



The Planning
Inspectorate

Report to the Secretaries of State for Transport and for Communities and Local Government

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an Inspector appointed by the Secretaries of State for Transport and for Communities and Local
Government

Date: 8 August 2011

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

THE A1 TRUNK ROAD (ELKESLEY JUNCTIONS IMPROVEMENT) ORDER 20..

**THE A1 TRUNK ROAD (ELKESLEY JUNCTIONS IMPROVEMENT) SIDE ROADS
ORDER 20..**

**THE A1 TRUNK ROAD (ELKESLEY JUNCTIONS IMPROVEMENT COMPULSORY
PURCHASE) ORDER (No()) 20..**

Dates of Inquiry: 19 July 2011 to 21 July 2011

Ref: 065/002/0001481

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CASE DETAILS

1 The A1 Trunk Road (Elkesley Junctions Improvement) Order 20..

- This draft Order would be made under sections 10 and 41 of the Highways Act 1980.
- The draft Order was published on 22 October 2009.
- The Order would authorise the construction of slip roads connecting to the A1 Trunk Road at Elkesley.

Summary of Recommendation: That the Order should be made as drafted.

2 The A1 Trunk Road (Elkesley Junctions Improvement Side Roads) Order 20..

- This draft Order would be made under sections 12, 14 and 125 of the Highways Act 1980.
- The draft Order was published on 22 October 2009.
- The Order would authorise the stopping up of highways, the creation of new highways, the stopping up of private means of access and the creation of new private means of access at Elkesley.

Summary of Recommendation: That the draft Order should be modified and then made.

3 The A1 Trunk Road (Elkesley Junctions Improvement Compulsory Purchase) Order (No ()) 20..

- This draft Order would be made under sections 239, 240, 246 and 260 of the Highways Act 1980, as extended and supplemented by section 250 of that Act and under section 2 of the Acquisition of Land Act 1981.
- The draft Order was published on 22 October 2009.
- The Order would authorise the compulsory purchase of land required for alterations to the A1 trunk road and side roads and slip roads associated with the trunk road alterations.

Summary of Recommendation: That the draft Order should be modified and then made.

1 PREAMBLE

- 1.1 On 19 July 2011 I opened concurrent local inquiries ("the Inquiry") at the Village Hall, Elkesley to hear representations and objections made following the publication of the draft Orders described in the Case Details at the head of this page ("the Scheme"). The Inquiry sat on three days and I closed it on 21 July 2011.

- 1.2 Before the Inquiry I made unaccompanied site visits to various locations which were the subject of representations to the Inquiry. I identified those locations at the Inquiry and, there being no request from any party that I should visit any other location, it was agreed at the Inquiry that I need make no further visit.

Purpose and Scale of the Proposal

- 1.3 The purpose of the proposal is to improve access to Elkesley across the A1 trunk road by the provision of a bridge and to improve the trunk road itself, thus allowing the removal of a 50 mph speed limit on the A1 at Elkesley. The scheme extends over a distance of some 2 kilometres along the A1, and associated new side roads and slip roads are proposed.

Numbers of Objectors and Supporters

- 1.4 Nine objections remained at the start of the Inquiry, and none was withdrawn. In addition to the promoter, 24 parties made representations of support for the scheme.

Main Grounds for Objection

- 1.5 Objections raised by more than one party related to:

- a) The environmental effects of the Scheme; and
- b) Proposals to change access arrangements.

Statutory Formalities

- 1.6 The Highways Agency confirmed that it had complied with all necessary statutory formalities. A Compliance Pack was provided, which was updated at the Inquiry by document HA4.

Scope of this Report

- 1.7 This report contains a brief description of the site and its surroundings, the gist of the evidence presented and my conclusions and recommendations. Lists of inquiry appearances and documents are attached. Proofs of evidence are identified; these may have been added to or otherwise extended at the Inquiry, either during examination in chief or during examination.

2 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The village of Elkesley is very largely on the south-western side of the A1 trunk road, between Newark and Doncaster. This part of the A1 is a dual 2-lane carriageway all-purpose road and is on a broadly south-east/north-west alignment. The market town of Retford lies some 6 kilometres to the north. Retford connects to the A1 via grade separated junctions with the A638 (at Markham Moor, some 4 kilometres south-east of Elkesley), with the B6387, (via Gamston, at Twyford Bridge, several hundred metres south-east of Elkesley), and with the A620 at Ranby, several kilometres to the north-west of the village. Jockey Lane meets the A1 at an at-grade junction a few hundred metres north of the village, and leads north towards Retford.
- 2.2 Vehicular access to Elkesley is generally taken at two points, both from the A1. At the south-eastern end of the village, Twyford Lane turns south off the A1 and leads into the High Street. Access here may be gained only to or from the northbound carriageway of the A1. The Indian

Chef restaurant has direct access from and to the A1 a short distance north-west of this junction. The High Street runs for several hundred metres through the village to Top Farm, where it runs into Coalpit Lane. A short connector road leads from High Street/Coalpit Lane to the A1, where a staggered at-grade junction with the A1 allows all movements to and from the village. A layby takes access from the northbound carriageway of the A1 between the High Street access and the Jockey Lane junction. Cross Lane is a byway open to all traffic, leading south and west from the Jockey Lane/A1 junction through woodland and open country to Coalpit Lane. I saw several notices there, bearing the name of the Bassetlaw District Council, warning of penalties for leaving rubbish in Cross Lane.

- 2.3 Tea Table Cottage stands near the south side of the A1, about 600 metres north-west of Cross Lane, and takes access directly from the trunk road. At Apley Head, some 5 kilometres north-west of Elkesley, the A1 meets the A57 road to Worksop and the A614 toward Nottingham. This is a grade-separated junction with an off-line roundabout. The Markham Moor junction, to the south-east, connects the A1 to the A638 (as previously mentioned) and to the A57 to Lincoln.

3 PROCEDURAL MATTERS

3.1 Alternatives

- 3.1.1 Notice of the Inquiry was published on 21 April 2011 which included a requirement that any person who intended at the Inquiry to submit

- a) that any highway or proposed highway to which the draft Orders relate should follow an alternative route, or
- b) that instead of improving diverting or altering a highway to which a draft Order relates, a new highway should be constructed on a particular route,

should provide, not later than 18 May 2011, sufficient information about the alternative route or the route of the new highway to enable it to be identified.

- 3.1.2 One such alternative proposal was submitted in that way, by Mr Horrocks, and that appears elsewhere in my report (6.6.2).
- 3.1.3 The Greaves family, in their letter dated 19 January 2010, expressed a belief that an alternative scheme could be designed which would cause less effect at a much lower cost. They provided no further details and brought none to the Inquiry. I explained to Mr Greaves on the second day of the Inquiry that, in the absence of timely details, I would not consider further representations on the point.

4 THE CASE FOR THE HIGHWAYS AGENCY

The material points were:

4.1 Need for the Scheme

- 4.1.1 Dualling of the A1 in the East Midlands was completed in 1971. The A1 dual carriageway at Elkesley was built, in several stages, before 1958. An Order made in 1972 allowed alterations of the central reservation so as to widen it and create a second gap near the High Street junction. The nearby Twyford Bridge junction was improved at the same time to a

grade-separated form.

- 4.1.2 The incremental development of the section of the A1 past Elkesley has resulted in a length of road of a markedly different character to the rest of the route through the East Midlands. Although a dual two-lane all-purpose trunk road, as elsewhere, it is conspicuous by its preponderance of single-level junctions, closely-spaced with central reservation gaps, multiple private means of access and varied horizontal and vertical geometry.
- 4.1.3 In 1997-8, small-scale safety measures were introduced on the A1 here. They include lighting on 3.5 kilometres of the road, a 50 mph speed limit and four speed cameras. These measures have rebalanced the effects of the A1's failings, making the road operate relatively safely and somewhat easing local access (at the expense of journey times for through traffic), but underlying problems remain.
- 4.1.4 A lack of facilities for non-motorised highway users ("NMUs") is not unusual on rural trunk roads, but is drawn sharply into focus at Elkesley by the village's total dependence for access on the A1. No part of the extensive rights of way network south of Elkesley, which includes part of the Robin Hood Way long-distance path, crosses the A1 except the at-grade byway crossing at Cross Lane/Jockey Lane. The absence of NMU crossing facilities, and the absence of NMU facilities along the A1 between the High Street and Jockey Lane junctions, render impractical journeys towards Retford, the nearest town, other than by motorised means. NMU trips eastward, to the B6387 towards Gamston, are made very difficult by the presence of only a discontinuous footway along the A1 between Twyford Lane and Twyford Bridge.
- 4.1.5 Elkesley has no road access other than from the A1. In severing Elkesley from much of the surrounding countryside, public rights of way and the amenities of Retford, the trunk road at Elkesley has an effect counter to the objectives of facilitating transport mode choice, encouraging cycling and walking, and overcoming rural isolation for those without a car. When the A1 is closed by incidents or for maintenance, Elkesley can become cut off, and congestion on the trunk road - though reduced by recent improvements at Apley Head and Markham Moor - can pose a serious inconvenience or indeed in emergencies a very real danger to people in Elkesley.
- 4.1.6 Residents of Elkesley and others have long argued for improvements to the road layout, and a local campaign group (the Elkesley Bridge Campaign) has been established.
- 4.1.7 The main aims of the proposed improvement are therefore:
- a) To improve A1 access at Elkesley and Jockey Lane;
 - b) To provide a local link between Elkesley and Retford, separating through and local traffic and reducing severance;
 - c) To improve local and agricultural access; and,
 - d) To allow the restoration of the national speed limit on the A1 through Elkesley.

