

Our ref: CRS 738,389  
Your ref:

Second Floor  
Woodlands  
Manton Lane  
Bedford MK41 7LW

Via email

Direct Line:

27 May 2016

Dear

## **ENVIRONMENTAL INFORMATION REGULATIONS REQUEST A120 HARWICH ROAD JUNCTION - PROPOSED ROUNDABOUT CONSTRUCTION**

Thank you for your email of 16 May outlining your concerns about delays to construction of the new roundabout.

In our acknowledgement of 17 May, we asked you to clarify what information you are seeking in respect of the now evident delays to the construction of the roundabout. I am sorry to learn that you refused to do so in your reply of the same date, stating that you do not accept that negotiations with one landowner can delay a project for nearly four years. Consequently, we have considered your request and are refusing it under Regulation 12(4)(b), as it is manifestly unreasonable on cost grounds.

However, to be helpful, I am able to provide the following information which is readily available to us as this may answer your questions. If, after consideration, you would like more specific information, you are welcome to make a new request.

Moving onto the current status of the proposed roundabout at the Harwich Road junction, you have been advised that construction is delayed because of protracted land negotiations and our plans to avoid construction during the winter period once those negotiations are completed.

To clarify, until the land is secured on which the new roundabout junction will be built, construction cannot start and this is the main reason for the delay. We are continuing negotiations with the land owner but even if these were to conclude in the next few months it would not be a sensible construction decision to undertake extensive earthworks during the winter period when we are more likely to encounter inclement weather and poorer ground conditions.

We have therefore made the decision to amend our programme now, which will reduce risks to delivery and allow us to continue with the land negotiations without the pressure of meeting tightening programme timescales. We remain hopeful that the scheme will be delivered during the next financial year, 2017-18.

Once it became apparent that the new roundabout junction could not be constructed within the existing highway boundary, we started negotiations with an adjacent land owner. We first contacted the landowner in July 2015 and have been in regular discussions since that time. Under Section 40(2)(a) of the Data Protection Act, I am unable to provide any information relating to those negotiations.

We had hoped to acquire the necessary, additional land through negotiation, which can be a quicker method to conclude this activity, and at present, there is still an option to resolve this through agreement.

Under the Highways Act 1980, we also have the option of acquiring the land through compulsory purchase. However, this involves a statutory process that we must follow if we are to acquire the necessary land through this method. This can take longer to conclude, particularly if we receive a statutory objection, which if upheld, could force us to hold a public inquiry. In that scenario, an additional year could easily be added to our programme. It is for this reason that we have been attempting to purchase the necessary additional land through negotiation. We have, however, recently advised the landowner that unless negotiations move forward, we will proceed with the publication of a Compulsory Purchase Order.

I want to assure you that we remain committed to the delivery of this scheme, which will help to make the road safer for drivers on the A120 and the local community. The indicative programme dates that we provided during the public information event have always been subject to the completion of statutory procedures and land acquisition. We are committed to being open and honest with the community and we have explained the reason for the change to our programme. Our asset manager, Andy Jobling will continue to provide further updates as the scheme develops.

If you have any queries about this letter, please contact me. Please remember to quote reference number 738,389 in any future communications.

If you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at: <https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or email [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk). You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

Business Management Team Leader  
Operations (East)  
Email: