



GOVERNMENT OFFICE
FOR THE EAST MIDLANDS

Addressee as on envelope

Will Wiseman
Transport Director
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5 July 2006

Dear Sir/Madam

**HIGHWAYS ACT 1980
ACQUISITION OF LAND ACT 1981
A1 (B1081 JUNCTION IMPROVEMENT) CARPENTER'S LODGE**

1. I am directed by the Secretary of State for Transport and the Secretary of State for Communities and Local Government ("the Secretaries of State") to refer to the concurrent public inquiries ("the inquiry") held at Lady Anne's Hotel, St Martin's Without, Stamford on three sitting days between 16 and 18 November 2005, before Mr Chris Young, BSc, MSc, CEng, MICE, an independent Inspector appointed by the Secretaries of State, to hear objections to, and representations about, the following draft Orders:

THE A1 TRUNK ROAD (B1081 JUNCTION IMPROVEMENT CARPENTER'S LODGE) ORDER 200 ;

THE A1 TRUNK ROAD (B1081 JUNCTION IMPROVEMENT CARPENTER'S LODGE) (SIDE ROADS) ORDER 200 ;

THE A1 TRUNK ROAD (B1081 JUNCTION IMPROVEMENT CARPENTER'S LODGE) (DETRUNKING) ORDER 200 ; AND

THE A1 TRUNK ROAD (B1081 JUNCTION IMPROVEMENT CARPENTER'S LODGE) COMPULSORY PURCHASE ORDER (MP NO 28) 200 .

2. The draft Orders, if made, would provide for the improvement of the existing roundabout on the A1 at Carpenter's Lodge by its replacement with a new two-level junction, the construction of a new link road over the A1 to connect the northbound carriageway with the B1081, a new cycleway/footway, and the acquisition of the land necessary to carry out these works ("the published scheme").

THE INSPECTOR'S REPORT

3. A copy of the Inspector's report is enclosed. In this letter, references to paragraph numbers in the Inspector's report are indicated by the abbreviation "IR".

4. The Inspector concluded overall in favour of the published scheme (IR 8.1 to 8.49). He concluded at IR 8.29 that none of the four suggested Alternative Options (described in IR 7.4 to 7.24) offered advantages sufficient to justify them being considered as a viable alternative to the published scheme. Furthermore, the Inspector was not persuaded, on the evidence presented to him, of the need to consider further the additional link to Racecourse Road, and was satisfied that the published scheme should go forward as published (IR 8.29). He also decided at IR 8.43 that in taking account of all the objections and representations, the limited environmental effects of the published scheme were outweighed by its public benefits. He was also satisfied (IR 8.38 to 8.43) that the concerns of English Heritage (IR 5.38), the Forestry Commission (IR 5.39) and the Environment Agency (IR 5.40) were addressed by the Highways Agency's response at IR 7.49 to 7.52, 7.53 and 7.54, respectively.

5. After reaching these conclusions the Inspector went on to recommend at IR 9.1 that the published draft Orders are made, subject to the modification to the Compulsory Purchase Order set out in IR 8.49.

THE DECISION OF THE SECRETARIES OF STATE

6. The Secretaries of State have carefully considered all the objections, alternative proposals, counter objections, representations and expressions of support made, both orally and in writing, together with the Inspector's report. They have considered the requirements of local and national planning, including the requirements of agriculture, and note that the published scheme was in accordance with local, national and regional policies (IR 8.5).

7. The Secretary of State for Transport is satisfied that the environmental impact assessment undertaken for the proposed scheme meets the requirements of European Community Directive 85/337/EEC ("the Directive") as amended by EC Directive 97/11. He has considered the Environmental Statement published pursuant to section 105A of the Highways Act 1980, which implements the requirement of the Directive, and all the opinions expressed in relation to that statement in reaching their decision. He agrees with the inspector's conclusion at IR 8.31, for the reasons given, that there was no requirement to consider the environmental effect of increased traffic on the A43/B1081 as part of the Environmental Impact Assessment.

8. The Secretary of State for Transport is satisfied that the published scheme accords with the aims and objectives of the Government's Transport White Papers "*A New Deal for Transport: Better for Everyone*", and "*The Future of Transport: A Network for 2030*". He also notes that the published scheme is included in the Department for Transport's Targeted Programme of Improvements and has been allocated funding accordingly.

9. The Secretaries of State agree with the Inspector's conclusions on all matters raised at the inquiry and are satisfied that they cover the material considerations relevant to the scheme as a whole. Accordingly, they propose to accept his recommendation to make the published Orders with the modification to the Compulsory Purchase Order, as set out in IR 8.49.

THE PUBLISHED SCHEME

10. In conclusion, the Secretaries of State accept the Inspector's recommendations in IR 9.1, and have decided to proceed with the published scheme, by making the draft Orders in paragraph 1 above, subject to the modifications to the Compulsory Purchase Order as set out in IR 8.49.

ORDERS TO BE MADE

11. In the light of the above, the Secretary of State for Transport will shortly make the Orders listed in paragraph 1 above, with the proposed modifications. The Secretary of State is also satisfied that the proposed modification to the Compulsory Purchase Order does not contravene the provisions in paragraph 5 of Schedule 1 of the Acquisition of Land Act 1981, and can be made without requiring further advertising, or publications of further notices, other than on making.

12. Public Notice will be given when the Orders are made. Any person who wishes to question their validity, or of any particular provision contained in them, on the grounds that the Secretary of State for Transport has exceeded his powers, or has not complied with the relevant statutory requirements in making the Orders may, under the provisions of Schedule 2 of the Highways Act 1980 and section 23 of the Acquisition of Land Act 1981, do so by application to the High Court. Such application must be made within six weeks of publication of notice that the Orders have been made.

COMPENSATION

13. After the Compulsory Purchase Order has been made, the owners and occupiers of the land included in the made Order will be approached about the amount of compensation payable to them in respect of their interest in the land. If the amount cannot be agreed with the Highways Agency's valuer the matter may be referred for determination to the Lands Tribunal under the Lands Tribunals Act 1949 and the Land Compensation Acts 1961 and 1973.

AVAILABILITY OF INSPECTOR'S REPORT

14. A copy of this letter and the Inspector's report has been sent to all objectors and to any other person who, having appeared at the inquiries, has asked to be notified of this decision. Any person who is entitled to be supplied with a copy of the Inspector's report may apply to the Secretary of State for Transport within six weeks of receipt of this letter, to inspect any document appended to the report. Any such application should be made to Ian Marshall (tel: 0115 9712516) at this office. Applicants should indicate the date and time (within normal office hours) when they propose to make the inspection. At least three days' notice should be given, if possible.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Will Wiseman', with a long horizontal flourish extending to the right.

WILL WISEMAN