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- 4.1.8 The Scheme arose from an access study made in 2000 and was developed in parallel with a series of public consultations over the period 2001 to 2008. The preferred route was announced on 23 July 2008.
- 4.2 **Scheme Description**
- 4.2.1 The essence of the Scheme is to provide a two-level all-movements junction northwest of Elkesley with links to Jockey Lane, Coalpit Lane/High Street and, via a byway diversion, Cross Lane. The Twyford Lane junction would be modified to close permanently the substandard and lightly-used (typically 25 vehicles during a 12-hour period) access to the northbound A1 there. The junction proposal is shown on the general arrangement drawing (document DD10) and has these features:
- a) It uses the compact geometry enabled by the Design Manual for Roads and Bridges, enhanced in response to residents' concerns by increasing the merge and diverge spaces.
 - b) It has a hybrid layout, separating the northbound slip roads from the bridge and diverting that part of Coalpit Lane between the junction and the village further away from nearby houses. This reduces the impact of the scheme on the landscape, moves increased traffic on Coalpit Lane further from houses there than would otherwise be the case, allows for the provision of a cycle route, makes the junction convenient for the Elkesley traffic it is mainly designed to serve and somewhat increases local road network resilience by reducing reliance on the link road to the bridges for access and egress. By the use of an off-line roundabout, the need for land acquisition at Jockey Lane is minimised.
 - c) It would include horizontal and vertical alignment improvements to both carriageways of the A1, and those would allow restoration of the national speed limit under separate traffic regulation orders. The lighting on the A1 would remain and, at the request of the local highway authority, the proposed roundabouts and the link between them, the slip roads, part of the Coalpit Lane diversions and the Headland Avenue extension would all be lit.
- 4.2.2 The layby that is currently between the High Street junction and Cross Lane would be too close to the High Street junction to safely comply with current design requirements and so it would be removed. The layby on the southbound carriageway would also be too close to the proposed southbound merge lane and would be closed. No replacement would be provided for either layby. Current design standards for the siting of laybys also require the road to be curved less sharply than is the case at either current layby site.
- 4.2.3 All private means of access from the A1 would be removed, other than those which serve the Indian Chef restaurant. A new access would be created from Twyford Lane to the restaurant's car park, which would be segregated to prevent through traffic.
- 4.2.4 The Cross Lane BOAT (byway open to all traffic) would be stopped up for a short distance to the immediate south of the A1 and instead extended
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to the south east to meet the link road to Coalpit Lane. Removal of the private means of access from the trunk road to Tea Table Cottage would necessitate the provision of an alternative access, and that would be provided by means of a concrete roadway, some 650 metres long, along the field margins parallel to the trunk road from Cross Lane (at its north-eastern end), which would serve as a private means of access to those fields, to Tea Table Cottage and to the Tea Table Plantation that lies behind the cottage.

- 4.2.5 Tea Table Cottage currently has a direct access from the northbound carriageway of the A1 around 650 metres north of the Jockey Lane junction, and immediately before the end of the 50 mph speed restriction on that carriageway. There is a summit in the road on the approach to the Cottage which limits forward visibility to a dangerous extent. Closure of the access onto the A1 is necessary to maintain the safe operation of the Scheme. The access roadway described in paragraph 4.2.4 of this report offers the most convenient alternative access to the Cottage. It would permit the property owners to access the local highway network either into the village, via the re-aligned Coalpit Lane, or to Retford via the new bridge and link to Jockey Lane; and it would allow access to the A1.
- 4.2.6 Non-motorised users of the highway would benefit from the creation of a continuous route from Elkesley to Jockey Lane. The route would be along roads proposed to be subject to a speed limit of 40 mph, and so it would be appropriate for cyclists and equestrians to share the road with motor vehicles. Jockey Lane and Cross Lane would be closed at their junction with the A1, and barriers consisting of landscaped verge with hedges would be provided to deter crossing of the A1 here. Jockey Lane would be diverted within the new junction, and Cross Lane would be linked to the new bridge link road via a new length of byway open to all traffic, with a bituminous surface.
- 4.2.7 There is no local drainage outfall. Instead, the scheme would be drained by freely-draining soakaways with sides sloping at 1:4, close to the trunk road or slip roads leading to it.
- 4.2.8 Public utility suppliers have been contacted in the development of the scheme. Localised diversions or protection works will be implemented to ensure that supplies are not harmed.
- 4.2.9 Drawing number 7.3 in the Stage 3 Environmental Assessment Report (document DD07) shows the proposed landscaping. Belts of shrubs and trees would be planted along new road embankments. There would be shrub planting with intermittent trees on narrower sections of road margins, and shrub and tree planting round the soakaways. Hedgerows would be retained where possible, and new hedgerows planted, with intermittent trees, where appropriate such as along the northern side of the realigned section of Coalpit Lane.
- 4.2.10 Plans have been produced showing how the land proposed to be compulsorily acquired corresponds with the road, drainage and other proposals in the Scheme. There is a clear purpose for all land and interests in land the Highways Agency proposes to acquire.

4.3 Traffic and Economics

Current Conditions

4.3.1 A study area was defined, to include all the roads near the Scheme that are likely to be affected by it. These include A1 Worksop Road and, to its north, Jockey Lane and, to its south, these roads in or near Elkesley: High Street, Coalpit Lane, Headland Avenue, Twyford Lane, Low Street, and the byways known as Cross Lane and Brough Lane.

4.3.2 In the study area:

- a) 17 personal-injury accidents were reported during the five-year period 2005 to 2009, of which none was fatal; and,
- b) Traffic surveys were undertaken in 2007. Manual classified counts were undertaken for the 12-hour period between 0700 and 1900, and automatic traffic counts were secured for the month of October.

Expected Future Conditions

4.3.3 Future traffic flows were estimated using growth rates derived from the Department for Transport's National Trip End Model. Forecasts were prepared for 2011 and for 2026. In accordance with the advice of the Design Manual for Roads and Bridges, user cost savings were calculated in the context of a fixed trip matrix and the following assumptions were made:

- o The traffic to and from the village and the A1 would be the same with the Scheme as without it.
- o For a base case assessment, no traffic would be generated by the Scheme.
- o There would be no change of trip origins or destinations in the village due to the Scheme.

4.3.4 Traffic was reassigned to the proposed network on those bases and using the assumptions stated in Table 3-5 of document HA/TRA/P2. Traffic between Jockey Lane and Elkesley village would divert to the bridge link road and Coalpit Lane, and so traffic would increase on Coalpit Lane between the new link road and the High Street. The proposed junction would be convenient for most of its users, the majority of whom are local to Elkesley.

4.3.5 The use of full-scale variable demand modelling was assessed, using the methodology of WebTAG, but it was found that the overall changes in modelled benefits would be so small as to establish that such an approach would not be justified. For example, the induced traffic along the A1 would be not greater than 90 vehicles (2-way) over a 12-hour period, whereas the 2007 surveys found 2-way 12-hour flows on the A1 to vary between 29,489 and 32,152.

4.3.6 The future performance of the proposed new priority junctions (Coalpit Lane/bridge link road and High Street/Coalpit Lane) have been assessed for the forecast 2011 reassigned fixed matrix flows using the standard PICADY software and the results show that the junctions would operate well within their capacities even in the peak hours. The junctions would also operate successfully in the 2026 design year.

- 4.3.7 The Scheme would not result in Jockey Lane attracting significantly more traffic than it does now, as there are several other routes between the A1 and Retford:
- On A-class routes, via the A620 at Ranby or via the A638 at Markham Moor.
 - On local routes, via the B6420 and the A620 from Apley Head or via the B6387 and the A638 via Twyford Bridge.
- 4.3.8 Data from the 2001 National Census show that only 52 daily travel to work trips were made between Elkesley and Retford. It is reasonable to assume that a proportion of those trips already use Jockey Lane, and so a significant increase is unlikely.
- 4.3.9 The accident rate in the study area is lower than average. The COBA assessment method requires the average accident rate to result from new schemes and that has been allowed for in the economic assessment of this scheme. This results in an indicative reduction in road safety in the assessment, which is a conservative conclusion in this case.
- 4.3.10 The Scheme would be associated with an increase in the speed limit on the A1 through Elkesley, from 50 mph to 70 mph. The resulting change in link transit costs (travel times) amounts, over the assessment period, to £8,466,000 for southbound A1 traffic and £4,842,000 for northbound A1 traffic.

Economic Assessment

- 4.3.11 The transport economic efficient of the scheme, assessed in accordance with current methodology over a 60-year assessment period, is as follows:

Costs and Benefits Summary Results (£000)	
<u>Benefits</u>	
Consumer User Benefits	7,768
Business Benefits	8,795
Private Sector Provider Impacts	-21
Accident Benefits	-983
Emission Benefits	-436
Present Value of Benefits (PVB)	15,123
Indirect Tax Revenues (a)	-3,906
PVB – (a)	19,029
<u>Government Funding</u>	
Operating Costs	135
Investment Costs	5,043
Cost to Funding Agency	5,178
Net Present Value	13,851
(PVB – (a))/Cost to Funding Agency	3.67 Benefit:Cost Ratio

4.3.12 The scheme would provide substantial net benefits over its design life, both to the village of Elkesley and to the wider community at large using the A1 trunk road. The benefit:cost ratio indicates that the Scheme offers good value for the expenditure of public funds.

4.4 **Environmental Effects of the Scheme**

4.4.1 On 26 February 2009 the Secretary of State for Transport gave notice that the Scheme, which is a relevant project within the meaning of section 105(A)(1) of the Highways Act 1980, is not subject to environmental impact assessment, in accordance with Part VA of the Highways Act (Document DD06).

4.4.2 Notwithstanding that, studies and assessments have been undertaken in accordance with the Design Manual for Roads and Bridges.

Air Quality

4.4.3 Use of the Scheme would not result in exceedences of limiting concentrations of nitrogen dioxide or particulates as defined in European or national air quality standards. Dust and nuisance during construction would be controlled by a Construction Environmental Management Plan to which the contractor would be bound.

4.4.4 The Scheme would result in additional traffic-related carbon emissions of some 42,108 tonnes over the 60-year assessment period. But that would be a locally-sourced effect within the broader balance across projects included in national strategies and plans that is biased towards a net reduction in carbon emissions. And it is undoubtedly the case that vehicles will continue to become more fuel-efficient, and that therefore emissions from them will reduce in future.

Cultural Heritage

4.4.5 The Scheme would have no direct impact on any scheduled monuments, listed buildings or conservation areas, nor on the setting of any. Potential late prehistoric/Romano-British crop marks have been identified to the west of Scheme. Precautionary measures would be included in the works contract to maintain an archaeological watching brief and, should the need arise, to take necessary measures (in consultation with English Heritage and the County Archaeologist) in respect of any significant remains found.

Ecology

4.4.6 No designated site or feature of nature conservation interest would be affected by the Scheme.

4.4.7 None of the habitats that would be affected has been identified as being of more than local importance. They do, however, have the potential to host breeding birds, bats (in roadside trees) and reptiles (in grassland along roadside verges). The appointed contractor would be required to determine the presence or absence of such species groupings and to make due allowance for any implications for the construction programme, for any need to obtain statutory licences, and for the exclusion of reptiles from the construction works.

Noise

4.4.8 The noise effects of the scheme have been assessed in accordance with

Calculation of Road Traffic Noise, the Department for Transport's recommended tool for calculating road traffic noise.

- 4.4.9 The predicted increases in noise levels in the opening year, at properties near the A1, the proposed grade-separated junction or local roads in the vicinity of the village vary from 0.3 to 1.7 decibels and in the design year from 0.4 to 1.8 decibels. In the long term, an increase of 3 decibels is the lowest that is considered perceptible. Therefore, there would be no need for noise mitigation specific to traffic-related noise should the Scheme and the associated speed limit changes go ahead.

