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for Transport

- Jonathon Pizzey  
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Date: 13 November 2025

Dear Mr Pizzey

**THE NATIONAL HIGHWAYS (A52 NOTTINGHAM JUNCTIONS, NOTTINGHAM, KNIGHT JUNCTION AND WHEATCROFT JUNCTION IMPROVEMENT) (SIDE ROADS) ORDER 2024 (“the SRO”)**

**THE NATIONAL HIGHWAYS (A52 NOTTINGHAM JUNCTIONS, NOTTINGHAM KNIGHT JUNCTION AND WHEATCROFT JUNCTION IMPROVEMENT) COMPULSORY PURCHASE ORDER 2024 (“the CPO”)**

SECRETARY OF STATE’S DECISION – ORDERS TO BE CONFIRMED WITH MODIFICATIONS

1. I refer to your application, submitted on behalf of National Highways for confirmation of the above-named Orders. The Secretary of State for Transport (“the Secretary of State”) has decided to confirm the Orders with modifications and this letter constitutes her decision to that effect.
2. The confirmed SRO and CPO will, respectively, authorise National Highways to:
  - i. improve highways, stop up private means of access to premises and provide new means of access to premises all on or in the vicinity of the route of the trunk road being the A52 which National Highways are proposing to improve south of Nottingham, at the Wheatcroft junction of the A52 with the A606 and Flawforth Lane, and at the Nottingham Knight junction of the A52 with the A60 Loughborough Road/A60.
  - ii. purchase compulsorily the land for the purposes of the trunk road improvements described above and the construction and improvement of highways and the provision of new means of access to premises in pursuance of the above Side Roads Order. Use by the acquiring authority in connection with the construction and improvement of highways and the provision of private means of access to premises as aforesaid; and mitigating the adverse effect which the existence or use

of the highways proposed to be constructed or improved will have on the surroundings thereof.

### MODIFICATIONS

3. The Secretary of State will make the modifications to the Orders, as recommended by the Inspector, and agreed to by National Highways, which are considered minor drafting issues that do not materially affect any third-party interests or the nature or scope of the original Order, namely:

In relation to the SRO:

- i. in Article 1 the wording 'Nottingham Knight Junction of the A52 with the A60 Loughborough Road / A60 and the A52 Trunk Road Wheatcroft Junction of the A52 with the A606 and Flawforth Lane' is deleted.
- ii. In Article 5 (b) the description of "the trunk road" is amended from 'the A606 Melton Road to a point 330m west of the junction' to 'the A606 Melton Road to a point 330m north east of the junction.....'
- iii. In the Schedule under 'Highways to be improved' the wording 'A52 Trunk Road' is deleted.
- iv. In the Schedule, item 6, column 4 'Reference Number of New Access' the wording 'and 2/3' is added.
- v. Map 1 of 2 and Map 2 of 2 are replaced by revised maps.

In relation to the CPO:

- i. In Article 1 the reference to '250' is deleted.
- ii. In Article 2 (1) the wording 'delineated and shown coloured pink' are amended to 'delineated and shown coloured pink and delineated in red'.
- iii. An Article 4 is added, namely, 'The acquiring authority may not serve a notice to treat or execute a general vesting declaration in respect of this order after the end of the period of three years beginning with the day on which the compulsory purchase order becomes operative'.
- iv. In the Schedule, table 1, plot 2/1, column 4 'Lessees or reputed lessees' the word 'None' is added.
- v. In the Schedule, table 1, plot 2/2, column 4 'Lessees or reputed lessees' the wording 'Nottingham Premier Lodge Lessee's Title NT398540 Whitbread Court, Porz Avenue, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5XE' is changed to 'None'.

- vi. In the Schedule, table 1, plot 2/3, column 3 'Owners or reputed owners' the wording 'NT398540 Premier Inn Hotels Limited Whitbread Court, Porz Avenue, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5XE' is amended to 'NT252358 Green King Brewing & Retailing Limited Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT'.
- vii. In the Schedule, table 1, plot 2/3, column 4 'Lessees or reputed lessees' the wording 'Premier Lodge Newco Limited Whitbread Court, Porz Avenue, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5XE' is amended to 'NT398540 Premier Inn Hotels Limited Whitbread Court, Porz Avenue, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5XE'.
- viii. In the Schedule, table 1, plot 2/4, column 2 'Extent, description and situation of the land' the wording 'located north east' is amended to 'located north west'.
- ix. In the Schedule, table 1, plot 2/5, column 2 'Extent, description and situation of the land' the wording 'located on the south east quadrant' is amended to 'located south'.
- x. Map 1 of 2 and Map 2 of 2 are replaced by revised maps.

