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FOR YORKSHIRE AND THE HUMBER

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Date: 9 June 2003

Dear Sir/Madam

**HIGHWAYS ACT 1980
ACQUISITION OF LAND ACT 1981
ROAD TRAFFIC REGULATION ACT 1984**

A63 TRUNK ROAD (MELTON GRADE SEPARATED JUNCTION)

1. I am directed by the First Secretary of State and the Secretary of State for Transport ("the Secretaries of State ") to refer to my letter of 9 July 2002 ("the July letter") which set out the decision of the then Secretary of State for Transport, Local Government and the Regions on the draft Orders relating to the proposed improvement of the A,63 Trunk Road and the provision of a new grade separated junction and local roads at Melton and North Ferriby, west of Hull, which were considered at public inquiries between 13 and 23 November 2001.

2. The July letter stated that the then Secretary of State for Transport, Local Government and the Regions had decided, in line with the conclusions of the Inspector who held the inquiries, to adopt the published proposals as the basis of the improvement, but to defer a decision on the draft Orders pending further consideration

of two issues identified in the letter. The letter explained that further work would be carried out on Alternative 1 with a view to arriving at a design, which could form the basis of consultation on whether or not it should be adopted; and that interested parties would be consulted on the ramp arrangements for the Gibson Lane pedestrian/cyclist bridge.

Alternative 1

3. Alternative 1, proposed by East Riding of Yorkshire Council, the local highway authority ("the Council"), would amend the published proposals for the southern roundabout of the proposed new junction, the A63 westbound off slip road to the junction and the local road arrangements at Corby Park. Following the July letter the Highways Agency ("the Agency") and the Council jointly appointed JMP Consultants Limited (JMP) to carry out the further work. JMP has produced two reports explaining the results of its work and its conclusions. JMP concluded that with Alternative 1 the junction would not cater for anticipated traffic levels, and that the A63 westbound off slip road would not meet design standards without either moving the A63 carriageway further north and raising the westbound slip road adjacent to Corby Park, or moving the junction further west. JMP concluded that these solutions, which it could not recommend, presented major design issues that could not easily be resolved.

4. In the light of the above difficulties JMP also considered further the published proposal for a lozenge shaped roundabout at Corby Park and the concerns raised about it, which were an issue in the promotion of Alternative 1. JMP considered that those concerns, and those of the Inspector, about the proposed roundabout could be addressed by: replacing it with a signal-controlled junction, which JMP concluded was a preferable solution. JMP's overall conclusion was that the published proposals should be adopted but that a signal controlled junction at Corby Park should be provided, and the Agency and the Council have indicated that this solution is acceptable to them. Those in the Corby Park area who objected to or made representations about the published proposals have been consulted and no adverse comments have been received.

5. The Secretaries of State have carefully considered JMP's reports. They take the view that the proposed improvement of the A63 Trunk Road at Melton is urgently required to improve safety for trunk road and local road users, pedestrians and cyclists, assist in planned regeneration in the area, and improve local accessibility. The Secretaries of State consider that the design shortcomings of Alternative 1 identified by JMP are unacceptable on highway safety grounds. In the circumstances, they have decided that Alternative 1 should not be adopted and, consequently, that the consultation envisaged in the July letter is not required.

6. The Secretaries of State note that no adverse comments have been received about the proposed alternative signal controlled junction at Corby Park. They accept that this arrangement is preferable to the published roundabout and note that it would provide greater opportunities for mitigation measures in the area. They consider that it is an acceptable solution to a difficult issue and have decided that the published

proposals for the new junction should be taken forward subject to the adoption of a signal-controlled junction at Corby Park. They confirm that the Agency will consider the matters identified in the safety audit for the signal-controlled junction, and other design matters referred to in the JMP reports, during detailed design.

Gibson Lane Pedestrian/Cycle Bridge

7. The Secretaries of State note there have been no adverse comments about the published draft arrangements for the bridge approach ramps and they have decided to adopt those arrangements. The Secretaries of State are satisfied that the Agency has reached agreement with the land interests concerned with regard to minor modifications to the land required for the ramps to ensure that both pedestrians and cyclists can be accommodated safely.

The Decision on the Orders

8. The Secretaries of State have given further consideration to the Inspector's conclusions and recommendations in his report regarding the draft Orders before the inquiries. Consequently, in the light of paragraphs 3 to 7 above, they have decided that the Secretary of State for Transport will make the following Orders as soon as possible:-

(a) The A63 Trunk Road (Melton Grade Separated Junction and Slip Roads) Order 200 , as published in draft, subject to the modifications necessary to provide for a signal controlled junction at Corby Park;

(b) The A63 (Melton Grade Separated Junction Improvement Side Roads) Order 200 , as published in draft, subject to the modifications necessary to provide for a signal controlled junction at Corby Park and the modification to the Order schedule referred to in paragraph 7.97 of the Inspector's report;

(c) The A63 Trunk Road (Melton Grade Separated Junction Improvement) Compulsory Purchase Order (No PS) 200 , as published in draft, subject to the modifications referred to in paragraph 7 above and the drafting amendments referred to in paragraph 7.104 of the Inspector's report; and

(d) The A63 Trunk Road (Melton) (Prohibition of Use of Gaps in the Central Reservation) Order 20 , as published in draft.

The Secretary of State for Transport is of the opinion that the modifications referred to at (a), and (b) above will not make a substantial change to those Orders for the purpose of paragraph 8(3) of Schedule 1 to the Highways Act 1980.

9. 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 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

10. After the making of the Compulsory Purchase Order 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 Land Tribunal Act 1949 and the Land Compensation Acts 1961 and 1973.

Availability of the JMP Reports

11. Copies of this letter have been sent to those who received a copy of the July letter. The two JMP reports are available for inspection during office hours at this office by application to Catherine Marsh (Tel: 0113 283 6437). At least three days notice should be given if possible.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Jarvis', written in a cursive style.

JOHN JARVIS