The Water Environment

- 4.4.10 The highway drains associated with the Scheme would discharge to aquifers and it appears that the current high drains do the same. However, there is currently no ability to isolate and contain significant accidental spillages on the highway, such as those that might follow an accident. Nor is it likely that the current system could meet the current requirement to cope with a 100-year storm, and to allow for climate change.
- 4.4.11 The scheme would protect the water environment by the incorporation of infiltration basins, the performance of which in respect of pollutants are expected to be "good" for suspended solids and associated heavy metals, "moderate/good" for heavy metals in solution and "moderate/good" for oil and grease. Oil interceptors or separators, and grassed swales, may also be incorporated as the detailed design progresses. The design of the infiltration basins has been informed by the results of field tests of the absorption of water from test pits at the site.
- 4.4.12 No discharge consent would be needed and so no impediment to the Scheme could arise in that respect.
- 4.4.13 The proposed measures would keep the risk of contamination of surface waters or ground water below the threshold accepted by the Design Manual for Roads and Bridges as an indicator that further mitigation could prove appropriate.

Landscape and Visual Effects

- 4.4.14 Studies and assessments have been undertaken of the Scheme's effect on landscape character and its visual impact. They concluded that the Scheme would extend the influence of the road corridor to the north-west of the village but that it would not result in a marked change in the composition of countryside, village and heavily-used road corridor. There would be no marked change in perception of the wider countryside beyond the immediate road corridor.
- 4.4.15 The location of the junction relative to the village and other property in the surrounding countryside, existing vegetation between the village and the A1 and near to properties outside the village, combined with the planting proposals for the Scheme, limit potentially significant impacts on property to those that front onto Coalpit Lane. The outlook from those properties currently extends across slightly elevated ground to include traffic on the A1. The initial effect on that view of the completed earthworks and bridge would reduce as Scheme planting becomes established and mature. In due course that planting, rather than the earthworks and bridge, would become the principal new focus in the

landscape.

- 4.4.16 Lighting columns would be fitted with cut-off lanterns which would prevent light spillage involving The Gables (in Jockey Lane) or any other dwelling.

Land Use

- 4.4.17 The Scheme would take nearly 22.5 acres of agricultural land, reducing available productive land and causing fragmentation or severance to existing operational farming units. The land in question is most likely to be of the best and most versatile type for agriculture. Planning Policy Statement 7 *Sustainable Development In Rural Areas* requires that the loss of such land should be taken into consideration when development is being proposed. In the case of the Scheme, the loss of such land would be below the 20 hectare limit above which the design manual for roads and bridges requires DEFRA to be notified, and would not be significant; and the provision of a junction to meet the Scheme's objectives at Elkesley is constrained in relation to location and hence the grade of land that would be required.
- 4.4.18 Compulsory Purchase Order Plot 4a refers to land that would be needed for an earlier version of the Scheme, but is not needed for the Order Scheme. Further works, not part of the current Scheme, are now being planned at Twyford Bridge Junction and they would necessarily incorporate plot 4a. That scheme, shown in document HA/11, has a very high probability of proceeding (with a benefit:cost ratio of more than 2.5) and its development is being funded by the Highways Agency. It is funded for progression towards options consultation in the current financial year. There is a prospect of developer funding for the northbound improvements at Twyford Bridge, subject to a final section 278 agreement. Following discussions with the landowner, Joseph Camm Limited, the Highways Agency proposes to acquire plot 4a at the same time as plot 4 under a single transaction. (The Schedule to the draft Compulsory Purchase Order shows there to be no other interest in plots 4a.) By avoiding a future compulsory purchase order in respect of Joseph Camm Limited, essential acquisition would be simplified and the costs reduced; and the beneficial use of the land would be disrupted only once. The Highways Agency has considered purchasing the land by agreement but does not favour that approach. Should the scheme not be realised for some reason then the Highways Agency would no longer be required to purchase the land compulsorily so long as a notice to treat had not been served: whereas if the land were purchased by agreement the Highways Agency would, in such circumstances, own land which they would no longer require.

4.5 **Spatial and Transport Planning Policy**

- 4.5.1 The Scheme is consistent with the emerging Bassetlaw Core Strategy, which classifies Elkesley as a rural service centre and a focus for modest housing growth and service provision. The Scheme would also assist (but is not essential to) proposals for a biomass plant at Cross Lane, housing in the village and a recycling centre at Jockey Lane. Studies undertaken for the Bassetlaw Local Development Framework identify the Elkesley junctions as a key transport improvement need.
- 4.5.2 The Scheme would reduce severance and improve access by public

transport, walking and cycling; all of which would be consistent with Planning Policy Guidance 13 *Transport*. The East Midlands Regional Plan seeks to restrict unnecessary car trips and encourage walking and cycling for short journeys.

- 4.5.3 Nottinghamshire County Council's Local Transport Plan 2011-2015 (Document DD151) supports the Scheme and urges its implementation.

4.6 **Implementation**

- 4.6.1 As is usual practice for Local Network Management Schemes such as this, the Scheme was funded (until the fiscal year 2010-11) on a year by year basis. The comprehensive spending review in October 2010, which set the Highways Agency's budgets for the period 2011 to 2015, enabled the HA to commit to funding the Scheme through to construction and opening (subject to the completion of statutory processes and pre-construction checks on affordability and value for money). The Highways Agency's budgets include confirmed funding for the Scheme through the years 2011-12 to 2013-14.
- 4.6.2 Subject to the completion of the statutory process, the Highways Agency hopes to award a design and build main contract for the Scheme during the first half of 2012, allowing construction to start by the end of 2012. Construction of the main works would be substantially complete within 15 months, and the remaining work would take a further 3 months.

5 **THE CASES FOR THE SUPPORTERS**

The material points were:

5.1 **Mr John Millar**

- 5.1.1 People in the village have campaigned for a bridge over the A1 at Elkesley since at least the mid-1990s, when a petition was presented to the Prime Minister. Local MPs have all been fully involved and supportive at all times but it took the current Member, John Mann MP, to get the campaigners to their present situation.
- 5.1.2 There have been few accidents on the A1 at the various village access points, but every time you venture forth you take your life in your hands. Accidents elsewhere on the A1 almost always result in closure of the road in both directions. Motorists, bus passengers and even emergency services trying to get to the village are all stranded. Non-residents are often scared to visit the village.
- 5.1.3 The A1 and the difficult access to Elkesley combine as a dominant feature of life in the Retford area. The housing market is depressed. The villagers now have in sight the most viable solution to the problem ever, and urge the Secretary of State to approve the Scheme.

5.2 **Mr Steven Richardson**

- 5.2.1 In addition to points previously put, Mr Richardson referred to the effect of blockages on the M1 (such as the recent fire at Mill Hill) which cause traffic to increase noticeably on the A1 at Elkesley, and to the dangerous practice of some drivers in performing U-turns at the central reservation gaps on the A1 there.

5.3 **Nottinghamshire Local Access Forum**

5.3.1 The Forum is a statutory independent body set up to give advice on matters relating to countryside access. Cross Lane should not be altered by the Scheme in such a way as would create a cul-de-sac for motor vehicles. Therefore, the Forum supports the modified Scheme proposal that would add a byway open to all traffic from the proposed link road (between Cross Lane and the bridge) and the existing BOAT at Cross Lane. This would allow a continuous route for all legitimate BOAT users from the existing Cross Lane byway to the new link road.

5.4 **Mrs Lucy Vernon**

5.4.1 Mrs Vernon presented newspaper cuttings dating from at least 1989 that refer to the campaign at that time for a bridge over the A1. Her evidence also endorsed points put by other supporters of the Scheme.

5.5 **Nottinghamshire Area Ramblers**

5.5.1 The Ramblers emphasised the importance of the non-road section of the Scheme between the proposed link road and the Cross Lane byway.

5.6 **Mr Stronach**

5.6.1 Mr Stronach referred to three traffic accidents in which he had been involved on the trunk road since 1969, and endorsed points put by others in support of the Scheme.

5.7 **Mr Holmes**

5.7.1 Mr Holmes endorsed points put by others in support of the Scheme.

5.8 **Additional Matters In Support Of The Scheme Raised In Written Representations**

5.8.1 **Mr R Beard** submitted a petition bearing 361 names, in support of building a bridge over the A1.

5.8.2 **John Mann MP** endorsed points put by others in support of the Scheme and referred to its expected economic effect. The current dangerous access routes deter local trade and the provision of a bridge would be good for the local economy. A safe entrance and exit route would encourage business to come into the village.

5.8.3 **Mr and Mrs Askew** object to the alternative access arrangement at Tea Table Cottage proposed by Mr Horrocks (section 6.6 of this report) on various grounds, and consider that the Alternative would jeopardise and delay the Scheme.

6 **THE CASES FOR THE OBJECTORS**

The material points were:

6.1 **M.W. Headland and Son**

6.1.1 Cross Lane would not be needed once the Scheme is in place. It is regularly used for fly tipping and drug dealing. It has also been used for access to fields by people trespassing on those fields in four-wheel-drive vehicles.

6.1.2 Once the Scheme is complete, Cross Lane (south of the proposed access to Tea Table Cottage) should be extinguished as a byway open to all traffic but retained for pedestrian or cyclist use. This would save

considerable money currently spent on clearing up Cross Lane, and stop the antisocial aspects as well.

- 6.1.3 The Highways Agency argues that byways for recreational motor use should form circuits, with a minimum of road use. That would not be the case here, as wherever the circuit went it would involve considerable road work.
- 6.1.4 The Highways Agency's consultation of groups with an interest in non-motorised use of the highway (document DD28) returned too small a response to be significant. And among that small response, the Local Access Forum and the County Council mirror one another's views, thus seeking to give the view of one body the appearance and weight of the views of two. The County Council should have attended the Inquiry to defend its position with respect to the BOAT. By letter dated 16 July 2010, M.W. Headland and Son asked the Highways Agency to forward the objection to the County Council "if you wish to".
- 6.2 **Mr Paul Headland**
- 6.2.1 The road corner at Twyford Lane and the High Street has a range of traditional buildings (in brick and pantile) on both sides of the road. On the inner curve of the bend there is no footway and the buildings come right up to, and form the edge of, the road. These buildings have been hit by vehicles travelling south-east from High Street to Twyford Lane, several times in the past. There is no forward visibility at the bend because the buildings are so close to the road. Traffic coming in the opposite direction cannot be seen in advance.
- 6.2.2 The nearby Indian Chef restaurant must rely on considerably more than trade from the village. Mr Headland has seen taxis and other traffic going south round Twyford Lane (after turning into the village off the A1) and then onto the A1 northbound carriageway and into the restaurant car park, at high speed and with scant regard for road safety. Such traffic could continue south on the A1 past the village to the Twyford Bridge flyover, and return via the northbound carriageway to the restaurant without coming into the village at all. But it chooses not to, even though the Twyford Bridge flyover is safe to use and has ample capacity for the extra 20 or so vehicles per day that would be diverted. The Highways Agency's TRICS analysis finds about the same number, and seems reliable.
- 6.2.3 The Side Roads Order Plan (DD03) shows a vehicular access (number 15) from Twyford Lane into the restaurant car park. Access 15 is not needed for road safety reasons, despite the Highways Agency's contention to the contrary, and should not be provided.
- 6.3 **The Greaves Family**
- 6.3.1 The Greaves family was represented at the Inquiry by Mr D Greaves. Mr Greaves farms at Top Farm, Elkesley. The business would remain viable, notwithstanding the loss of some land to the Scheme; but its profitability would be affected. Mr Greaves expects this would be a matter for compensation.
- 6.3.2 The Scheme proposes a cycleway to pass immediately outside the entrance to Top Farm. The visibility there would be poor and the situation hazardous when vehicles emerge from the farm yard –

particularly when reversing out, as they must.

