

in partnership with



**Nottinghamshire  
County Council**

Mr and Mrs Harman



**My ref:** HW20949/A614/A6097

**Date:** 22 December 2022

Dear Mr and Mrs Harman,

**The Nottinghamshire County Council (A614/A6097 Junctions Improvement Scheme) (Side Roads) Order 2022 (“SRO”)**

**The Nottinghamshire County Council (A614/A6097) Compulsory Purchase Order 2022 (“CPO”)**

I write with regards to your letter dated 14 November 2022 outlining your objection to the above-named CPO. Your objection has been forwarded to me as the Acquiring Authority’s representative by the Department for Transport’s National Transport Casework Team.

I welcome your support for the proposed improvements at A6097/Kirk Hill Junction. However, I note that you have raised four matters of concern in relation to Plot 37 of the CPO.

I would like to take this opportunity to address each of the four matters of concern that you have raised to help you to understand the Council’s position in respect of them. This will build upon the discussions you have had with [REDACTED] Bruton Knowles (“BK”), the appointed Land Agent for the Scheme. I hope that you may then be able to review the concerns raised and consider whether you would like to present them as objections to the Public Inquiry, which is yet to be scheduled but will take place in 2023.

**1. You object to Nottinghamshire County Council’s (“NCC”) CPO on the land identified at Plot 37.**

- 1.1. In your aforementioned letter you have stated that the parcel of land known as Plot 37 is a long-established bridleway and mapped Public Right Of Way (“PROW”). I can confirm that whilst the route is currently used by members of the public between the A6097 and Kirk Hill, it is not currently recorded as a definitive PROW.
- 1.2. The existing East Bridgford Bridleway number 28 currently runs parallel to the A6097 as shown on the enclosed SRO plan. However, a section of this bridleway extending from the north western boundary of number 10 Kirk Hill, through land owned by numbers 12 and 14 Kirk Hill has become inaccessible over time. This Scheme proposes to formally stop up the inaccessible section of bridleway and provide a replacement on the north eastern side of Kirk Hill, connecting to the existing informal path. Under the proposals, the whole route would then be formally designated as a PROW, providing a connecting link to the existing western section of the East Bridgford Bridleway number 28.

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1.3. In seeking to promote a scheme, the Council must ensure it acquires all land that is required to deliver the scheme. The Council will always try and acquire land outside of the CPO by negotiation. I understand discussions with BK around the proposed dedication of the route as a PROW are progressing well. I can confirm that I also welcome this approach.

**2. You noted that the CPO maps an area straddling the existing footpath.**

2.1. I note that you have referred to the boundary dispute with your neighbour at [REDACTED] Kirk Hill. However, I understand that this is a typographical error and the dispute is in fact with your neighbour at [REDACTED] Kirk Hill, as confirmed in an email to my colleague [REDACTED], dated 3 November 2022.

2.2. Furthermore, following your meeting with BK on 28 November 2022, I can now provide a more accurate response to your concerns and have taken this into consideration when writing this response.

2.3. I would like to provide reassurance that the proposed Scheme only intends to formalise the current use of the existing route. There is no intention to undertake any additional works outside the existing route and no trees are intended to be removed to widen the existing route.

2.4. Your recent meeting with BK has clarified this issue and I now have a better understanding of your concerns, subject to formal confirmation. The CPO map was produced using an Ordnance Survey (“OS”) map. Unfortunately, in this case, it appears that the map does not accurately reflect the situation on-site. I have instructed BK to negotiate the formalisation of the route; I note your comments that this differs from that shown in Plot 37 of the CPO. I understand that these negotiations have commenced and have been positively received. The Council is keen to work with you to agree a solution that is acceptable for all.

**3. You are concerned that, whilst Plot 37 is currently two metres wide, it is obstructed by trees along its length, resulting in a one metre wide path in some areas.**

3.1. We have discussed this issue with both the Public Rights of Way Team at Via East Midlands Limited (“Via”) and the Countryside Access Team at the Council. Both teams have advised that there is currently no formal regulation within the Highways Act 1980 stipulating the width of a bridleway, where it is not part of an arable field. A PROW may have a width recorded in the definitive statement but this is not the case with the remainder of existing bridleway number 28. In this case the width of a bridleway is instead dependent upon the width that the public has historically used in any particular location. The existing route is currently being used as an informal/unregistered PROW due to the inaccessibility of the aforementioned section (paragraph 1.2) of East Bridgford Bridleway number 28. Should the route become a dedicated PROW, the current width at its widest and narrowest points would be recorded in the definitive statement and as such would not present an issue, nor require any widening of the route.

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**4. You have noted that the acquisition of Plot 37 would lead to an augmented end on the purchase land strip and have assumed that this is due to a large tree currently obstructing the route.**

4.1. Thank you for providing the information on the current health of this tree. We understand that it is suffering from ash dieback and that you are currently seeking the required permissions to have it removed.

4.2. As stated in paragraph 2.3 of this letter, the Scheme only intends to formalise the current use of the existing route. There is no intention to remove any trees.

We understand that discussions with BK around your preferred option to retain the land and formally dedicate it as PROW are progressing positively, noting your email dated 5<sup>th</sup> December 2022. I would like to take this opportunity to thank you for being pragmatic and working with us to resolve this issue. Via have recently undertaken a topographic survey to ensure that the proposed PROW is mapped correctly and reflects the current route. Once we have an updated plan, we will share it with you.

I hope that this letter addresses the concerns that you have raised and provides you with the necessary information to review your objection. If you would like to formally withdraw your objection, please write to the Secretary of State at the following address:

Secretary of State for Transport  
National Transport Casework Team  
Tyneside House  
Skinnerburn Road  
Newcastle Business Park  
Newcastle Upon Tyne  
NE4 7AR

Alternatively, you can contact them by email at [nationalcasework@df.gov.uk](mailto:nationalcasework@df.gov.uk) and I would ask you to please copy me in at [REDACTED]

If you have any questions with regards to this letter or would like to discuss any of the points in greater detail, please do not hesitate to contact me.

Yours sincerely

*Steven Millington*

Steven Millington  
Senior Projects Manager

Tel: 0115 804 2100  
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**Encs:**

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- A6097/Kirk Hill Junction SRO Plan (Kirk Hill SRO Drawing.pdf)
- SRO Plan Folio (SRO Folio.pdf)

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