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Your Ref: KNR/DEV006.393

Our Ref: NATTRAN/EM/LAO/155

Date: 12 March 2019

Dear Madam

**THE A1 TRUNK ROAD (GRANTHAM SOUTHERN GROWTH CORRIDOR (SLIP ROADS) ORDER 2019 ("the HE Slip Roads Order")**

**THE A1 TRUNK ROAD (GRANTHAM SOUTHERN GROWTH CORRIDOR) (SIDE ROADS) ORDER 2018 ("the HE SRO")**

**THE LINCOLNSHIRE COUNTY COUNCIL (A52 GRANTHAM SOUTHERN GROWTH CORRIDOR – GRANTHAM SOUTHERN RELIEF ROAD) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2018 ("the Council's SRO")**

**THE LINCOLNSHIRE COUNTY COUNCIL (A52 GRANTHAM SOUTHERN GROWTH CORRIDOR – GRANTHAM SOUTHERN RELIEF ROAD) COMPULSORY PURCHASE ORDER 2018 ("the Council's CPO")**

**SECRETARY OF STATE'S DECISION – ORDERS TO BE MADE AND CONFIRMED WITH MODIFICATIONS**

1. I refer to your application, submitted on behalf of Highways England Company Limited ("HE") and Lincolnshire County Council ("the Council") for the making or confirmation of the above named Orders. The Secretary of State for Transport ("the Secretary of State") has decided to make or confirm, as modified by him, the Orders and this letter constitutes his decision to that effect.

2. The made/confirmed Orders will, respectively, authorise HE/the Council to:

- 1) construct four new slip roads to connect the A1 Trunk Road to the Grantham Southern Relief Road being constructed by Lincolnshire County Council;
- 2) improve highways, stop up highways and construct new highways along the route of the A1 Trunk Road and the classified road known as A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road;
- 3) improve highways, stop up highways, construct new highways, stop up private means of access to premises and provide new means of access to premises along the route of the classified A52 road which the Council are proposing to construct;

- 4) purchase compulsorily the land and new rights over land for the purposes of:
  - (i) the construction of a highway between the A1 trunk road Spittlegate junction and A52 Somerby roundabout in the Parish of Londonthorpe and Harrowby Without CP, the Parish of Little Ponton and Stroxtan, the Parish of Old Somerby and the Town Ward of Grantham Springfield all in the District of South Kesteven in the County of Lincolnshire;
  - (ii) the construction of highways to connect the above mentioned highway with the existing road system at A52 Somerby Hill roundabout and the A1 trunk road;
  - (iii) the construction of other highways and improvement of existing highways in the vicinity of the route of the above mentioned highway in pursuance of the Council's SRO;
  - (iv) the provision of new means of access to premises in pursuance of the Council's SRO;
  - (v) the diversion of watercourses and the carrying out of other works on watercourses in connection with the construction and improvement of highways and the provision of new means of access to premises as aforesaid;
  - (vi) the use of land in connection with the construction or improvement of highways or with the carrying out of works authorised under the Council's SRO; and
  - (vii) mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof.

#### CONSIDERATIONS FOR DECISION

3. As statutory objections remained outstanding to the Orders it was decided that concurrent Public Local Inquiries should be held for the purposes of hearing those objections. The Inquiries were due to be held at Jubilee Church Life Centre, 1-5 London Road, Grantham NG31 6EY on 4 December 2018 before Inspector Martin Whitehead LLB BSc(Hons) CEng MICE, an independent Inspector appointed by the Secretary of State. However, on that day the Council notified the Inspector and Western Power Distribution (East Midlands) plc that it had failed to comply with Rule 11 of the Compulsory Purchase (Inquiries procedure) Rules 2007 with respect to the requirement to display a notice of the Inquiries on or near the land. To allow for the notices to be displayed at site, and for the required minimum 2 weeks notification period, the Inquiries were postponed by the Inspector until 2 January 2019.