6.3.3 Mr Greaves had been concerned that mosquitoes would breed in the drainage soakaways that would be part of the Scheme, but accepted the Highways Agency's rebuttal in that respect. Nevertheless, the depth of water that would accumulate in the soakways with even a 2-year storm would present a risk to children that should concern the Secretary of State.

6.4 **Mr Martin Watson**

6.4.1 Mr Watson trades as "Chris's Snack Bar" from a catering caravan parked at trading times in the northbound layby at Elkesley. His trading hours are 0700 to 1500, Monday to Friday, and 0700 to 1200 on Saturdays. He presented a petition in unspecified terms with many signatures (file Obj/7), and told the Inquiry that the signatories supported the retention of the layby.

6.4.2 The layby should not be closed. It is used by hundreds of vehicles each week. It is important because it is the last layby before the A1(M) that is safe and away from traffic. The Highways Agency says that closure is necessary because the merge facility from the High Street junction is so close, but there is a comparable layout at the recently-built Colsterworth junction on the A1. There is no need for a longer slip road north from the village.

6.4.3 It is important that drivers should be able to take a break, but not everyone can afford the prices at the service stations mentioned by the Highways Agency. The facility at Markham Moor is not open at weekends, and the Little Chef there is not suitable for trucks.

6.5 **Mr Harold Gay**

6.5.1 Mr Gay lives at The Gables, the closest dwelling in Jockey Lane to the Scheme. He objects to the Scheme on the following grounds.

- a) The scheme would increase noise at The Gables, by virtue of increased traffic on Jockey Lane, the elevated position of the Jockey Lane slip road above The Gables, the relative closeness of the slip road to The Gables, the proximity to The Gables of a roundabout where noisy gear changes will routinely occur, and increased traffic speed on the main line. The publication "Quiet Please" by the European Federation for Transport and Environment and the Health and Environment Alliance (file Obj6/1) identifies on page 9 that a three-decibel increase means a doubling of the volume of sound, and a ten-decibel increase means the sound is ten times louder.
- b) Increased road safety hazards on Jockey Lane, which is poorly drained and poorly swept clear of snow in winter, and by virtue of increased traffic passing the entrance to The Gables and the proximity of a bus stop to the proposed roundabout.
- c) Visual intrusion at The Gables by the Scheme's slip roads and associated lighting units. Hedges at The Gables' boundary are not dense enough, particularly in winter, to form an effective screen.
- d) The Scheme would cause additional light pollution.

- e) The Scheme would divert access between The Gables and the A1 to north and south, and a convenient alternative would not be provided.
- f) Since the initial work on the Scheme, planning permission has been granted for a scrap yard on Jockey Lane. This increases traffic flows there by about 80 vehicle movements a day, but the proposals do not seem to have been re-worked to cover that change.

6.6 **Mr M.W. Horrocks**

6.6.1 The proposed replacement private means of access to Tea Table Cottage has various disadvantages:

- a) The garage and outbuildings at Tea Table Cottage would become inaccessible.
- b) High cost.
- c) An on-site turning area would be needed for refuse collection and other large vehicles.
- d) To join the northbound carriageway at the same point (that is, outside Tea Table Cottage) would involve an extra 3 kilometres of travel.
- e) The proposed private means of access would be 300 metres longer than would otherwise be necessary.
- f) About half an acre of agricultural land would be lost.
- g) The new private means of access would create a future maintenance liability.
- h) The value of Tea Table Cottage would be greatly reduced.

6.6.2 A different replacement access should therefore be provided, of the form shown by the sketch in Mr Horrocks's letter dated 19 January 2010 and, in more detail, in Annex D of document HA/R4. This would overcome the above disadvantages. It was agreed in examination that the Annex D proposal would be more costly than the Scheme proposal.

6.6.3 The Highways Agency had identified a further access alternative, although it did not support that alternative. Annex C to Appendix C of document HA/R4 shows the design. Mr Horrocks finds the Annex C alternative to offer no advantage over the Scheme proposal.

6.7 **Mrs Ann Swann**

6.7.1 Mrs Swann lives at Tea Table Cottage, with her disabled husband. They enjoy the isolation of the site, and would prefer to retain their existing access from the trunk road. They find no difficulty in joining or leaving the road. The Scheme proposal for an alternative private means of access would be tortuous and inconvenient. The proposed access would be shared with heavy farm vehicles going to and from their fields and at those times mud would interfere with the track and Mrs Swann's small car. Mrs Swann has seen the other access alternative designed by the Highways Agency and finds it acceptable (Annex C to Appendix C of document HA/R4, also shown in Appendix D of HA/R2).

6.8 **Additional Matters In Objection To The Scheme Raised In Written Representations**

- 6.8.1 **Nottinghamshire County Council** supports the principle of the Scheme, and is prepared to contribute to its cost (Document HA/5), but objects to the proposal in the published draft Orders that would extend Cross Lane as a public road. Rather, any extension of Cross Lane should be as a byway open to all traffic so as to be consistent with the rest of Cross Lane.
- 6.8.2 **Mr and Mrs Raper** consider the Scheme unnecessary. The perception of danger is not a valid reason to spend large amounts of public money and, for those who consider dangerous the act of crossing the A1, there is always the option of travelling a little further and using the junctions at Apley Head or Twyford Bridge. There are alternative solutions to the perceived problems.

7 **ADDITIONAL REPRESENTATIONS**

The material points were:

7.1 **Additional Written Representations Regarding The Scheme**

- 7.1.1 Natural England was consulted and offered precautionary advice in respect of bats and breeding birds, and further advice in respect of amphibians and reptiles.
- 7.1.2 Joseph Camm Farms Limited would prefer that both plots 4 and 4a be purchased from them in a single transaction (Document HA/14).

8 **THE RESPONSE OF THE HIGHWAYS AGENCY**

The material points were:

8.1 **Response to M.W. Headland and Son**

- 8.1.1 Cross Lane has clear utility (although limited by its substandard connection to the A1) and recreational value. There is some evidence that it is prone to abuse. Its utility as a through route, north of Coalpit Lane, would be negated by the Scheme, but the local highway authority and user groups clearly consider that its recreational value would survive and they wish to see it preserved and support the proposal to divert the lane.
- 8.1.2 Had the Highways Agency sought to close, truncate or restrict Cross Lane, it would have received a statutory objection from the local highway authority and probably non-statutory objections from user groups. The modified scheme proposal has given rise to one non-statutory objection and three expressions of support, two of them from statutory bodies. This vindicates the proposal, which represents the minimum intervention into the local rights of way network by the Highways Agency necessary to achieve the trunk road objectives.
- 8.1.3 The proper management and maintenance of Cross Lane, both now and under the proposals promoted by the Highways Agency, are matters for the local authorities.

8.2 **Response to Mr Paul Headland**

- 8.2.1 The proposed restriction of access to the trunk road at Twyford Lane would be in keeping with the principal function of the trunk road as a

route for longer-distance through traffic. The proposed access to the restaurant site via Twyford Lane would improve the accessibility of the restaurant, to the benefit of local residents. The restaurant opens from 1700 to 2300. The potential impact of additional traffic movements in Twyford Lane and the High Street has been assessed as low, with a total of 7 additional movements (combined arrivals and departures) expected during the restaurant's busiest hour.

8.3 **Response to The Greaves Family**

- 8.3.1 The cycleway near Top Farm is the subject of a revised proposal (Document HA/10a) by which it would be realigned northwards by about 3 metres, creating a verge between it and Top Farm and thereby aiding visibility between users of the Top Farm accesses and pedestrians or cyclists. Drawing number HA/14/NOD/002 Revision 1 (Document HA/10A) shows the corresponding suggested modification to the Side Roads Order plan.
- 8.3.2 The same drawing also addresses a matter not raised by Mr Greaves. The centre line of the circulatory at the Jockey Lane roundabout is indicated, whereas it was wrongly omitted from the published draft Order plan.
- 8.3.3 The design of the drainage infiltration basins (soakaways) is based on absorption tests. They are designed to empty within 24 hours, even with a 1 in 100 year storm and with an allowance for climate change. Therefore they would not give rise to conditions that would attract mosquitoes. The maximum depth of water in the basins would be 550 mm in the case of a 1 in 100 years storm, 225 mm with a 1 in 5 years storm, and 141 mm with a 1 in 2 years storm.

8.4 **Response to Mr Martin Watson**

- 8.4.1 The A1 in Nottinghamshire is well provided with signed service areas. Large service areas, with HGV facilities including overnight parking, are provided at Markham Moor and Blyth, 11 miles apart (Elkesley is between these two sites), and at regular intervals beyond. The 11-mile interval may be compared with the 12-mile minimum spacing permitted for service areas on congested motorways, based on journey times of 30 minutes. However, although the A1 here resembles a motorway, it is not chronically congested; so, other than during major incidents, journey times between the service areas in the Elkesley area would not approach 30 minutes. There is no suggestion that HGV parking at the A1 service areas at Blyth, Markham Moor or elsewhere are inadequate.
- 8.4.2 Markham Moor truck stop offers parking at all times, free of charge for an initial 2 hours and for a fee of £15 thereafter. The truck stop restaurant opens from Monday to Friday inclusive, and adjoining restaurant facilities are available on the same site 7 days a week. Generally, there is no requirement at service areas for free parking to be provided for stays of more than 2 hours. Free parking is available at laybys, but their use for long-term parking is not recommended or intended.
- 8.4.3 Comparison is drawn with a recently-built junction and layby at Colsterworth on the A1. That arrangement was designed before the current relevant design standard (part TD69/07 of the design manual for

roads and bridges) came into effect.

8.4.4 The Highways Agency has studied the possibility of providing new laybys near Elkesley, but has found that no suitable site exists; any site chosen would require a Departure from standard, which implies an element of added risk. TD69 requires laybys to be at least 450 metres from a junction, which would preclude the retention (or replacement) of a layby at Elkesley. Even if it were possible, by some means, to retain or provide a layby at Elkesley, it would not be a trading layby; current policy provides that trading laybys will only be provided where there is no nearby service area, but the Markham Moor facilities are only 4 kilometres (2.5 miles) from Elkesley.

