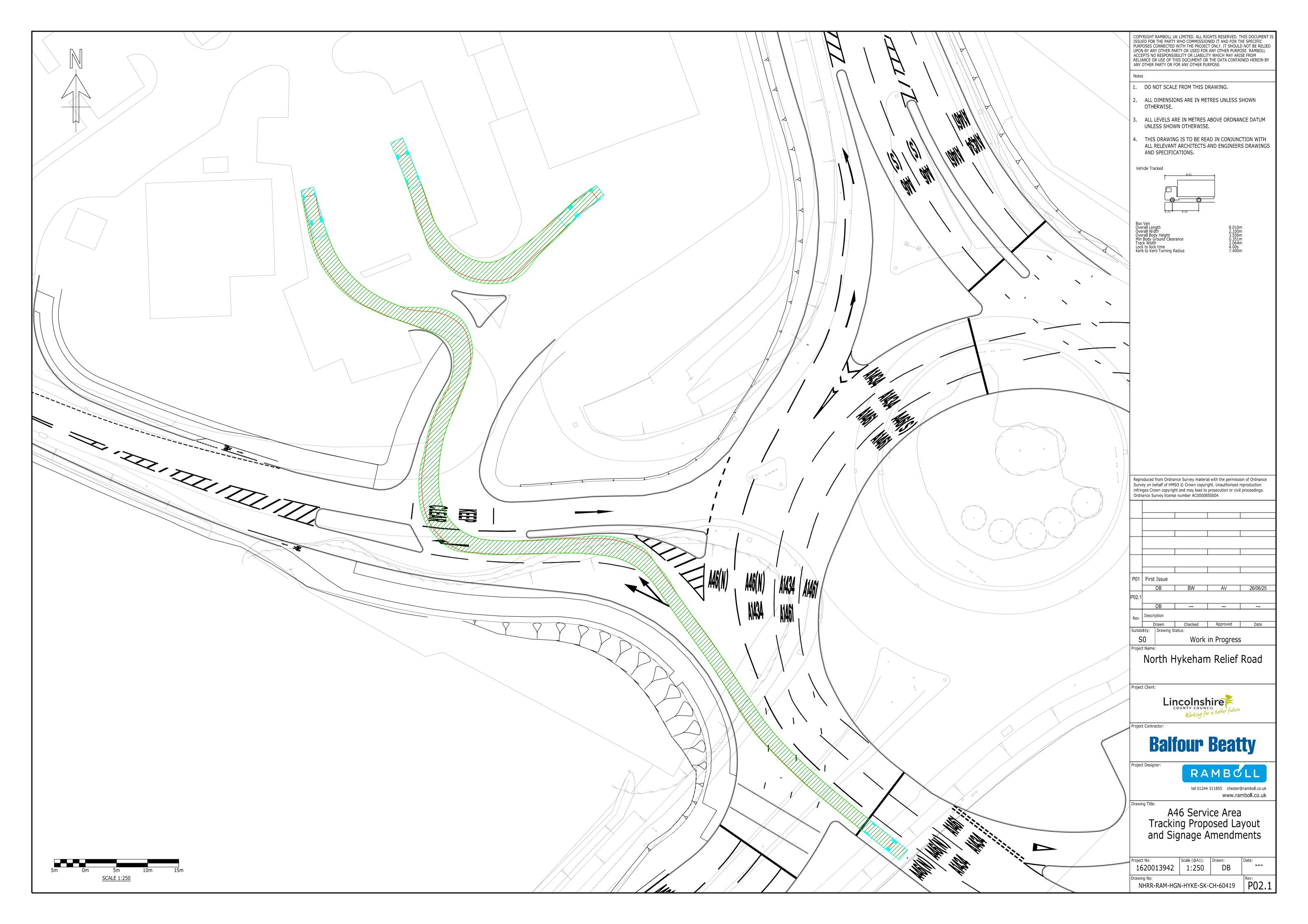


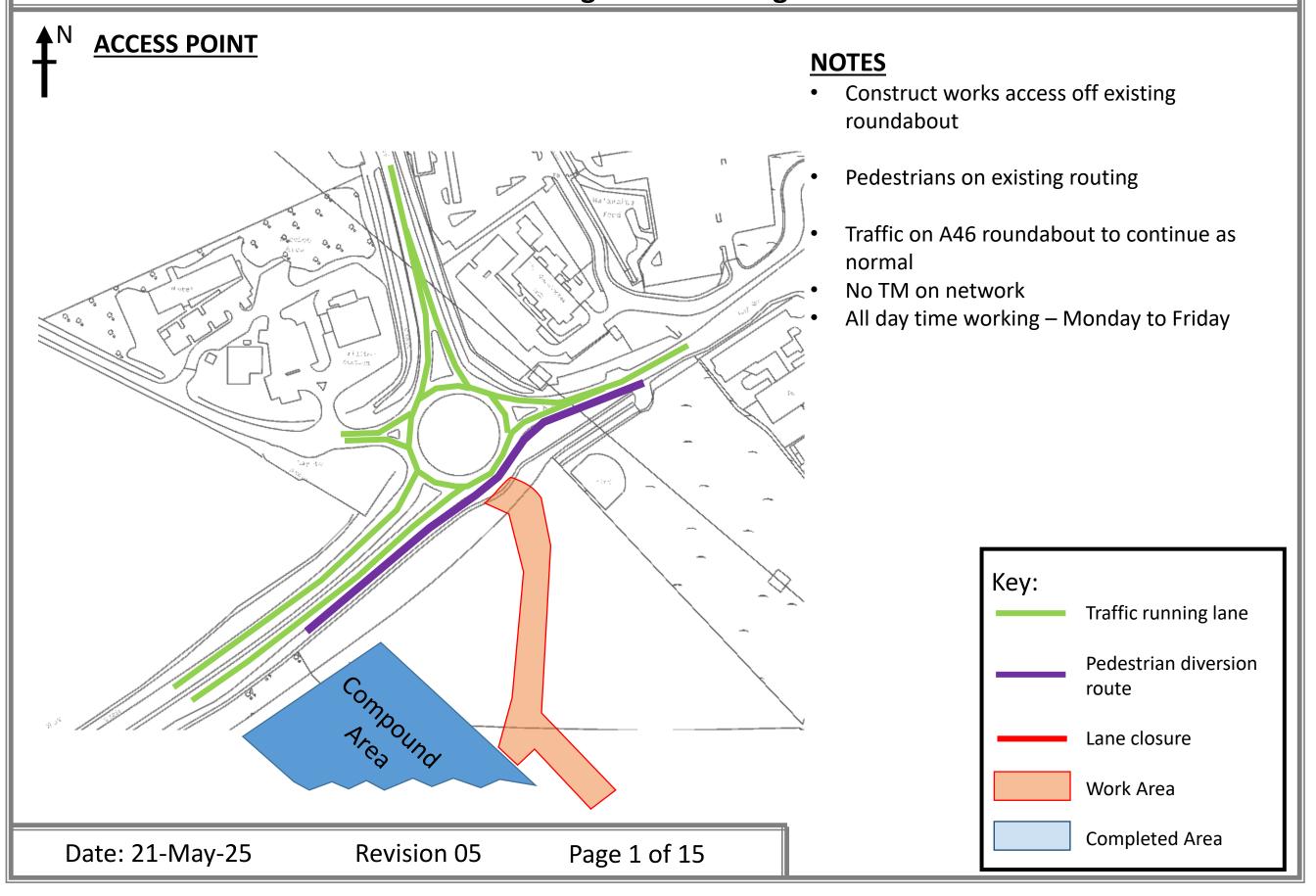




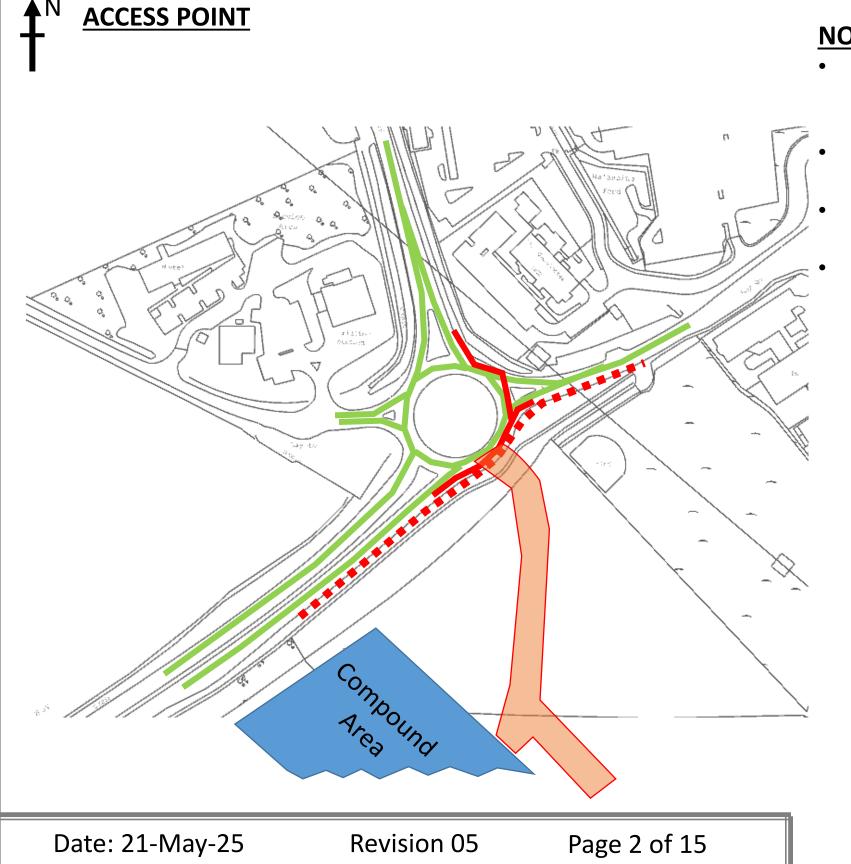








A46 Roundabout Traffic Management Phasing Plans



NOTES

- Surfacing works to tie in existing roundabout to new access point
- Close footway
- Close outside lane on roundabout
- All day time working Monday to Friday