4. When the Inquiries were opened on that date all objections had been withdrawn and no new objections were raised at the Inquiries. However, there was one outstanding representation that had originally been considered as an objection but that party had confirmed that they were not objecting to the Orders. Support for the scheme came from Buckminster. The Inspector has considered all representations about the Orders both as made in writing and presented orally at the Inquiries and has submitted his report to the Secretary of State, a copy of which is enclosed with this letter. References in this letter to the Inspector's report are indicated by the abbreviation "IR" followed by the paragraph number in the report.

5. The Inspector summarises the case for the Council at IR 3.1 to 3.38. The case for the supporters of the scheme is summarised at IR 4.1 and other representations are at IR 5.1. The Inspector's conclusions are detailed at IR 6.1 to IR 6.14 with his recommendations at IR 7.1. In light of his conclusions the Inspector has recommended that the HE Slip Roads Order be made and that the HE SRO, the Council's SRO and the

Council's CPO be confirmed subject to modifications proposed, or agreed to, by HE or the Council before or during the course of the Inquiries.

6. In addition to these modifications a number of minor additional modifications are proposed by the Secretary of State. The full list of modifications are in the Annex to this letter.

7. The Secretary of State has carefully considered whether the purposes for which the CPO is required sufficiently justify interfering with the human rights with those with an interest in the CPO and is satisfied that they do. In particular, consideration has been given by the Secretary of State to the provisions of Article 1 of The First Protocol to the European Convention on Human Rights. In this respect, the Secretary of State agrees with the Inspector's conclusions at IR 6.7 and is satisfied that in confirming the CPO a fair balance has been struck between the public interest and interests of those affected by the CPO.

8. Having considered all aspects of the matter the Secretary of State is satisfied that there are no compelling reasons brought forward which would justify not making or confirming the Orders. He accepts that the modifications mentioned in paragraphs 5 and 6 above are necessary and that they should be made. Accordingly, the Secretary of State agrees with the Inspector's recommendations and has decided to make, as modified by him, The A1 Trunk Road (Grantham Southern Growth Corridor (Slip Roads) Order 2019 and confirm, as modified by him: The A1 Trunk Road (Grantham Southern Growth Corridor) (Side Roads) Order 2018; The Lincolnshire County Council (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) (Side Roads) Order 2018; and The Lincolnshire County Council (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) Compulsory Purchase Order 2018'.

9. In making/confirming the Orders the Secretary of State has relied on the information that the Council, Highways England and others have provided, as contained in the Orders and any related plans, diagrams, statements or correspondence, as being factually correct. Confirmation and making is given on this basis.

#### COMPENSATION

10. Details of compensation arising as a consequence of confirmation of a CPO are a matter for negotiation with the acquiring authority and not the Secretary of State. Accordingly, qualifying persons in relation to the land included in the CPO will need to be approached by the Council about the amount of compensation payable to them in respect of their interests in the land. If the amount cannot be agreed the matter may be referred for determination by the Upper Tribunal (Lands Chamber) under the Lands Tribunal Act 1949 and the Land Compensation Act 1961 and 1973, as amended by the Planning and Compulsory Purchase Act 2004.

#### AVAILABILITY OF DOCUMENTS

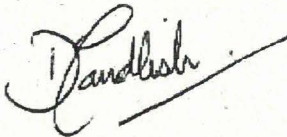
11. A copy of this letter, together with a copy of the Inspector's report, have been sent to those parties who appeared at the Inquiries, other interested parties and relevant Members of Parliament. Copies will be made available on request to any other persons directly concerned.

12. Please arrange for a copy of the Inspector's report and of this letter to be made available for inspection at the offices of the Council and at all other places used to deposit the Orders for public inspection at making stage. Any person entitled to a copy of the Inspector's report may apply to the Secretary of State for Transport, at this address within 6 weeks of the receipt of this letter, to inspect any document, photograph or plan submitted by the Inspector with the Inspector's report. Those documents, photographs or plans are retained at this office and will be made available at a local place of inspection.