8.4.5 Mr Watson is authorised by Bassetlaw District Council to trade in the northbound layby at Elkesley.

8.5 **Response to Mr Harold Gay**

8.5.1 Traffic volumes along Jockey Lane are currently very low and increases there due to the Scheme are expected to be very slight. Traffic associated with the recently-approved industrial development is limited by condition to no more than 60 per weekday, and such a change would have no material impact on either Jockey Lane or the Scheme. The maintenance of Jockey Lane is a matter for the local highway authority, which confirms that the road is maintained in accordance with its status (it is a C-class road) and usage (it carries some 900 vehicles per 12-hour traffic survey day). The bus stop in Jockey lane is safely sited as it would be clearly visible to drivers entering Jockey Lane but, even if that were not the case, it could be moved.

8.5.2 The assessment of noise associated with the Scheme, at The Gables and elsewhere, accords with the nationally accepted guidance detailed in Volume 11 of the design manual for roads and bridges. If all other factors remained constant then a change in traffic speed of 20 mph would result in an increase of about 2.5 decibels. Other factors also influence the predicted noise levels at The Gables, the most significant being the introduction of the embankment supporting the link road to the east of the A1 which would serve as a partial barrier to noise associated with traffic on the trunk road and speed-related noise increases.

8.5.3 A noise increase of 3 dB(A) is identified by Planning Policy Guidance 24 Planning and Noise as the minimum perceptible under normal conditions, and an increase of 10 dB(A) corresponds roughly to doubling the loudness of a sound.

8.5.4 The Gables is a single-storey building with no views from principal rooms towards the proposed embankment and roundabout for the southbound slip road, which would be located to the south of the building. There is a substantial hedge on the southern boundary of The Gables which effectively closes views from the bungalow and gardens toward the site of the proposed embankment and roundabout for the southbound slip road.

8.6 **Response to Mr M.W. Horrocks**

8.6.1 The alternative access proposed by Mr Horrocks was published by the Highways Agency on 23 June 2011 (HA/4). Responses were required to be received by 7 July 2011.

- 8.6.2 Mr Horrocks' alternative does not achieve current standards in terms of forward visibility to the access and stopping sight distance. It would therefore be contrary to the safety of users of the access and the trunk road. The proposed access might appear to road users as a layby and would therefore be at risk of being treated as one, to the significant inconvenience of users of the Tea Table Cottage access and to the risk of all road users. The proposal would also harm the frontage of the cottage as it would require removal of the existing mature and semi-mature planting screen. It would be awkward to build since it would be in the same place as the existing access, and would involve works next to the main northbound carriageway of the A1. It would cost some £104,200 more than the Scheme proposal. It would not provide the improvement, offered by the Scheme proposal, to access from Tea Table Cottage to the southbound carriageway and the local road network.
- 8.6.3 In its continuing effort to accommodate Mrs Swann's desire for direct access between Tea Table Cottage and the A1, the Highways Agency has identified an alternative access arrangement. Details appear at Annex C to Appendix C of document HA/R4. The Highways Agency does not favour that arrangement, even though it is expected to be capable of operating safely, because to implement it would still leave Tea Table Cottage wholly reliant on the A1 for access, without access for non-motorised users and with no convenient access other than to the north and from the south. The local refuse collection and postal delivery services would prefer an access other than directly from the A1. The proposal is contained in the land included in the draft Compulsory Purchase Order. Land between the proposed access and the field boundary to the southeast, included in the draft CPO, would not be needed.
- 8.6.4 The published Scheme offers the most convenient and appropriate access to Tea Table Cottage and would offer the least risk to road users, including Mrs Swann. Mr Horrocks' proposal, apart from suffering the same shortcomings as other direct trunk road accesses, would be intrusive, expensive and probably counter-productive.
- 8.7 **Response to Mrs Ann Swann**
- 8.7.1 The considerations in paragraph 8.6.3 of this report apply.
- 8.7.2 The owners of Tea Table Plantation, which is located within Mrs Swann's property, would share the access. They have made no representation.
- 8.7.3 Journey distances between Tea Table Cottage and various other locations have been assessed, with current and proposed access arrangements. The findings are set out in Tables 1.1 and 1.2 of document HA/R2.
- 8.7.4 Table 1.1 indicates that the Scheme would create much longer journeys when travelling north from Tea Table Cottage but much shorter journeys when travelling from the Cottage to Jockey Lane, Elkesley village or the A1 southbound carriageway. Overall, taking a simple aggregate (assuming all the journeys are made in equal number) the published Scheme provides a slightly longer journey length compared with the shortest possible routes. Removal of central reservation gaps at Forest Road (to the north of Tea Table Cottage) and at Jockey Lane each increase the relative benefit that the Scheme would bring.

8.7.5 Table 1.2 shows that the Scheme offers markedly shorter aggregate journey lengths against both the shortest and the more comfortable trips using an access at Forest Road.

8.8 **Response to Nottinghamshire County Council**

8.8.1 The Highways Agency has agreed with the County Council a revision to the draft Order that would address the County Council's concern. The draft Order in its suggested modified form is presented in Appendix J of document HA/POL/P1-A. No change is proposed to the Order plan as a result of this change.

8.9 **Further Proposed Modifications To The Draft Side Roads Order**

8.9.1 Three minor changes are proposed to the Side Roads Order plan, and are included at inset D on Document HA/1-B and in the draft Order text in Appendix J of document HA/POL/P1-A:

- a) The relocation of a path to the bus stop in diverted Coalpit Lane (reference K on document HA/1-B) so as to be on land that would be compulsorily purchased;
- b) The provision of a private means of access from original Coalpit Lane to severed land (reference 24 on document HA/1-B), to rectify an error of omission in the published draft Order; and,
- c) The provision, for the avoidance of doubt, of a private vehicular means of access across the proposed cycleway at Top Farm (reference 25 on document HA/1-B). Neither the owner of Top Farm, nor the occupier (the Greaves farming partnership) has made any representation on this point.

9 CONCLUSIONS

Bearing in mind the submissions and representations I have reported, I have reached the following conclusions, reference being given in brackets [] to earlier paragraphs where appropriate.

9.1 The Principle Of The Scheme

- 9.1.1 The Scheme aims to improve local access in the Elkesley area and to reduce travel times along the trunk road [4.1.7]. The Highways Agency's economic assessment of the Scheme finds that it would provide substantial net benefits over its design life and offers good value for money [4.3.12].
- 9.1.2 One objection challenged the principle of the Scheme. Mr and Mrs Raper [6.8.2] find the Scheme unnecessary and suggest that there are alternative solutions. I remind myself that the purpose of the Inquiry is primarily to consider objections to the specific proposals made by the promoter as reflected in the draft Orders. Mr and Mrs Raper bring no evidence to support their opinion.
- 9.1.3 For my part, I am satisfied that the stated objectives would be beneficial for people living in the area or visiting, and for the many thousands of people [4.3.5] who use this part of the A1 each day; that the Scheme would achieve those objectives; and that (providing its environmental side-effects are acceptable) the principle of the Scheme therefore has merit.
- 9.1.4 The Secretary of State has found that the Scheme need not be subject to environmental impact assessment, but nevertheless the promoter brought evidence regarding the environmental effects that the Scheme would have [4.4.1, 4.4.2]. That evidence was in part the subject of challenge by objectors, and others objected to the proposed changes in access to individual properties.

9.2 Objections Relating To Environmental Effects Of The Scheme

Twyford Lane

- 9.2.1 Mr Paul Headland [6.2] is concerned that the Scheme would increase traffic in Twyford Lane and thereby increase the risk of damage to buildings there. There is no dispute that the egress from Twyford Lane to the A1 should be closed, as the Scheme proposes [4.2.1], or that its use can be hazardous [4.2.1, 6.2.2]. The evidence is that some 20 or so vehicles per day would use the new Access 15 [6.2.2], and of that, in the restaurant's busiest hour, there would be an additional 7 movements in Twyford Lane associated with the new access. On the other hand, there are currently some 25 movements per 12-hour day (0700 to 1900) from the Twyford Lane exit to the northbound A1 and that movement would be precluded by the Scheme. The restaurant is open from 1700 to 2300 and it seems to me improbable that all, or even most, of the 25 movements out of Twyford Lane that occur before 1900 are associated with the restaurant [4.2.1, 4.3.2, 8.2.1]. Therefore, even if Access 15 were provided, the amount of traffic in Twyford Lane would be likely to fall during the period 0700 to 1900. I am not persuaded that the proposed changes would result in an overall change in daily traffic volumes in Twyford Lane sufficient to have any appreciable effect on the risk of harm to buildings. No modification to the draft Order need be

made as a result of this matter.

Soakaways

- 9.2.2 Mr Greaves [6.3.3] and others in written representations gave evidence about the proposed drainage soakaways. The evidence is that water would not remain there for enough time to attract mosquitoes [8.3.3]. The sides would slope at 1:4 and so people would not be trapped in the soakaways [4.2.7]. For a relatively short period, on infrequent occasions, water would lie in the soakaways after exceptionally heavy storms but the depth would not be great [8.3.3] and it seems to me that the risk to a child allowed to play unsupervised alongside the A1 trunk road, or slip roads leading to it, in the aftermath of a heavy storm would not be appreciably increased by the presence of the soakaways.

Conditions at The Gables, Jockey Lane

- 9.2.3 Mr Gay identified various matters relating to the environment at The Gables [6.5.1]:
- a) Notwithstanding the views expressed in the publication "Quiet Please" regarding the effects of noise increases of 3 and 10 decibels, I attribute more weight to Planning Policy Guidance 24 *Planning and Noise* on the same matter [8.5.3]. The evidence is that a noise assessment carried out in accordance with the Department for Transport's recommendations found that the Scheme would give rise to no perceptible noise increase at any residential receptor. Mr Gay brought no evidence to the contrary. [4.4.8, 4.4.9, 8.5.2].
 - b) A tall hedge stands to the south of The Gables but it does not always form an effective screen. There is a chance that slip roads associated with the Scheme would, in part, be visible from The Gables. A similar, and perhaps more pronounced, effect would initially be experienced by the residents of Coalpit Lane [4.4.15]. I conclude that the Scheme would be likely to give rise to a slight deterioration in the outlook from several dwellings.
 - c) I am satisfied that the use of cut-off lanterns in the new lighting installation would prevent light spill from affecting The Gables [4.4.16]. There is no reasoned contention to the contrary.

Overall Conclusion On The Environmental Effects Of The Scheme

- 9.2.4 No other matter being raised, I conclude that the Scheme would have no appreciable harmful effect on the environment, and would be acceptable in that respect.

9.3 Objections Relating To Proposed Changed Access Arrangements

Cross Lane

- 9.3.1 There is no dispute that Cross Lane is prone to abuse [6.1.1, 8.1.1]. It is argued for M.W. Headland and Son that the opportunity should therefore be taken to extinguish public rights of motor vehicular use along it. The Highways Agency does not agree [8.1.1 to 8.1.3]. The local highway authority is silent on this matter but, in another context, argues for the

proposed diversion and extension of the Lane to be made a byway open to all traffic [6.8.1].

