

Michael Harman & Victoria Harman

14th November 2022

Plot 37. Proposed A614 / A6097 Major Road Network Scheme OBJECTION

We jointly own the Plot 37 land [REDACTED].

The parcel of land known as plot 37 is a long-established bridleway and mapped PROW.

We object to Nottingham County Council's compulsory purchase order on this land. We believe the intention is to formally adopt the land to allow continuity for a new bridleway being constructed as part of the new junction scheme. As plot 37 is already a registered PROW then we cannot see why a CPO is absolutely necessary. The NCC Countryside Team, VIA EM Footpaths Officer, VIA Project Management Scheme and NCC Land Agent Bruton Knowles have been unable to justify this fully to us.

Should the CPO decision be upheld then this would create a secondary issue.

The main issue is the proposed indicative red line between us and No 8A Kirk Hill. The CPO maps an area straddling the existing footpath.

The existing path is currently regulation width of 2 metres bordered on our side by temporary security fencing and on our neighbours' side at 8a by low level stock fencing. We have recently resurfaced this path in type 1 granite as required by the PROW regulations in a Conservation area. It appears the path over many years has migrated closer to our property leaving the boundary line to grow mature trees unchecked. A previous owner of 8a had the livestock fencing erected in front of these trees effectively taking a strip of our land.

We were only made aware of this recently upon receipt of a 1:500 Land registry plan from VIAEM.

The current neighbour at 8a maintains these boundary trees at his own expense as he believes it to be his land, hence his belief that NCC are taking his land too with the CPO.

The problem arises when NCC take ownership, as the area they require will be two metres wide but obstructed by trees down its linear length resulting in an unsatisfactory one-metre-wide path.

The footpath is in a Conservation area and removing the trees to increase the width may not be an option and in any case detrimental to the Sylvian nature of the greenbelt here.

The second issue is that the CPO has left an augmented end on the purchase land strip presumably to allow for a large tree obstructing the route, this tree is on my property and has been surveyed by a qualified Arborist. It is suffering from Ash dieback and permission is currently being sought to have it removed, root and all. This will allow the path to be wider for horse riders. We would prefer the CPO drawing be amended to reflect this should the purchase be absolutely necessary.

We do have simple solutions to the issues should a CPO be absolutely necessary, but were told only last week by VIAEM Senior Project Manager Steve Millington,

'The plans used in the CPO were derived from the records held by HM Land Registry. The boundaries provided in the CPO are in line with the formal records held. As the CPO has now been made, I am afraid it is legally not possible to amend the plan.'

We were unable in May 2022 to secure the services of a Compensating Surveyor despite contacting four companies, this may have eased our situation.

The proposed CPO has caused much distress to us and our neighbour and we feel disappointed that Notts County Council and its Agents are apparently hand tied and unable to engage in consultation for a mutual pragmatic solution.

Overall, we do support the new junction scheme and hope that your office can arbitrate this matter fairly.

Kind Regards. Mike and Vikie Harman