#### RIGHT OF CHALLENGE

13. Notice is to be published of making/confirmation of the Orders. Any person who wishes to question the validity of the made/confirmed Orders, or any particular provision contained therein, on the grounds that the Secretary of State has exceeded his powers or has not complied with the relevant statutory requirements in making/confirming them may, under the provisions of Schedule 2 to the Highways Act 1980 and section 23 of the Acquisition of Land Act 1981, do so by application to the High Court. Such an application must be made within six weeks of publication of the notice that the Orders have been made/confirmed. The High Court cannot entertain an application under Schedule 2 or section 23 before publication of the notice that the Secretary of State has made/confirmed the Orders.

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'Dave Candlish', with a long horizontal flourish extending to the right.

**DAVE CANDLISH**

Authorised by the Secretary of State for Transport  
to sign in that behalf

MODIFICATIONS

THE A1 TRUNK ROAD (GRANTHAM SOUTHERN GROWTH CORRIDOR) SLIP  
ROADS) ORDER 2019

In Article 6 “The Secretary of State directs that Highways England Company Limited(c) will be the highway authority for the new trunk roads” is added.

A footnote (c) “A company incorporated in England and Wales under the company number 9346363 and appointed as a strategic highways company by S.I. 2015/376” is added.

In the Schedule under “Routes of the Slip Roads” in the description of route (a) after “exit slip road” and before “along this route” “(A-B)” is added and after “number” the reference to “A to B” is replaced by “1”.

In the Schedule under “Routes of the Slip Roads” in the description of route (b) after “entry slip road” and before “along this route” “(B-C)” is added and after “number” the reference to “B to C” is replaced by “2”.

In the Schedule under “Routes of the Slip Roads” in the description of route (c) after “exit slip road” and before “along this route” “(D-E)” is added and after “number” the reference to “D to E” is replaced by “3”.

In the Schedule under “Routes of the Slip Roads” in the description of route (d) after “entry slip road” and before “along this route” “(E-F)” is added and after “number” the reference to “E to F” is replaced by “4”.

The plan is replaced with Inspector’s document DFTM2 which has the addition of a reference HE546639-MOU-HAC-A1\_3\_GSJ\_SK\_D-001 and a revised scale of 1:2500 at A1 and 1:5000 at A3. A DFT signature block is also to be added to this plan.

In the explanatory note which is not part of the Order the words “Grantham Southern Bypass” are replaced by “Grantham Southern Relief Road”.

THE A1 TRUNK ROAD (GRANTHAM SOUTHERN GROWTH CORRIDOR) (SIDE  
ROADS) ORDER 2018

In Article 1(1) after “trunk road” and before “to carry out” the wording “all on or in the vicinity of the route of the A1 Trunk Road and the classified road known as A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road at Spittlegate junction, Grantham” are added.

Under 3(3)(b) “the plan” the year of the HE Side Roads Order is amended from “20XX” to “2018”.



Under 3(3)(c) "the new trunk road" the year of the HE Slip Roads Order is changed from "2018" to "2019"

The Plan is replaced with Inspectors Document HEM2.

THE LINCOLNSHIRE COUNTY COUNCIL (A52 GRANTHAM SOUTHERN  
GROWTH CORRIDOR – GRANTHAM SOUTHERN RELIEF ROAD) (CLASSIFIED  
ROAD) (SIDE ROADS) ORDER 2018

In Article 1 (1) in the second line "without" is amended to "Without"

In Article 1 (3) in the third and fourth line "footpath" is amended to "footpath/bridleway".

In Schedule 1 under "Highways to be improved" the words "Tollemache Road" are deleted.

In Schedule 1 under "Highways to be stopped up" the words "The B1174" are added before the "From a point 36m..." in the first description.