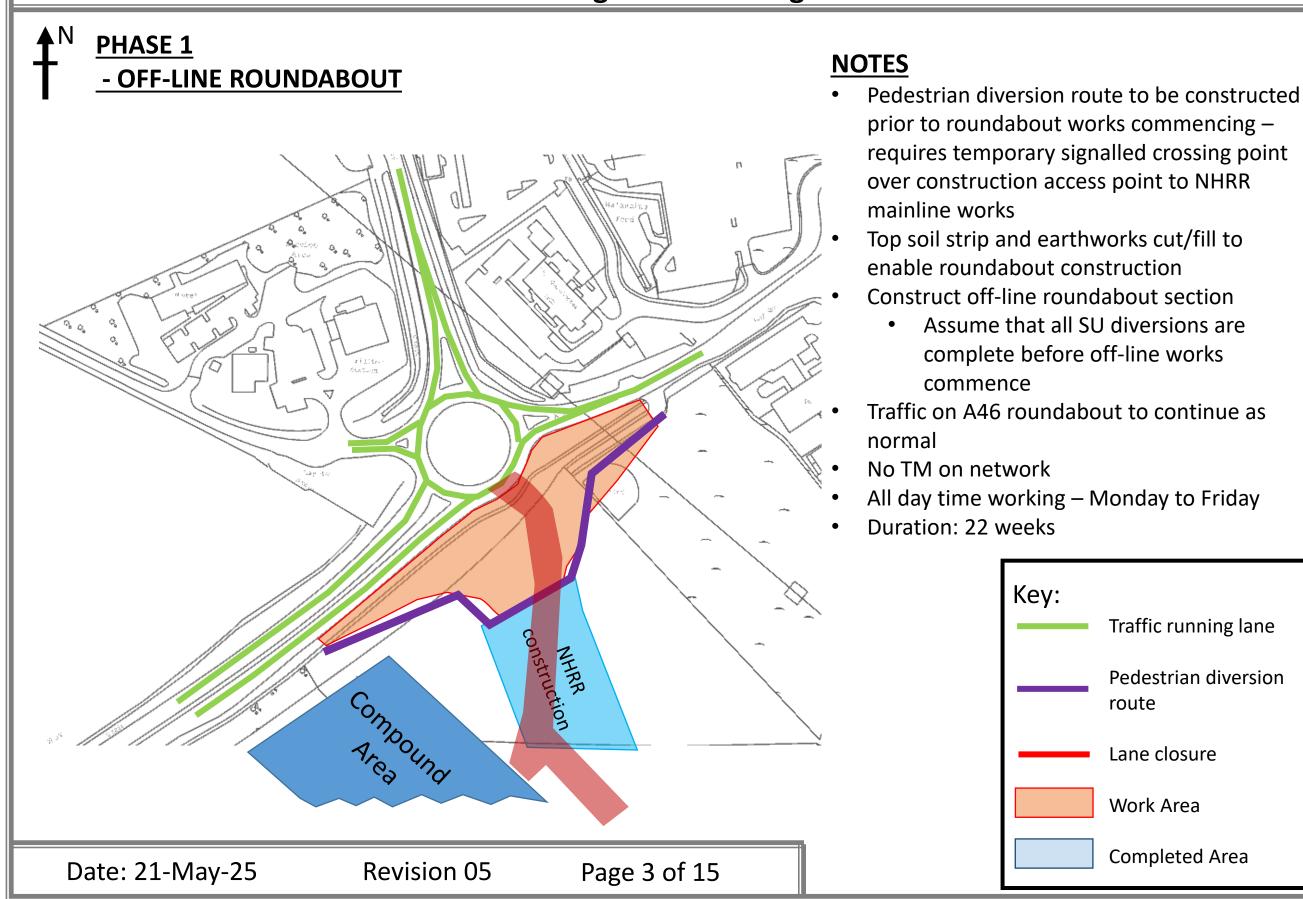
Key:
Traffic running lane

Pedestrian diversion route

Lane closure

Work Area

Completed Area



A46 Roundabout Traffic Management Phasing Plans

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PHASE 1

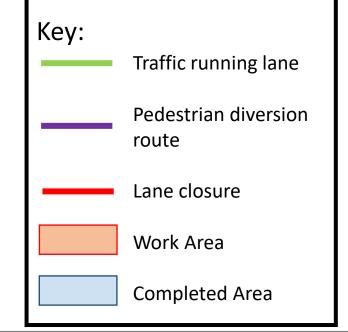
- OFF-LINE ROUNDABOUT

Duplication of phase 1 to show that the access will have to realign during the phase



NOTES

- Pedestrian diversion route to be constructed prior to roundabout works commencing – requires temporary signalled crossing point over construction access point to NHRR mainline works
- Top soil strip and earthworks cut/fill to enable roundabout construction
- Construct off-line roundabout section
 - Assume that all SU diversions are complete before off-line works commence
- Traffic on A46 roundabout to continue as normal
- No TM on network
- All day time working Monday to Friday
- Duration: 22 weeks