- 9.3.2 The draft Order would make alterations to Cross Lane consequent upon the Scheme; no case was put that it should continue to meet the trunk road, or that it should not be diverted and extended to meet the proposed bridge link road. The draft Order does not seek to rectify conditions elsewhere in Cross Lane that are not consequent upon the Scheme. If that were to be done then at the least the view of the County Council should be sought. M.W. Headland and Son had known that to be the case for over a year before the Inquiry [6.1.4] but there is no evidence that they had approached the Council; instead, they hoped that the Highways Agency would raise the matter for them. The Highways Agency did not do that, and I see no reason why they should. Thus there is no evidence of the local highway authority's view of the matter raised by M.W. Headland and Son. The matter need not be pursued by the Secretary of State.

Access to Top Farm

- 9.3.3 Responding to Mr Greaves' objection regarding the juxtaposition of a proposed cycleway and the westernmost entrance to Top Farm [6.3.2], the Highways Agency has modified its proposal [8.3.1]. I am satisfied that the changed arrangement would effect a necessary improvement to the Scheme proposal, to maintain safety at the entrance to Top Farm. The change to the Side Road Order would be minor and no change would be necessary to the Compulsory Purchase Order.

Access to Tea Table Cottage

- 9.3.4 Mr and Mrs Swann find satisfactory their existing direct access from the trunk road and would prefer to keep it [6.7.1]. But there is no challenge to the Highways Agency's finding that the existing access would not meet the relevant visibility standard if the Scheme were to proceed [4.2.5]. I conclude that the existing private means of access to Tea Table Cottage should be closed, and a reasonably convenient alternative provided.
- 9.3.5 The Scheme proposal is argued by the Highways Agency to be reasonably convenient. It would give access to the trunk road in both directions, and to local roads and public rights of way, serving motor traffic and others [4.2.5]. Mrs Swann considers the Scheme proposal to be inconvenient by virtue of its length and complexity and because she would have to share it with farm traffic. Mrs Swann prefers the alternative means of access, designed by but not recommended by the Highways Agency; for ease of reference I term that the "Mrs Swann option" [6.7.1, 6.6.3]. The Highways Agency expects that this option would operate safely [8.6.3].
- 9.3.6 The alternative access proposed by Mr Horrocks would be contrary to the safety of the public and would have various other disadvantages: loss of a mature planting scheme, difficult to build, extra cost, possible inconvenience to residents of Tea Table Cottage [8.6.1]. It is clear to me that, for those reasons, it should not be pursued.
- 9.3.7 The Scheme proposal has characteristics that would generally be seen as positive, when compared with the "Mrs Swann option". On the basis of a generalised car journey distribution, the Scheme proposal would reduce

travel distances. And it would allow trips to be made to and from Tea Table Cottage on foot, bicycle or horse, should anyone want to do so; the proposed access road would be some 650 metres long (between the Cottage and Cross Lane), and it is clear from the general arrangement drawing that there would be a comparable additional distance to reach the outskirts of the village and with no habitation in between. [8.7.3, 4.2.4] If the distance were less, the potential benefit would be greater, particularly for walking.

9.3.8 Whether or not the Scheme proposal would provide a reasonably convenient means of access to the Cottage and the Tea Table Plantation behind it seems to me to depend on the needs of the user. It might be the case that, for many people, the Scheme proposal would be reasonably convenient because it would shorten motorised trip lengths and allow other modes of travel; and such people might one day live at Tea Table Cottage. But for Mr and Mrs Swann those considerations do not outweigh the other matters they identify: the acceptability to them of the current travel distances (which the "Mrs Swann option" would increase by a relatively small amount, and only for vehicles leaving the site) the simplicity of a direct access from the A1, the avoidance of difficulty that might otherwise arise when a long private access is shared by several parties, and the pleasure they derive from the current isolation of the Cottage. I do not accept that an option that they find unacceptable should be imposed on Mr and Mrs Swann against the contingency that one day other people might occupy the site who would find the Scheme proposal reasonably convenient.

9.3.9 I therefore conclude that the private means of access to Tea Table Cottage and Plantation shown in Appendix D of document HA/R2 (drawing number 1027062/P/113 version C) should be substituted for the Scheme proposal for access to those properties. There would be a reduction in the land that would be compulsorily purchased, within the limits of the published draft Compulsory Purchase Order [8.6.3].

Access between Jockey Lane and the A1 Trunk Road

9.3.10 Jockey Lane would be stopped up and diverted. Although Mr Gay's objection understandably focuses on the effect that change would have at The Gables [6.5.1], it seems to me that the test of reasonable convenience in this case should apply to the users of diverted Jockey Lane as a group. The diversions to and from the southbound carriageway would be relatively short and I do not consider that they would give rise to any substantial inconvenience. The diversions to and from the northbound carriageway would be longer but would newly include a bridge over the A1, which would make crossing the road in safety much easier. It is clear from the evidence of supporters that they regard the alternatives that would be provided as reasonably convenient [5.1, 5.2, 5.4, 5.6, 5.8.1]. I am satisfied that the reduction in convenience arising from the increased travel distance between Jockey Lane and the northbound A1 would be offset by the increased safety and reduced waiting time arising from use of the flyover to such an extent that the resulting convenience would be reasonable.

9.4 Other Matters Raised

Roadside Facilities

- 9.4.1 The layby where Mr Watson is authorised to trade would be closed, to achieve the degree of highway safety currently required by the Design Manual for Roads and Bridges [8.4.5, 4.2.2, 8.4.3]. Mr Watson argues that the layby, and his business, are important facilities for travellers and should be retained [6.4.2, 6.4.3]. But, even if the layby was removed, the two signed service areas on the A1, at Blyth (to the north) and at Markham Moor (to the south), are closer together than the minimum distance that would be allowed if the A1 was a congested motorway even though the conditions on this part of the A1 are not so demanding [8.4.1]. Without the layby the roadside facilities on this part of the A1 would meet the required standard. There is nothing that outweighs the risk to safety that would be present if the layby were retained, and so it should be removed.

Traffic in Jockey Lane

- 9.4.2 The evidence is that traffic flows in Jockey Lane would not increase significantly as a result of the Scheme [4.3.8], and no analysis was brought to support Mr Gay's contrary view. I conclude that traffic flows on Jockey Lane would not increase significantly as a result of the Scheme and that, therefore, the adverse effects that Mr Gay associates with the increase he expects [6.5.1] are unlikely to arise.

Approved Development in Jockey Lane

- 9.4.3 The evidence is that the traffic implications of development in Jockey Lane for which planning permission has been granted would be such as to have no material impact on Jockey Lane or on the Scheme [6.5.1, 8.5.1].

9.5 Conclusions on the Draft Orders

Introduction

The Draft Orders

- 9.5.1 The following draft Orders were before the Inquiry:
- a) The A1 Trunk Road (Elkesley Junctions Improvement) Order 20.. (DD02), which would be made under sections 10 and 41 of the Highways Act 1980;
 - b) The A1 Trunk Road (Elkesley Junctions Improvement Side Roads) Order 20.. (DD03), which would be made under sections 12, 14 and 125 of the Highways Act 1980; and,
 - c) The A1 Trunk Road (Elkesley Junctions Improvement Compulsory Purchase) Order (No()) 20.. .

Tests To Be Applied To The Draft Orders

- 9.5.2 In considering the draft Orders, I have regard to the following legislative or other requirements as appropriate to each:
- a) Section 10 of the Highways Act 1980 ("the 1980 Act", document DD60) allows the Secretary of State to direct that any highway should become a trunk road if to do so is expedient for the purpose of extending, improving or

- organising the national system of routes for through traffic in England, taking into consideration the requirements of local and national planning and the requirements of agriculture.
- b) Section 14 of the 1980 Act allows the stopping up, diversion or improvement of a highway in the circumstances the Act describes, among which are the requirements that:
 - i) the highway would be otherwise affected by the Scheme, or for any purpose incidental to the Scheme; and,
 - ii) another reasonably convenient route is available or would be available before the highway is stopped up.
 - c) Section 125 of the 1980 Act allows the stopping up of a private means of access to premises only if either no access to the premises is reasonably required, or if another reasonably convenient means of access is available or will be provided.
 - d) If a Compulsory Purchase Order is to be made, then Government guidance as set out in ODPM Circular 06/2004 (Document X/3) is that:
 - i) There should be a compelling case in the public interest, that sufficiently justifies interfering with the human rights of those with an interest in the land affected. A balanced view should be taken between the intentions of the acquiring authority and the views of those with an interest in the land, with each case considered on its own merits.
 - ii) The acquiring authority should have a clear idea of how it intends to use the land which it is proposing to acquire;
 - iii) Sufficient resources should be available to complete the compulsory purchase within the statutory period following the making of the Order and to implement the Scheme; and,
 - iv) There should be a reasonable prospect of the Scheme going ahead and it should be unlikely to be blocked by any impediment to implementation.

The A1 Trunk Road (Elkesley Junctions Improvement) Order 20..

- 9.5.3 This draft Order would establish the routes of the slip roads to and from the proposed junctions with the A1 Trunk Road main line.
- 9.5.4 Notwithstanding the objection of Mr and Mrs Raper [6.8.2] I am satisfied for the reasons given in paragraphs 9.1.3 and 9.2.4 of this report that the Scheme has merit and would be expedient for the purpose of improving the national system of routes for through traffic. It is consistent with current local and national planning policy and transport planning policy [4.5.1 to 4.5.3]. Some 9.1 hectares of the best and most versatile agricultural land would be taken, an amount below the notification level established in the DMRB [4.4.17]; and there was no sustained objection to the Compulsory Purchase Order from those with

an agricultural interest in the land in question [6.3.1, 7.1.2].

Conclusion on the Order

- 9.5.5 I conclude that The A1 Trunk Road (Elkesley Junctions Improvement) Order 20.. should be made.

The A1 Trunk Road (Elkesley Junctions Improvement Side Roads) Order 20..