#### CONSIDERATIONS FOR DECISION

4. At the end of the statutory objection period, 2 statutory and 13 non-statutory objections had been received. It was decided that concurrent Public Local Inquiries should be held for the purposes of hearing those objections. An independent Inspector, D M Young JP BSc (Hons) MA MRTPI MIHE, was appointed by the Secretary of State and Inquiries were opened on 08 July 2025 at The Worcester Suite, Orchard Hotel and Restaurant, Beeston Lane, NG7 2RJ and closed in writing on 06 August 2025.

5. The Inspector reports that at the closing of the Inquiries the 2 statutory and 7 non-statutory objections had been withdrawn. When the Inspector completed their report there were no statutory objections, and 6 non-statutory objections remaining. The outstanding objections were from Steve Parkhouse, Dave Mackrory, Donovan Lewis, Thomas Colley, Chris (no surname provided), and Rod Jones.

6. The Inspector considered all representations and objections about the Orders during the Inquiries and has since submitted a report to the Secretary of State, a copy of which is enclosed with this letter. The Secretary of State has given careful consideration to the Inspector's report and also to a number of relevant issues, as set out in *The Highways Act 1980* and *Compulsory purchase process: guidance*, in reaching her decision on the Orders. References in this letter to the Inspector's report are indicated by the abbreviation "IR" followed by the paragraph number in the report.

In relation to the SRO, namely that:

- i. where a highway is to be stopped up another reasonably convenient route is available or will be provided before the highway is stopped up; and

- ii. where a private means of access to premises is to be stopped up either no access to the premises is reasonably required or another reasonably convenient means of access to the premises is available or will be provided.

In relation to the CPO, namely that:

- i. whether there is a compelling case in the public interest to justify conferring on the acquiring authority powers to compulsorily acquire and use land for the purposes of the scheme, including whether reasonable efforts have been made by the acquiring authority to negotiate the purchase of land by agreement.
- ii. whether the purposes for which the compulsory purchase powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected (having regard to the Human Rights Act 1998).
- iii. the acquiring authority should have a clear idea of how it intends to use the land that it wishes to acquire.
- iv. sufficient resources should be available to complete the compulsory acquisition within the statutory period following confirmation of the Order, and to implement the scheme; and
- v. there should be a reasonable prospect of the scheme going ahead and it should be unlikely to be blocked by any impediment to implementation.

## CONCLUSIONS

7. The Secretary of State has considered carefully all the objections to, and representations about the Orders.

8. The Secretary of State agrees with the Inspector at IR 7.25 that all private means of access being stopped up are being provided with a reasonably convenient alternative. She also notes that no highways are being stopped up under the Side Roads Order (IR 7.26).

9. The Secretary of State notes the Inspectors conclusions at IR 7.3 and IR 7.4 and is satisfied that there is a need for the scheme giving the amount of new development proposed for the surrounding area and the traffic modelling evidence produced. The Secretary of State agrees with the Inspector that the public interest benefits of the scheme are likely to far outweigh its adverse impacts (IR 7.9).

10. The Secretary of State notes the Inspector's conclusions at IR 7.13 and IR 7.14 that National Highways have provided clear evidence they have engaged with proactive and consistent negotiation to voluntarily acquire interests from owners. That reasonable steps to secure all of the land and rights included in the CPO by agreement. and that The Secretary of State, like the Inspector, considers that the use of compulsory purchase powers by National Highways can be regarded as a last resort, and in keeping with the CPO Guidance.

11. The Secretary of State agrees with the Inspector's conclusion at IR 7.15 that the scheme would provide significant public interest benefits which would far outweigh its adverse impacts.
12. The Secretary of State notes the Inspector's comments at IR 7.19 that the reason for acquisition of each plot is clearly explained by National Highways in the Statement of Reason and the Statement of Case. The Secretary of State is satisfied sufficient evidence has been provided and there is a clear idea of how the land to be acquired will be used.
13. The Secretary of State notes the Inspector's conclusions at IR 7.11 that all the necessary resources are likely to be available to implement the scheme within a reasonable timescale. The Secretary of State, like the Inspector, is satisfied that there are no known legal or physical impediments to the implementation of the scheme (IR 7.12). The Secretary of State agrees with the Inspector's conclusion at IR 7.20 that there is a compelling case in the public interest for the CPO to be confirmed. The public interest would outweigh the private loss of those people with an interest in the land and that the interference with their human rights would not be disproportionate.
14. The Secretary of State notes the Inspector's comments at IR 7.21 that National Highways, with its duties in mind under the Equality Act 2010 and its Public Sector Equality Duty, had undertaken an Equalities Impact Assessment and found that the scheme would be unlikely to result in an actual or potential negative impact on any persons with a protected characteristic. The Secretary of State has nothing before her that would lead her to a different conclusion from the Inspector.
15. The objections fell under two distinct themes: health and property impacts and the effects on right of way (IR 5.1).
16. The Secretary of State notes the Inspector's conclusion that based on the evidence that was before him, and considering that the scheme included improved crossing facilities at the Wheatcroft and Nottingham Knight junctions as well as speed limit reductions on the A52 approaches, that there was no requirement to improve or divert existing public rights of way or to provide additional pedestrian routes or crossing facilities (IR 7.30). Furthermore, that the purchase of land by a compulsory purchase order to facilitate a diversion of the bridleways is not a legitimate requirement for the scheme and that it would be difficult to justify a compelling case to use compulsory purchase order powers to force the local landowner to sell their land to accommodate a diverted bridleway (IR 7.32).
17. The Secretary of State notes the Inspector's conclusion that the substantial body of evidence contained in the Environmental Statement did not support the objectors' concerns relating to air quality and noise and that where adverse effects were identified that they would not be significant (IR 7.33).
18. The Secretary of State notes the Inspector's conclusions with regard to the objections raised by Donovan Lewis and is satisfied that, as there is no existing private means of access being stopped up to Windways in the SRO, and as plot 2/14 is in the ownership of National Highways and necessary for the scheme, the matters of providing a