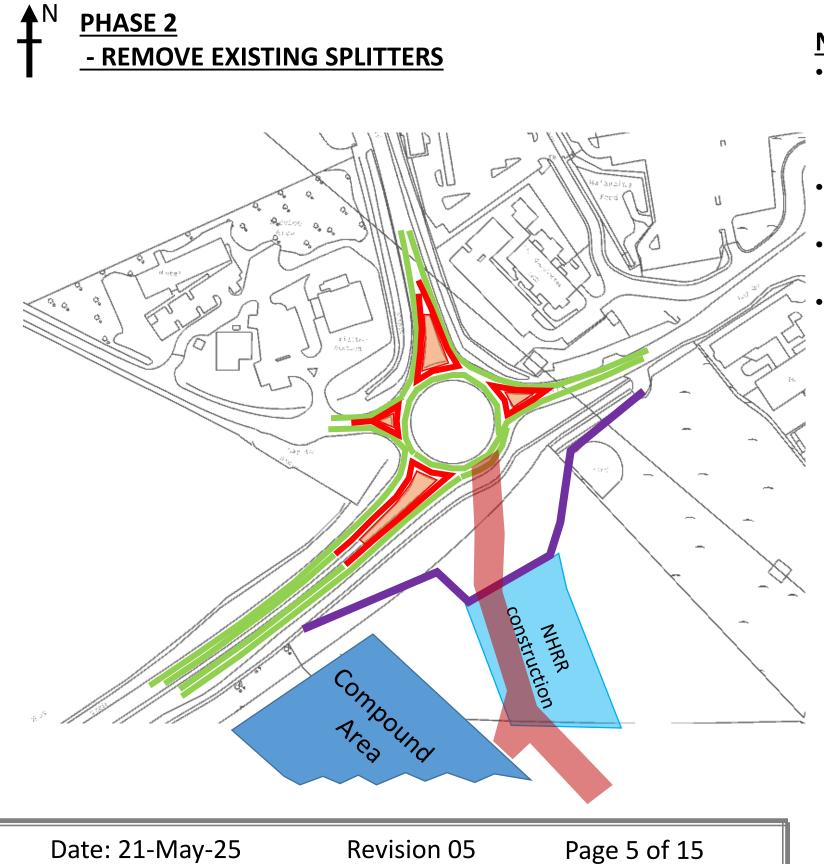


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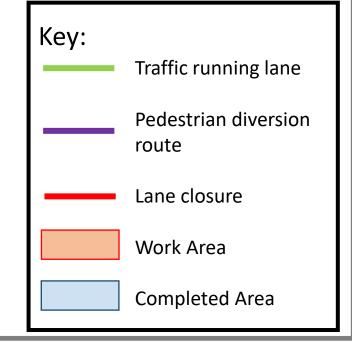
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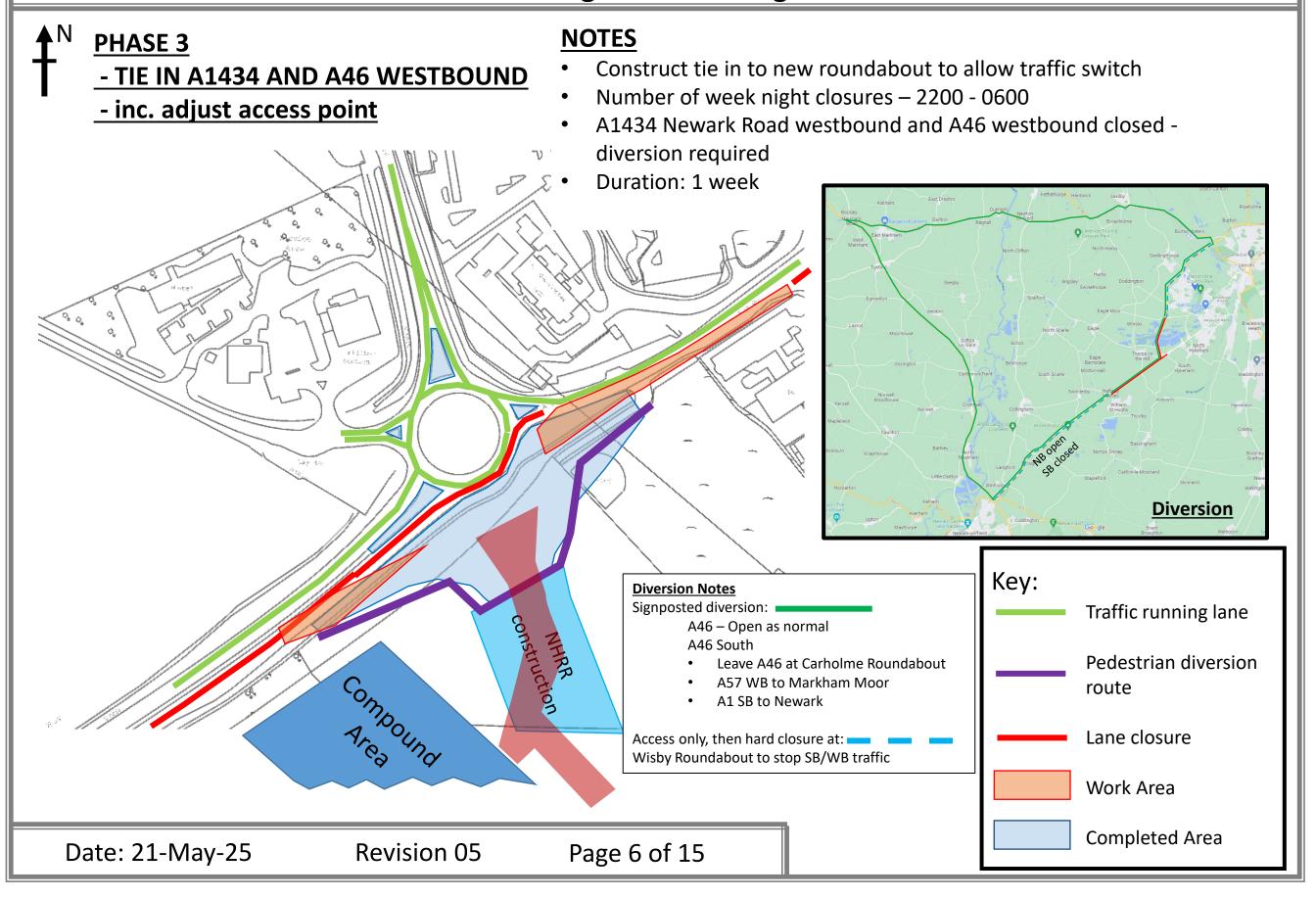
A46 Roundabout Traffic Management Phasing Plans



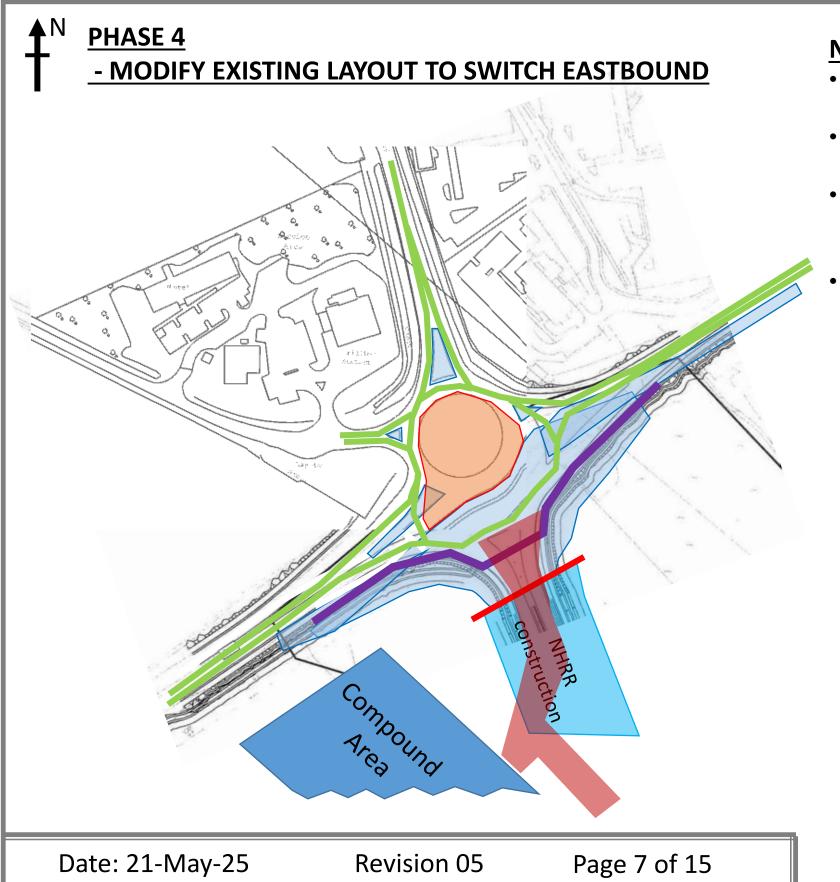
NOTES

- Remove existing splitter islands and fill to existing carriageway level
 - This will create the space to adjust TM layout on days
- All night time working Monday to Friday
 - Single lane closures
- Traffic on A46 roundabout to continue as normal during the days
- Duration: 3 weeks