- 9.5.6 Various modifications to this Order were proposed, and I find that modifications should be made as set out in the following paragraphs 9.5.7 to 9.5.11.
- 9.5.7 The Highways Agency proposes three minor changes to the Order, intended to rectify drafting errors in the draft Order [8.9.1]. These would not be substantial changes and I am satisfied that they should be made. They are shown in document HA/1-B (at references K, 24 and 25) and in the proposed revised draft Order text in Appendix J of document HA/POL/P1-A.
- 9.5.8 The Highways Agency no longer contends that the extension to Cross Lane should be anything other than a byway open to all traffic [8.8.1]. The local highway authority hopes that such a modification will be made to the draft Order so that the extended Cross Lane would have the same status throughout its length [6.8.1]. No case was put in favour of the draft Order proposal for Cross Lane extension as a road. The proposed modification, incorporated in the proposed revised draft Order text in Appendix J of document HA/POL/P1-A, is supported by the Local Access Forum and the Ramblers [5.3.1, 5.5.1].
- 9.5.9 For the reasons given in paragraphs 9.5.7 and 9.5.8 I am satisfied that the draft Order should be modified to the form shown in Appendix J of document HA/POL/P1-A and to incorporate the changes identified on document HA/1-B at references K, 24 and 25.
- 9.5.10 The Highways Agency proposes two further changes to the Order plan, both illustrated by drawing No. HA/14/NOD/002 Revision 1 in document HA/10A. One would relocate the cycleway near Top Farm, and I agree that the proposed change is necessary for the reason I have given [9.3.3]. The other would rectify a drafting error of omission in respect of the centre line of the circulatory at the proposed Jockey Lane roundabout [8.3.2], and drawing No. HA/14/NOD/002 Revision 1 in document HA/10A shows the proposed change. The draft Order should be further modified to incorporate these two changes.
- 9.5.11 I have considered the alternative means of access to Tea Table Cottage and Plantation as supported by Mr and Mrs Swann and have concluded that the private means of access to Tea Table Cottage and Plantation shown in Appendix D of document HA/R2 (drawing number 1027062/P/113 version C) should be substituted for the Scheme proposal for access to those properties [9.3.4 to 9.3.9]. This would be a small change to the Order. The consequent changes to the Order would be to modify the Order plan to show the form of means of access 6 in a way consistent with the access to the Cottage and Plantation shown on drawing number 1027062/P/113 version C and, in the Schedule, modify the following elements:

Private means of access to be stopped up	Reference numbers of new accesses	
	Published Order and HA/POL/P1-AW Appendix J	Modification recommended to:
Access to Tea Table Cottage and Tea Table Plantation from the A1 Worksop Road (h)	5, 6 and 7	6 and 7
Access to Tea Table Cottage from the A1 Worksop Road (j)	5 and 6	6
Access to field south of the A1 Worksop Road 454 metres north-west of junction of the A1 Worksop Road and Cross Lane (k)	5 and 6	5

9.5.12 With this modification, all alterations to highways and private means of access proposed are made necessary by the Scheme. Where highways or private means of access are proposed to be stopped up then reasonably convenient alternatives are or would be available.

Conclusion on the Side Roads Order

9.5.13 I conclude that the draft Order should be modified as I have described in paragraphs 9.5.7 to 9.5.11, and then made.

The A1 Trunk Road (Elkesley Junctions Improvement Compulsory Purchase) Order No. () 20..

9.5.14 The sole statutory objector to the Compulsory Purchase Order was the Greaves family, and it was agreed for them that potential loss of profitability of their business at Top Farm could be a matter for compensation [6.3.1].

Compliance: Compulsory Purchase Order

9.5.15 For the reasons given in paragraph 9.5.4, I am satisfied that there is a compelling case, in the public interest, for the Scheme. No human rights issue was raised at the Inquiry, and I am satisfied that the need for the Scheme sufficiently justifies interfering with the human rights of those with an interest in the land affected by the Scheme.

9.5.16 Compulsory Purchase Order Plot 4a would not be required for the Scheme. The Highways Agency expects that it would be needed for another scheme centred on Twyford Bridge, and that its inclusion in the current Order, as its owner would prefer, would be expedient. The circumstances here are as follows [4.4.18, 7.1.2]:

- a) The Twyford Bridge scheme has a high probability of proceeding and its benefit:cost ratio indicates that it would be beneficial if it did;
- b) Funding arrangements for the Twyford Bridge scheme are incomplete;
- c) Acquisition of plot 4a would be necessary if the Twyford Bridge scheme did proceed;

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- d) The owner of plot 4a would prefer incorporation of plot 4a in the Order, and no other party has an interest in the land;
- e) Acquisition would be simplified and costs reduced; and
- f) Incorporation in the Order would authorise but not compel the compulsory purchase of plot 4a.
- 9.5.17 I am satisfied that these circumstances and the intentions of the Highways Agency and the view of those with an interest in the land combine to make a compelling case in the public interest for the inclusion of plot 4a in the Order, if the Order were to be made.
- 9.5.18 If the Secretary of State accepts my recommendation in respect of the modification in the Side Roads Order of the proposed private means of access to Tea Table Cottage and Plantation then plots 6, 6A and 6B in the Compulsory Purchase Order should also be modified within their published boundaries to accommodate the modified private means of access shown in Appendix D of document HA/R2 (drawing number 1027062/P/113 version C).
- 9.5.19 I am satisfied that the Highways Agency has a clear idea of how it intends to use the land which it is proposing to acquire [4.2.10].
- 9.5.20 The unchallenged evidence is that sufficient resources are available to complete the compulsory acquisition within the statutory period following confirmation of the Order and to implement the Scheme [4.6.1, 4.6.2]. Nottinghamshire County Council is also prepared to contribute to its cost [6.8.1].
- 9.5.21 There is no evidence that the Scheme could not proceed nor, in my view, any grounds to reasonably consider that it would be blocked by any impediment to implementation if the Orders were made.
- Conclusion on the Compulsory Purchase Order*
- 9.5.22 I conclude that the draft Compulsory Purchase Order should be modified as I have described in paragraph 9.5.18 and then made.

10 RECOMMENDATIONS

- 10.1 I recommend that the following Order should be made as drafted:
The A1 Trunk Road (Elkesley Junctions Improvement) Order 20.. .
- 10.2 I recommend that the following draft Orders be modified as I have indicated, and the Orders so modified be then made:
- a) The A1 Trunk Road (Elkesley Junctions Improvement) Side Roads Order 20.., modified as I have indicated in paragraph 9.5.13.
- b) The A1 Trunk Road (Elkesley Junctions Improvement Compulsory Purchase) Order (No () 20.., modified as I have indicated in paragraph 9.5.18.

J.P. Watson

INSPECTOR

APPENDIX 1 – APPEARANCES**THE HIGHWAYS AGENCY**

Mr Richard Kimblin, of
Counsel

Instructed by The Treasury Solicitor, 1 Kemble
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He called:

Mr Alan Darby	Project Sponsor, Highways Agency
Mr David Whittle	Technical Manager, Mouchel
Mr Dave Robinson	Principal Engineer, Mouchel
Mr Neil Scott	Principal Engineer, Mouchel
Mr John Skeet	Contract Supervisor, Mouchel
Mr Paul Reid	Technical Director, Mouchel

THE SUPPORTERS in order of first appearance.

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Mr Steven Richardson 5 Lime Tree Road, Elkesley, Retford DN22 8AZ

Nottinghamshire Local Access Forum

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Nottinghamshire Area Ramblers

Mr Martin Smith 78 Greenacre, Edwalton, Nottingham NG12 4BE

Mr Stronach 27 Headland Avenue, Elkesley, Retford

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THE OBJECTORS in order of first appearance**M.W. Headland and Son**

Mr Paul Headland Church Farm, High Street, Elkesley, Retford
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Mr Paul Headland The Barn, High Street, Elkesley, Retford
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Mr D. Greaves Top Farm, Elkesley, Retford DN22 8AJ

Mr Martin Watson 21 Headland Avenue, Elkesley, Retford
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Mr Harold Gay The Gables, Jockey Lane, Elkesley, Retford
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Mr M.W. Horrocks

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Mrs Ann Swann

Tea Table Cottage, Worksop Road, Elkesley,
Retford DN22 8BW

APPENDIX 2 – INQUIRY DOCUMENTS

Deposit Documents

DD01	Highways Agency Statement of Case April 2010
DD01A	Highways Agency Addendum to Statement of Case May 2011
DD02	The A1 Trunk Road (Elkesley Junctions Improvement) Order 20
DD03	The A1 Trunk Road (Elkesley Junctions Improvement Side Roads) Order 20
DD04	The A1 Trunk Road (Elkesley Junctions Improvement Compulsory Purchase) Order (NOD No.) 20
DD05	Highways Agency Explanatory Statement October 2009
DD06	Environmental Impact Assessment Determination under Section 105 A (3) of The Highways Act 1980
DD07	Stage 3 Environmental Assessment Report (ref 718386/O-ENV/003 D) October 2009
DD08	Stage 3 Environmental Assessment Report Addendum April 2010
DD09	Preferred Route Statement of the Secretary of State's Decision following Public Consultation (leaflet) July 2008 (HA Publications Code PR144/08)
DD10	General arrangement drawing Nr.1027062/P/101
DD11	Notification of Intention to Provide or Improve a Trunk or Special Road July 2008 (including Plan TR111)
DD12	HA Press Releases: <ul style="list-style-type: none"> • Preferred route announcement July 2008 • Draft orders publication October 2009 • Press release on award of funding March 2011
DD13	Public Notices <ul style="list-style-type: none"> • Draft Line and Side Roads Orders publication October 2009 • Draft Compulsory Purchase Order publication October 2009 • Notice of intention to hold public inquiry February 2010 • PINS Notice of pre-inquiry meeting April 2011 • Notice of public inquiry April 2011 (Environmental Impact Assessment Determination included as DD06)
DD14	Draft Orders booklet (HA Publications Code PRPR195/09) October 2009
D15	Public Consultation booklet (HA Publications Code HA150/05) September 2005
DD16	Public Exhibition booklet (HA Publications Code PR21/08) February 2008
DD17	Stage 3 DRAFT Project Appraisal Report (PAR) Version 4.1d (Ref A1 Elk GSJ new CpL) Draft Order Publication Full PAR April 2010
DD18	Economic Assessment Report (ref 718386/P/014) June 2009
DD19	Preferred Solution Decision DRAFT Street Lighting Project Appraisal Report (PAR) Version 4.1d (ref 07 A1 Elkesley – 15410) January 2009
DD20	Stage 2 Scheme Assessment Report Version 0.1 July 2008
DD21	Economic Assessment Report Addendum February 2011
DD22	GOEM Letter on suspension August 2010 and DfT/DCLG letter on resumption of inquiry procedures March 2011
DD23-4	Not used
	OTHER SCHEME-SPECIFIC DOCUMENTS
DD25	Public Consultation Report Version 0.1 April 2006
DD26	NMU Context Report (ref 718386/R/001) January 2009
DD27	NMU Audit Stage 1 (ref 718386/R/002) January 2009
DD28	Summary Report on NMU Consultation (ref 718386/R/018) July 2009 (Addendum to Stage 1 NMU report)
DD29	Flood Risk Assessment Report (ref 718386/R/017) June 2009
DD30	Lay-by Review (ref 718386/R/003) October 2009
DD31	Road Safety Audit Stage 1 (ref 718386/R/020) March 2009 (Includes draft and final reports, design team response and Highways

