

Modifications to the Orders

As at 11TH March 2014

Those modifications which have been identified as part of the run up to the consideration of the proposals by the Inquiry are referred to below and are shown as appropriate on the revised documents. The Council will invite the Inquiry to accept those modifications and alterations to the Draft Orders but will also keep the position under review during the Inquiry to see if any further matter needs to be brought forward by way of change to the Orders. The modifications and alterations are set out below in respect of the three Orders before the Inquiry. They are dealt with in the following order with the SRO being addressed first, the CPO being second and then finally the Supplementary CPO.

1. The Lincolnshire County Council (A57 Lincoln East West Link Road) (Classified Road) (Side Roads) Order 2013, the "SRO"
2. The Lincolnshire County Council (Lincoln East West Link Road Phase 1) Compulsory Purchase Order 2013, the "CPO"
3. The Lincolnshire County Council (Lincoln East West Link Road Phase 1) Supplementary Compulsory Purchase Order 2013, the "Supplementary CPO"

The modifications have arisen from consideration of the Draft Orders by the Department. The email correspondence dated 12th February 2014 in respect of which is attached.

The Lincolnshire County Council (A57 Lincoln East West Link Road) (Classified Road) (Side Roads) Order 2013, the "SRO"

In their email to the County Council dated 23rd January 2014, the DfT requested the following modifications to the Side Roads Order, which have been accepted and will be shown on the revised plan and Order :-

1) *The Order appears to have been written in accordance with the template for Orders containing more than one Schedule and therefore refers throughout to more than one Schedule. However I do not propose any modifications in relation to this.*

No modification required.

2) *We would propose that the paragraph commencing "Site Plan" means the plan marked "The Lincolnshire County Council (A57 Lincoln East West Link Road) (Classified Road) (Side Roads) Order*

2013"...' in Article 3 of the Order be modified to read "Site Plan" means the plan marked "Map referred to in The Lincolnshire County Council (A57 Lincoln East West Link Road) (Classified Road) (Side Roads) Order 2013"...' as the title of the map stated in the Order should fully agree with the title stated on the map itself.

The Order has been changed to reflect this comment.

3) *In the Schedule to the Order the reference given for the map is B/HCA11009/04/0002 however that given on the map is B/HCMSA0020/01/SRO/001 Rev: A3. We would propose that the Order be modified to state the reference as B/HCMSA0020/01/SRO/001 Rev: A3 should the Order be confirmed.*

The map has since been changed and has been changed and the Order has subsequently been amended to show B/HCMSA0020/01/SRO/001 Rev: A5.

4) *Highways to be improved:*

It is not necessary to give descriptions of the highways to be improved in a Side Roads Order. It is sufficient to state the names of the highways. We would not, however, propose to delete the descriptions given.

No modification required

Clifton Street from its junction with Kesteven Street for a distance of 50 metres north east. This would appear to measure 30 metres on the map.

The Order has been modified to give the correct measurement

Dunford Road from its junction with Kesteven Street for a distance of 10 metres south east. This would appear to measure 6 metres on the map.

The Order has been modified to give the correct measurement

Kesteven Street from its end for a distance of 40 metres west. This would appear to measure 36 metres on the map.

The Order has been modified to give the correct measurement

St Andrews Street from its end for a distance of 25 metres south. This would appear to measure 28 metres on the map.

The Order has been modified to give the correct measurement

Kesteven Street from a point 40 metres east of its junction with Canwick Road, westbound where it becomes Cross Street. For clarity we would propose that the word 'to' be inserted between 'westbound' and 'where'.

The Order has been changed to reflect this comment.

St Andrews Street is not named on the map and for clarity we would propose to add the name to the map.

The map has been changed to reflect this comment.

5) Highways to be stopped up:

Restricted byway number 29 from its junction with Kesteven Street for a distance of 75 metres north, 20 metres east then 35 metres north north east. The third measurement would appear to be 33 metres on the map.

The Order has been modified to give the correct measurement

The Lincolnshire County Council (Lincoln East West Link Road Phase 1) Compulsory Purchase Order 2013, the "CPO"

The matters raised by DfT have been incorporated.

1) I note that the Protected Assets Certificate states that the proposals will involve the demolition, alteration or extension of Scheduled Monuments but that your Statement of Reasons states that no ancient monuments are affected. I would be grateful if you could confirm that no Scheduled Monuments are affected by the proposals.

Confirmed

2) *I refer to paragraph 6.6 of the Statement of Reasons and would be grateful if you could clarify the situation with regard to the application for a minor alteration to the permission in connection with the Archer Street junctions and advise whether this could be an impediment to the scheme.*

No modification required.

Reason: This non-material amendment to the planning application has now received approval.

3) *I note that the improvement of the classified road has not been included in the purpose at Article 1(i) of the Order. It is not possible to add to the purposes of a CPO by modification but we would be prepared to accept this if the Council is prepared to defend its position.*

No modification required

Reason: We are of the view that the Order covers the improvement of roads either as existing roads or as to be constructed and do not believe the wording of the purposes needs to be changed to cover this.

4) *Please see attached a copy of the first two pages of the Order on which I have marked in red the proposed modifications. These include the addition of the wording relating to rights and modifications to ensure that the titles of the SRO and map are exactly the same as the Order and Map.*

The Order has been changed to reflect this comment.

5) *I note that there is a plot of land included on the CPO map between plots 48 and 49 which is not numbered and does not seem to appear on the Order. I would be grateful if you could clarify this.*

No modification required

Reason: The pink 'unlabelled' plot as described above is not an individual plot. It is in fact part of plot 47, connected by a thin sliver at the rear of the existing footway. The larger scale Land Interest plan confirms this.

6) *I have taken measurements of a sample of plots and there are a number of measurements which appear to vary from the measurements stated on the Order, for example, plot 06 would appear to measure more in the region of 600 than 405 square metres, plot 07 - 512 rather than 331 square metres, plot 11 - 300 rather than 244 square metres, plot 11a - 1225 rather than 819 square metres, plot 34 - 105 rather than 57 square metres, plot 42 - 220 rather than 129 square metres. This does not seem to affect the measurements in the inset. I would be grateful if you could clarify.*

No modification required

Reason: The figures given in the original order are correct.

7) I note that the descriptions in the Order refer to Lincoln Central Industrial Park but the map states Tentercroft Street Industrial Estate. I would be grateful if you could advise whether there would be a modification required or whether both names are used for this.

No modification required.

Reason: The Land Title for the plot (LL19633) refers to the plot as Lincoln Central Industrial Park. The Ordnance Survey map shows Tentercroft Street Industrial Estate. We have used the name from the Land Title.

8) As a result of the submission of the Supplementary CPO in connection with plot 35 we would propose to delete plot 35 from the Order and the map.

The Order and map have been changed to reflect this comment.

The Lincolnshire County Council (Lincoln East West Link Road Phase 1) Supplementary Compulsory Purchase Order 2013

1) We would propose the same modifications to the Supplementary CPO as to the CPO in terms of the name of the SRO stated at 1(ii), (iii), and (v) within the Order and adding 'Road' into the name of the Supplementary CPO at Article 2.

The order has been changed to reflect this comment.

2) As the Order was submitted prior to the publication of the Notices I would be grateful if you could confirm that the Notices were published on 16 and 23 January 2014 and that the site Notices remained in place for the period allowed for objections.

No modification required.

Reason: Copies provided.

