



GOVERNMENT OFFICE
FOR THE EAST OF ENGLAND

John Dowie
Director of Planning and Transport
GO-East
Eastbrook
Shaftesbury Road
Cambridge
CB2 2DF

8 September 2003

Dear Sir/Madam

**HIGHWAYS ACT 1980
ACQUISITION OF LAND ACT 1981**

THE A47 TRUNK ROAD (THORNEY BYPASS)

1. I am directed by the First Secretary of State and the Secretary of State for Transport ("the Secretaries of State") to refer to the concurrent public local inquiries ("the inquiries") held at the Bedford Hall, Station Road, Thorney, between 20 and 23 May 2003 before Mr R F Shercliff, an independent Inspector nominated by the Lord Chancellor and appointed by the Secretaries of State, to hear objections to, and representations about, the following draft Orders:-

The A47 Trunk Road (Thorney Bypass) Order 20 ;
The A47 Trunk Road (Thorney Bypass) (Detrunking) Order 20 ;
The A47 Trunk Road (Thorney Bypass Side Roads) Order 20 ; and
The A47 Trunk Road (Thorney Bypass) Compulsory Purchase Order
(No OD) 20 .

2. The draft Orders, if made, would authorise the provision of a bypass of Thorney on the A47 north east of Peterborough.

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". The Inspector's conclusions and recommendations are at IR 8.1 to IR 9.1.4. He concluded in favour of the published proposals and recommended that the Line and Detrunking Orders should be made as published in draft; and that the Side Roads and Compulsory Purchase Orders should be made subject to the modifications referred to in IR 8.52 and set out in Appendix C of his report.

THE DECISION OF THE SECRETARIES OF STATE

4. The Secretaries of State have carefully considered all the objections, alternative proposals, representations and expressions of support, together with the Inspector's report. They have considered the requirements of local and national planning, including the requirements of agriculture.



5. The Secretaries of State are 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. They have considered the Environmental Statement published pursuant to section 105A of the Highways Act 1980, which implements the requirements of the Directive, and all the opinions expressed in relation to that statement.

6. The Secretaries of State are satisfied that the scheme accords with the aims and objectives of the Government's White Paper "A New Deal for Transport: Better for Everyone" and note that the scheme is included in the Government's Targeted Programme of Improvements. The Secretaries of State agree with the Inspector's conclusions and accept his recommendations. They have considered the correspondence received since the close of the inquiries and are satisfied that it raises nothing which causes them to disagree with the Inspector's conclusions and recommendations.

7. The Secretaries of State have noted the Inspector's comments at IR 8.19 and IR 8.34 about the need for adjustments to the proposed planting scheme to further offset the impact of the published scheme. This is not a matter that affects their decision on the making of the published orders before them but they agree that these justifiable concerns will be addressed at the detail design stage of the scheme.

8. The Secretaries of State in reaching their decision have taken into account the Final Report of the Norwich to Peterborough Multi Modal Study and the Secretary of State for Transport's response to it on 9 July 2003. They note that under the Study's Terms of Reference it was required to take into account, when making recommendations, that the Thorney Bypass already formed part of the Targeted Programme of Improvements. Notwithstanding the Secretary of State for Transport's response to the Study's recommendations in respect of the overall strategy for the A47 the Secretaries of State are satisfied that the bypass is fully justified in its own right and agree with the Inspector's conclusions at IR 8.29 that there is a very strong case for a dual carriageway bypass.

ORDERS TO BE MADE

9. In the light of the above the Secretary of State for Transport will shortly make the Orders listed in paragraph 1 above modified as recommended by the Inspector. The Secretary of State for Transport is satisfied that the modifications to the Side Roads Order will not make a substantial change to the published Order for the purpose of paragraph 8(3) of Schedule 1 to the Highways Act 1980. Where additional land is required the related modifications to the Compulsory Purchase Order are authorised on the understanding that all the persons affected have given their consent as required by paragraph 5 of Schedule 1 of the Acquisition of Land Act 1981.

10. 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 to 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

11. After the Compulsory Purchase Order has been made the owners and occupiers of the land 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 Tribunal Act 1949 and the Land Compensation Acts 1961 and 1973.

AVAILABILITY OF INSPECTOR'S REPORT

12. A copy of this letter and the Inspector's report has been sent to those who objected, made representation or expressed support and any other person who, having appeared at the inquiry, has asked to be notified of the decision. Any person who is entitled to be supplied with a copy of the Inspector's report may apply to the Secretaries of State within six weeks of receipt of this letter, to inspect any document appended to the report. Any such application should be made to Sue Proberts, the Government Office for the East of England, Eastbrook, Shaftesbury Road, Cambridge, CB2 2DF (Tel: 01223 372756). Applications should state the date and time (within normal office hours) when it is proposed to make the inspection. At least three days notice should be given if possible.

Yours faithfully



John Dowie
Director of Planning and Transport