In Schedule 1 under "Private means of access to be stopped up" (a) and (b) are deleted.

In Schedule 1 under "Reference numbers of new accesses" 1 and 2 are deleted.

In Schedule 2 under "Highways to be improved" "Dyke" is replaced by "Dike" between "High" and "/B1176"

In Schedule 2 under "Reference Letter of new highway" "A" is replaced by "B" and "E" is added.

In Schedule 2 under "Private means of access to be stopped up" in the description of stopped up access (c) "1013" is amended to "991"

The Side Roads Order plans Sheet 1 of 2 and Sheet 2 of 2 are replaced respectively by Inspectors documents LCCM12 and LCCM13. On the Plan Folio and Key Plan the title of the Side Roads Order is amended by adding "(Classified Road)" between "Relief Road)" and "(Side Roads)".

THE LINCOLNSHIRE COUNTY COUNCIL (A52 GRANTHAM SOUTHERN  
GROWTH CORRIDOR – GRANTHAM SOUTHERN RELIEF ROAD)  
COMPULSORY PURCHASE ORDER 2018

In Article 1 (i) "without" is amended to "Without".

In Article 1 (vi) "2087" is amended to "2018".

The words "SCHEDULE" and "TABLE 1" are added on page 1.

In Plot 6 "3565" is amended to "2665".

In Plot 6 and 6B "GR 16/2" is amended to read "GRAN 16/1"

In Plot 7 "3757" is amended to "3401".

In Plot 7A "west" is amended to "east".





In Plot 11 "its junction with" is replaced by "the whole of".

In Plot 14E "A right to access to construct and maintain a road bridge over" is deleted.

In Plot 17A "A right to access to construct and maintain a road bridge over" is deleted.

In Plot 27 "4452" is amended to "1406".

In Plot 27A "209" is amended to "175".

In Plot 27B "182" is replaced by "153".

New Plots 27C, 27D and 27E are added in Table 1:

|     |  |  |  |  |       |
|-----|--|--|--|--|-------|
| 27C | A right to construct and maintain a road bridge 128 square metres land to the east of the East Coast Main Railway Line | Network Rail Infrastructure Limited (Co Reg No 02904587) 1 Eversholt Street London NW1 2DN |  |  | Owner |
| 27D | A right to construct and maintain a road bridge 757 square metres land to the east of the East Coast Main Railway Line | Network Rail Infrastructure Limited (Co Reg No 02904587) 1 Eversholt Street London NW1 2DN |  |  | Owner |
| 27E | A right to construct and maintain a road bridge 125 square metres land to the east of the East Coast Main Railway Line | Network Rail Infrastructure Limited (Co Reg No 02904587) 1 Eversholt Street London NW1 2DN |  |  | Owner |

In Table 2 Plots 27C, 27D and 27E are added to the Schedule and "unknown" is added under "Name and Address" in column 5.

Plot 28 is deleted from the Table 1 and Table 2.



In Plot 30 "running in an easterly direction to Whalebone Lane" is added at the end of the description in column 2.

In Plot 30G the wording "west of Whalebone Lane and" is added after "and" before "forming".

In Plot 32 the word "part" is amended to "south western part width".

In Plot 32A the word "part" is amended to "south eastern part width".

In Plot 32B the word "part" is amended to "north western part width".

In Plot 32C the word "part" is amended to "north eastern part width".

On page 1 after page 53 the wording "TABLE 2" is added.

The word "Other" is added before "Qualifying persons...." in column 3 throughout Table 2.

In Table 2 Plot 31 in column 5 under "Name and Address" the words "Catalyst Business Finance Limited (Co. Regn. No. 08230044), 42 London Road, Stroud GL5 2AJ and under "Description of interest to be acquired" the words "Registered charge dated 4 October 2017." are added.

The CPO plans are replaced by Inspectors Document LCCM5, LCCM6 and LCCM7.