A46 Roundabout Traffic Management Phasing Plans



NOTES

- Construct temporary alignment to allow switch of eastbound traffic
- All day time working Monday to Friday
- No access onto NHRR from roundabout for public
- Duration: 6 weeks

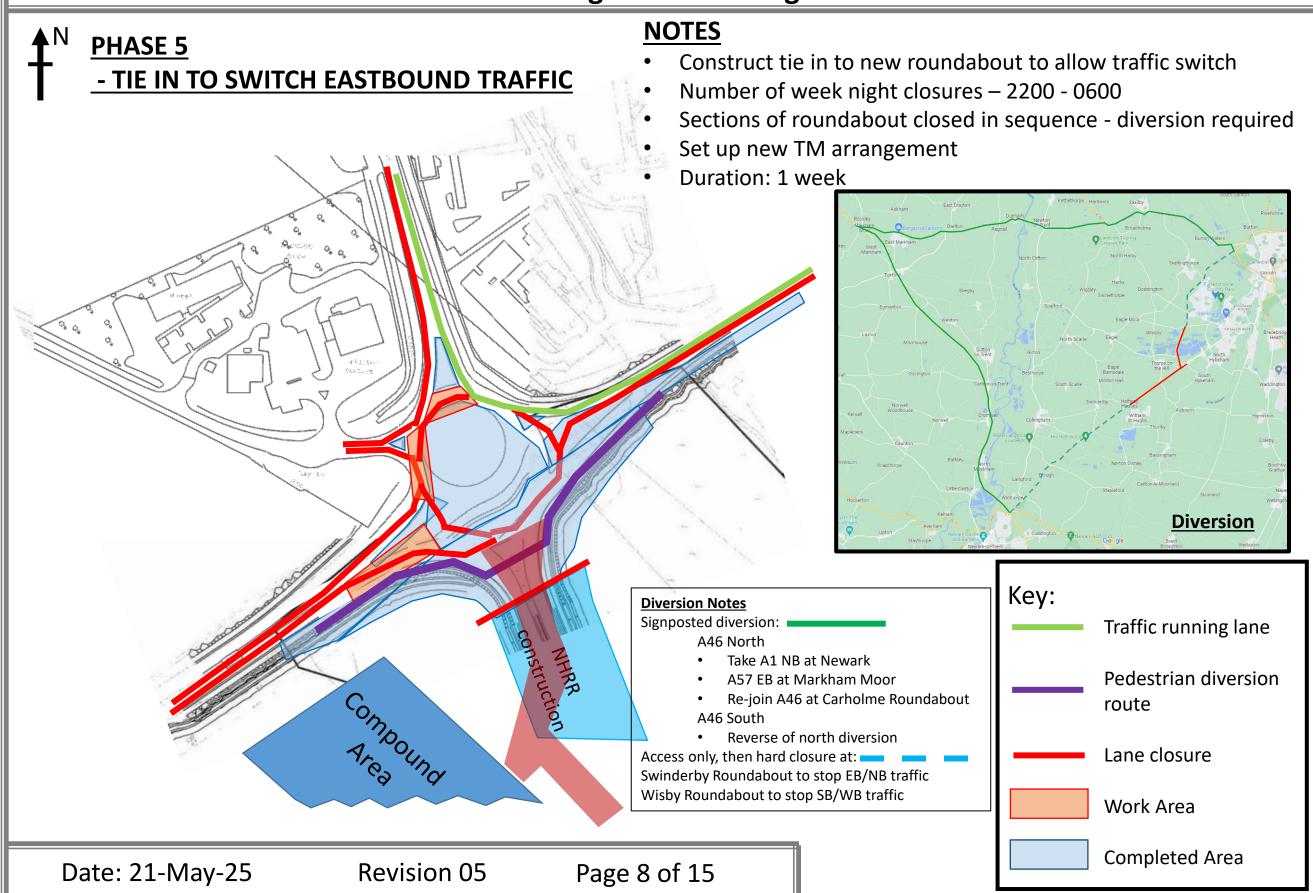
Key:
Traffic running lane

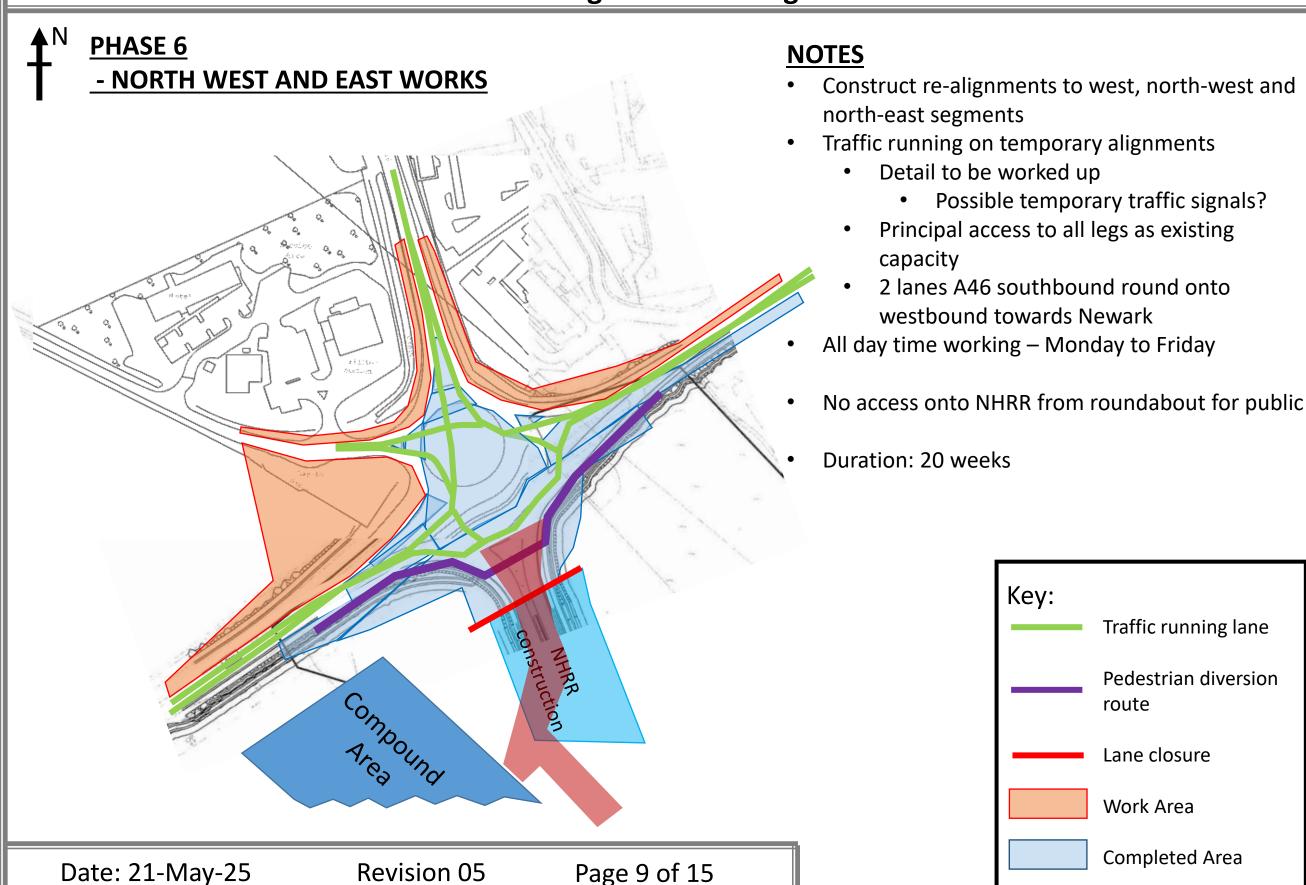
Pedestrian diversion route

Lane closure

Work Area

Completed Area



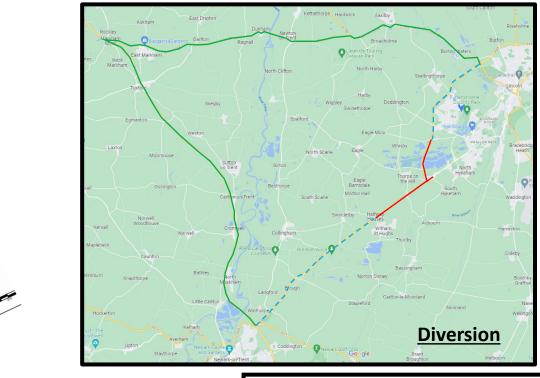


A46 Roundabout Traffic Management Phasing Plans