private means of access to Windways or off-street parking are outside the scope of the orders (IR 7.34).

19. The Secretary of State notes the Inspector's conclusions regarding the removal of the current left turn onto the A52 from Landmere Lane being necessary in the interests of safety, and that the modelling was clear that the proposed scheme would result in a significant improvement in queuing and delay to the A60 (north) approach to the Nottingham Knight junction to the benefit of local roads and residents (IR 7.35). The Secretary of State also notes the Inspector's conclusion that a reduction in the speed limit along the entire length of dual carriageway between the two roundabouts would be at odds with the purpose of the scheme which was to improve journey times (IR 7.37).

20. Having considered all aspects of the matter the Secretary of State is satisfied that there are no compelling reasons brought forward which would justify not confirming the Orders. Accordingly, the Secretary of State agrees with the Inspector's recommendations and has decided to confirm, as modified by her, 'The National Highways (A52 Nottingham Junctions, Nottingham Knight junction and Wheatcroft junction improvement) (Side Roads) Order 2024', and 'The National Highways (A52 Nottingham Junctions, Nottingham Knight junction and Wheatcroft junction improvement) Compulsory Purchase Order 2024'.

21. In confirming the Orders, the Secretary of State has relied on the information that National Highways and others have provided, as contained in the Orders and any related plans, diagrams, statements, or correspondence, as being factually correct. Confirmation is given on this basis.

22. Where not otherwise stated in this letter, the Secretary of State can be taken to agree with the findings, conclusions and recommendations set out in the Inspector's report and the reasons given for the Secretary of State's decision are those given by the Inspector in support of the conclusions and recommendations.

### COMPENSATION

23. Details of compensation arising as a consequence of confirmation of a CPO are a matter for negotiation with the acquiring authority and not the Secretary of State. Accordingly, qualifying persons in relation to the land included in the CPO will need to be approached by National Highways about the amount of compensation payable to them in respect of their interests in the land. If the amount cannot be agreed the matter may be referred for determination by the Upper Tribunal (Lands Chamber) under the Lands Tribunal Act 1949 and the Land Compensation Act 1961 and 1973, as amended by the Planning and Compulsory Purchase Act 2004.

### AVAILABILITY OF DOCUMENTS

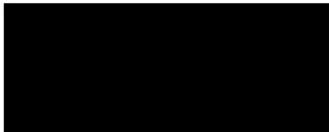
24. A copy of this letter, together with a copy of the Inspector's report, have been sent to those parties who appeared at the Inquiries, other interested parties, and relevant Members of Parliament. Copies will be made available on request to any other persons directly concerned.

25. Please arrange for a copy of the Inspector's report and of this letter to be made available for inspection at <https://nationalhighways.co.uk/our-roads/east-midlands/a52-nottingham-junctions/> and at all other places used to deposit the Orders for public inspection at making stage. Any person entitled to a copy of the Inspector's report may apply to the Secretary of State for Transport, at the address shown on this letter within 6 weeks of the receipt of this letter, to inspect any document, photograph or plan submitted by the Inspector with the Inspector's report.

#### RIGHT OF CHALLENGE

26. Notice is to be published of confirmation of the Orders. Any person who wishes to question the validity of the confirmed Orders, or any particular provision contained therein, on the grounds that the Secretary of State has exceeded her powers or has not complied with the relevant statutory requirements in confirming them may, under the provisions of Schedule 2 to the Highways Act 1980 and section 23 of the Acquisition of Land Act 1981, do so by application to the High Court. Such an application must be made within six weeks of publication of the notice that the Orders have been confirmed. The High Court cannot entertain an application under Schedule 2 or section 23 before publication of the notice that the Secretary of State has confirmed the Orders.

Yours sincerely



**TIM BRIMELOW**

Authorised by the Secretary of State for Transport  
to sign in that behalf