PHASE 7 - SURFACING TIE IN AND TRAFFIC SWITCH

NOTES

- Construct tie in from existing layout to new roundabout to allow traffic switch
 - Full night closures over a series of nights
 - Mon to Fri: 2200 to 06:00
- Duration: 2 weeks



Key:

Traffic running lane

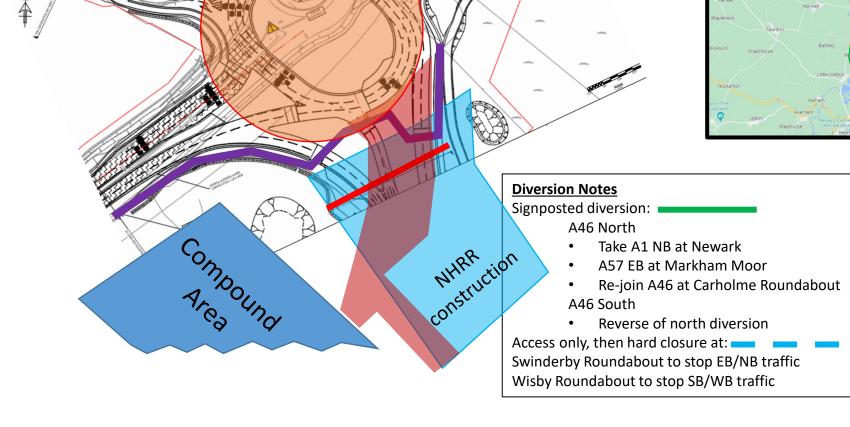
Pedestrian diversion

route

Lane closure

Work Area

Completed Area



Date: 21-May-25 **Revision 05**

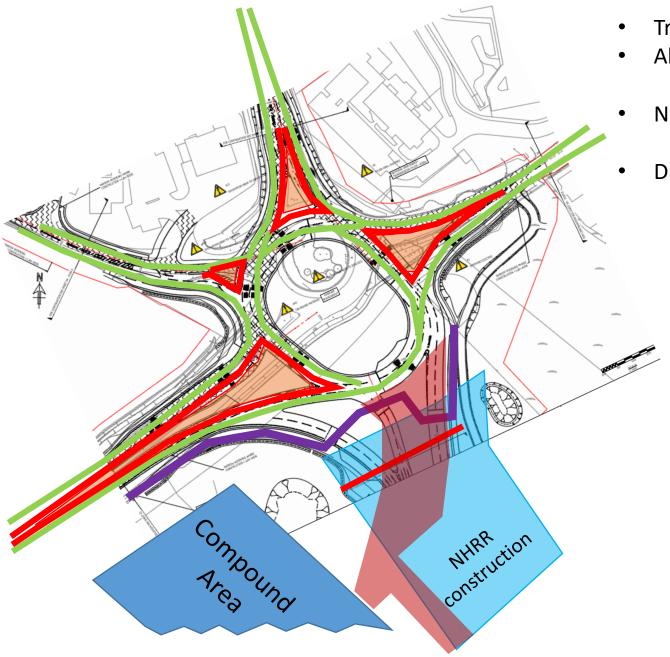
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A46 Roundabout Traffic Management Phasing Plans

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PHASE 8 & 12

- SPLITTER ISLAND CONSTRUCTION
- STREET LIGHT INSTALLATION



NOTES

- Construct splitter islands
 - Islands to be constructed in a mini-series to ensure traffic flows are maintained
 - Adjacent lanes to be narrowed as required
- Traffic running on new alignments
- All day time working Monday to Friday
- No access onto NHRR from roundabout for public
- Duration: 12 weeks

Key:
Traffic running lane

Pedestrian diversion route

Lane closure

Work Area

Completed Area

Date: 21-May-25

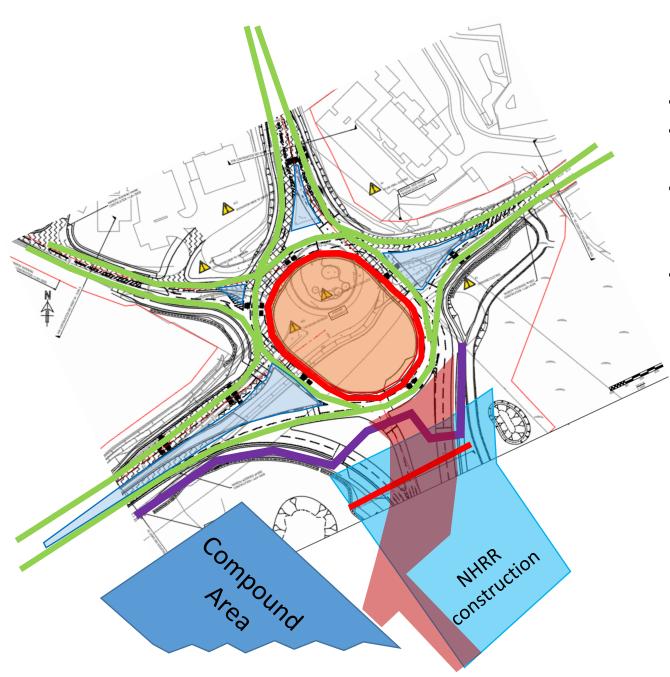
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A46 Roundabout Traffic Management Phasing Plans

PHASE 9

- REMOVE TEMPORARY ROAD AND ROUNDABOUT WORKS



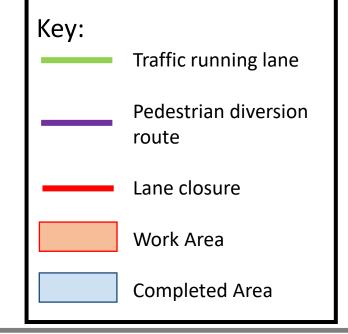
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NOTES

- Remove temporary road through roundabout
 - Adjacent lanes to be narrowed
 - Principal access to all legs as existing capacity
 - 2 lanes A46 southbound round onto westbound towards Newark
- Complete new roundabout alignment
- All day time working Monday to Friday
- No access onto NHRR from roundabout for public

Duration: 4 weeks



A46 Roundabout Traffic Management Phasing Plans

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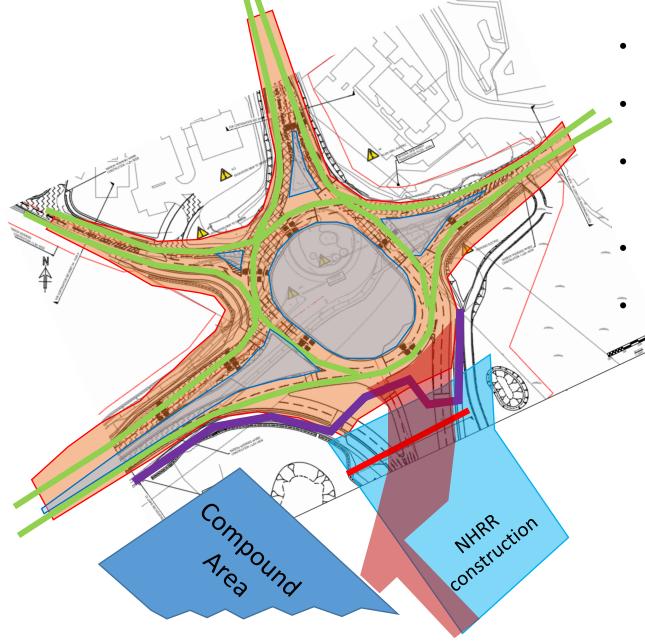
PHASE 10 and 10a and 12

- TRAFFIC SIGNAL INSTALLATION
- FENCING AND LANDSCAPING
- STREET LIGHT INSTALLATION

NOTES

- Construct splitter islands
 - Adjacent lanes to be narrowed or closed as required to install equipment/cut loops etc.
- Traffic running on permanent alignments
 - Lane closures required adjacent to work areas
- All day time working Monday to Friday
- Can start concurrent to phase 9
- Concurrent for phase 11 to allow lining and loops to be installed
- No access onto NHRR from roundabout for public

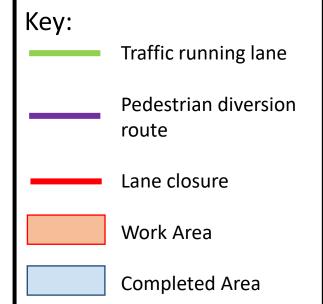
Duration: 10 weeks

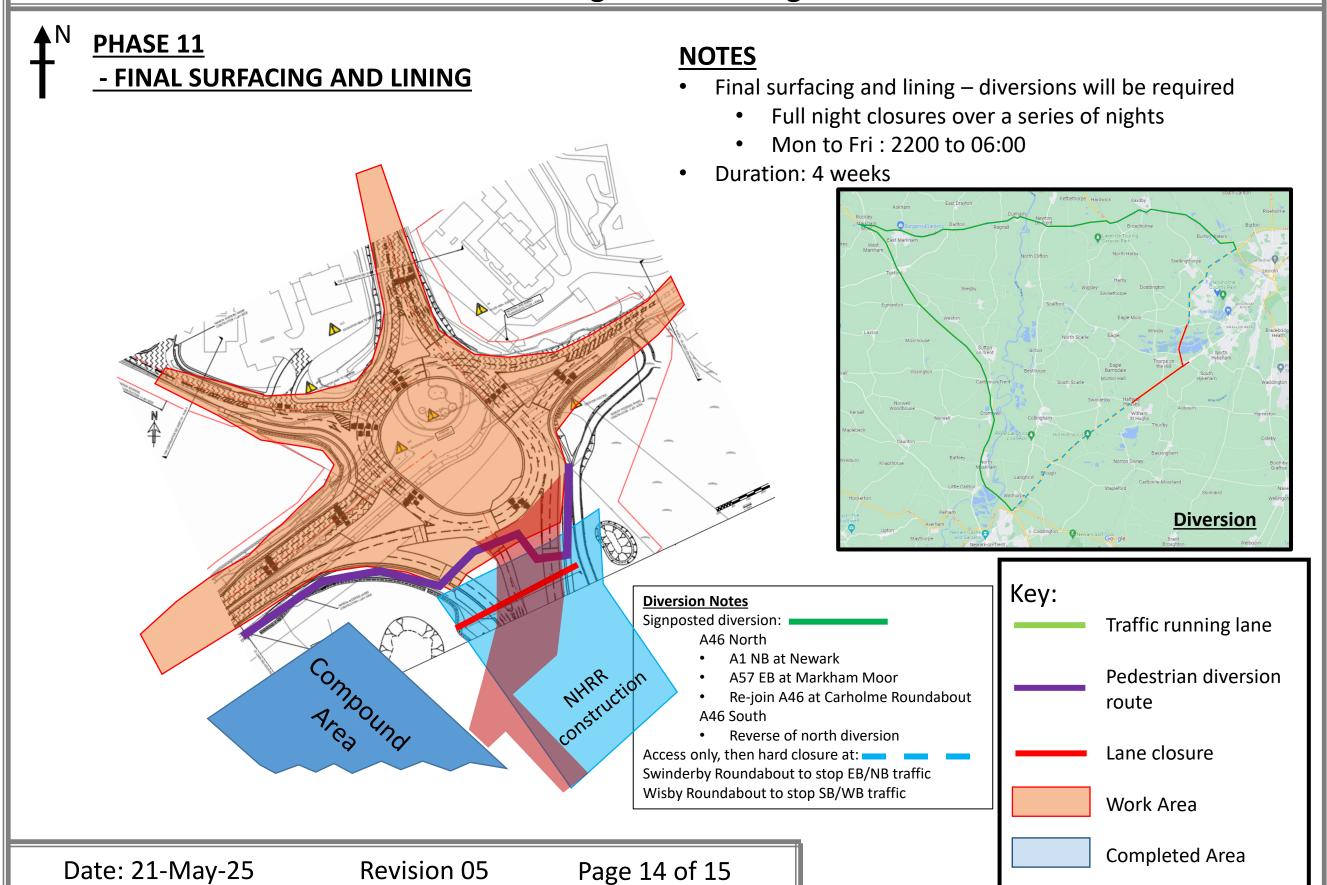


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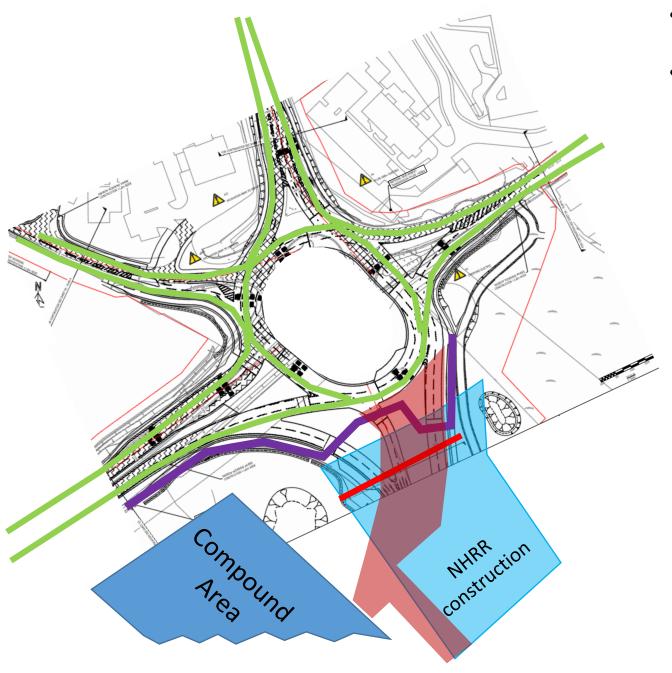




A46 Roundabout Traffic Management Phasing Plans

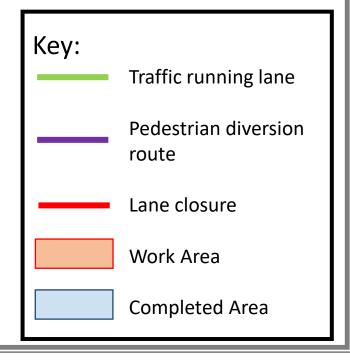


COMPLETE



NOTES

- Traffic on new alignment
- Traffic signals operational
- No access onto NHRR from roundabout for public



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