	Agency response February 2009)
DD32	Departure Submission Form (ref 718386-8) January 2009
DD32A	Departure Submission Forms (ref 58279-81) (Tea Table Cottage Access) and Response
DD32B	Departure Submission Forms (ref 62334-6) (alternative Tea Table Cottage Access) (HA response pending)
DD33	Preliminary Sources Study Report (ref 1002110/R/018B) May 2004
DD34	Ground Investigation Report (ref 718386/OR/602A) June 2009
DD35	Structures Options Report (ref 718386/R/006B) April 2009
DD36	Nottinghamshire County Council Report of the Cabinet Member for Transport and Highways July 2008
DD37	Nottinghamshire County Council Report of the Cabinet Member for Transport and Highways January 2010
DD38	A1 Peterborough-Blyth grade-separated junctions scheme, archived HA web pages November 2008
DD39	Highways Agency web page A1/B6387 Twyford Bridge Junction Improvement (printed 13 April 2010)
DD40	The Liverpool-Skegness Trunk Road (Twyford Bridge, Elkesley) Side Roads Order 1972
DD41	The Liverpool-Skegness Trunk Road (Improvement from Jockey Lane to High Street, Elkesley) Compulsory Purchase Order (No.4) 1972
DD42	Papers relating to A1 Peterborough to Blyth Draft Route Management Strategy 2001
DD43	A1 Peterborough to Blyth Draft Route Management Strategy Action Study 14: Access to Villages (ref 450127/09 B) November 2001
DD44	Nottinghamshire County Council/Highways Agency A Study of Access Arrangements for the Village of Elkesley Scheme Identification Study July 2000
DD45	Inspector's report on A1 Markham Moor Improvement Public Inquiry which sat 3-5 May 2006
DD46	Inspector's report on A1 Apleyhead Improvement public inquiry which sat 6-9 September 2005
DD47	A1 Elkesley 1997 speed limit order
DD48	Extracts from Hansard re parliamentary questions John Mann MP (3 April 2008, 20 July 2010, 28 October 2010, 2 December 2010, 9 December 2010)
DD49	A57/A614 Detrunking Orders 2002/03: <ul style="list-style-type: none"> • The A57 Trunk Road (M1 to A1) (Detrunking) Order 2002 • The A57 Trunk Road (Markham Moor to Lincoln) (Detrunking) Order 2003 • The A614 Trunk Road (Ollerton to Apleyhead) (Detrunking) Order 2003
DD50-9	<i>Not used</i>

LEGISLATION

	Acts of Parliament
DD60	Highways Act 1980
DD61	Acquisition of Land Act 1981
DD62	Compulsory Purchase Act 1965
DD63	Land Compensation Act 1973
DD64	Environmental Protection Act 1990
DD65	Environment Act 1995
DD66	Town and Country Planning Act 1990
DD67	Planning and Compensation Act 1991
DD68	Planning (Listed Buildings and Conservation Areas) Act 1990
DD69	Planning and Compulsory Purchase Act 2004
DD70	Ancient Monuments and Archaeological Areas Act 1979
DD71	Control of Pollution Act 1974

DD72	Countryside Act 1968
DD73	Countryside and Rights of Way Act 2000
DD74	Road Traffic Regulation Act 1984
DD75	Noise and Statutory Nuisance Act 1993
DD76	Water Resources Act 1991
DD77	Water Act 2003
DD78	Wild Mammals Protection Act 1996
DD79	Wildlife and Countryside Act 1981
DD79A	Planning Act 2008
DD79B	Local Government (Miscellaneous Provisions) Act 1982
	Statutory Instruments
DD80	The Highways (Inquiries Procedure) Rules 1994 (SI 3263)
DD81	The Compulsory Purchase (Inquiries Procedure) Rules 2007 (SI 3617)
DD82	Secretary of State's Traffic Orders (Procedure) (England and Wales) Regulations 1990 (SI 1656)
DD83	The 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) (Continuation) Order 1978 (SI 1548)
DD84	The Noise Insulation Regulations 1975 (SI 1763)
DD85	The Noise Insulation (Amendment) Regulations 1988 (SI 2000)
DD86	The Highways (Assessment of Environmental Effects) Regulations 1999 (SI 369)
DD87	The Highways (Assessment of Environmental Effects) Regulations 2007 (SI 1062)
DD88	The Conservation (Natural Habitats) Regulations 1994 (SI 2716)
DD89	The Conservation (Natural Habitats etc.) (Amendment) (England) Regulations 2000 (SI 192)
DD90	Groundwater Regulations 1998 (SI 2746)
DD91	Air Quality Standards Regulations 1989 (SI 317)
DD92	The Waste Electrical and Electronic Equipment Regulations 2006 (SI 3289)
DD93	The Waste Electrical and Electronic Equipment (Amendment) Regulations 2007 (SI 3454)
DD94	The Waste Electrical and Electronic Equipment (Amendment) Regulations 2009 (SI 2957)
DD95	Hedgerow Regulations 1997 (SI 1160)
DD96	Surface Waters (River Ecosystems) (Classification) Regulations 1994 (SI 1057)
DD97	Water Supply (Water Quality) Regulations 2000 (SI 3184)
DD98	The Air Quality Limit Values Regulations 2003 (SI 2121)
DD99	<i>Not used</i>
	TRANSPORT POLICY
DD100	A New Deal for Transport: Better for Everyone July 1998
DD101	A New Deal for Trunk Roads in England July 1998
DD102	Transport Ten Year Plan 2000
DD103	The Future of Transport – A Network for 2030 July 2004
DD104	Delivering Better Transport: Progress Report 2002
DD105	Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 (Cmd paper No 7169)
DD106	A Better Quality of Life – Strategy for Sustainable Development for the UK 1999
DD107	Our Countryside the Future: A Fair Deal for Rural England 2000
DD108	DfT Circular 01/2008 Policy on Service Areas and Other Roadside Facilities on Motorways and All-Purpose Trunk Roads in England
DD109	DfT Statement on Regional Planning and the Highways Agency Regional Funding Allocations and Major Schemes on the Trunk Road Network in England (including map) July 2005
DD110	Response to the DaSTS consultation (partial: including summary of

	responses, Annex C and Annex D (part)) April 2009
DD111	HA (East Midlands) press release <i>Small Schemes with Big Improvements</i> October 2002 (announcement of the 'Priority Action Sites' programme)
DD112	SRN journey time measurement papers: <ul style="list-style-type: none"> • HA Journey Reliability on the Strategic Road Network June 2008 (including DfT Congestion on Inter-Urban Roads February 2010, February 2011) • HA On Time Reliability Measure not dated (April 2011)
DD113	DfT The Highways Agency Framework Document July 2009
DD114	Consultation on Promoting Connectivity between the Capital Cities of the United Kingdom September 2010
DD115	Road Network Policy Consultation January 2011
DD116	Announcement on Abolition of Regional Planning Bodies and Regional Funding Allocation June 2010
DD117	Announcement on the Spending Review including the abolition of Public Service Agreements June 2010
DD118	HM Treasury/Infrastructure UK National Infrastructure Plan Oct 2010
DD119	Department for Transport Business Plan 2011-2015
	 DESIGN STANDARDS AND ADVICE Design Manual for Roads and Bridges <i>Generally</i>
DD120	Design Manual for Roads and Bridges Volumes 1 to 15 <i>Volume 1 Approval Procedures and General Design</i>
	SECTION 3 GENERAL DESIGN
DD120.1	BD 60/04 Design of Highway Bridges for Vehicle Collision Loads (Vol. 1.3.5)
DD120.2	BD 57/01 Design for Durability (Vol. 1.3.7)
DD120.3	BA 57/01 Design for Durability (Vol. 1.3.8)
DD120.4	BA 42/96 The Design of Integral Bridges (Vol. 1.3.12)
DD120.5	BD 37/01 Loads for Highway Bridges (Vol. 1.3.14) <i>Volume 2 Highway Structures: Design (Substructures and Special Structures) Materials</i>
	SECTION 2 SPECIAL STRUCTURES
DD120.6	TD 19/06 Requirement for Road Restraint Systems (Vol. 2.2.8) <i>Volume 4 Geotechnics and Drainage</i>
	SECTION 1 EARTHWORKS
DD120.7	<u>HD 22/02</u> Managing Geotechnical Risk (Vol. 4.1.2)
DD120.8	<u>HA 70/94</u> Construction of Highway Earthworks (Vol. 4.1.5)
	SECTION 2 DRAINAGE
DD120.8A	HA 103/06 Vegetated Drainage Systems for Highway Runoff (Vol. 4.2.1)
DD120.9	HD 33/06 Surface and Sub-surface Drainage Systems for Highways (Vol. 4.2.3)
DD120.10	<u>HA 118/06</u> Design of Soakaways (Vol. 4.2.8) <i>Volume 5 - Assessment and Preparation of Road Schemes</i>
	SECTION 1 ASSESSMENT OF ROAD SCHEMES
DD120.11	<u>TA 44/92</u> Capacities, Queues, Delays and Accidents at Road Junctions - Computer Programs ARCADY/3 and PICADY/3 (TRRL) (Vol. 5.1.1)
DD120.12	TD 37/93 Scheme Assessment Reporting (Vol. 5.1.2)
	SECTION 2 PREPARATION AND IMPLEMENTATION
DD120.13	<u>HD 19/03</u> Road Safety Audit (Vol. 5.2.2)
DD120.14	<u>TA 91/05</u> Provision for Non-Motorised Users (Vol. 5.2.4)
DD120.15	<u>HD 42/05</u> Non-motorised User Audits (Vol. 5.2.5) <i>Volume 6 - Road Geometry</i>
	SECTION 1 LINKS
DD120.16	TD 9/93 Highway Link Design (Vol. 6.1.1) [Incorporating Amendment No. 1 dated February 2002]

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- DD120.17 TD 27/05 Cross Sections and Headrooms (Vol. 6.1.2)
SECTION 2 JUNCTIONS
- DD120.18 TD 22/06 Layout of Grade Separated Junctions (Vol. 6.2.1)
- DD120.19 TD 16/07 Geometric Design of Roundabouts (Vol. 6.2.3)
- DD120.20 TD 40/94 The Design of Compact Grade Separated Junctions (Vol. 6.2.5)
- DD120.21 TD 42/95 Geometric Design of Major/Minor Priority Junctions (Vol. 6.2.6)
- DD120.22 TD 41/95 Vehicular Access to All-Purpose Trunk Roads (Vol. 6.2.7)
SECTION 3 HIGHWAY FEATURES
- DD120.23 TD 69/07 The Location and Layout of Lay-bys and Rest Areas (Vol. 6.3.3)
- DD120.24 TA 57/87 Roadside Features [Chapter 2 is superseded] (Vol. 6.3.3)
- DD120.25 TA 90/05 The Geometric Design of Pedestrian, Cycle and Equestrian Routes
(Vol 6.3.5)
- Volume 7 – Pavement Design and Maintenance*
SECTION 2 PAVEMENT DESIGN AND CONSTRUCTION
- DD120.26 HD 24/06 Traffic Assessment [Incorporating Correction No.1 dated
November 2006] (Vol. 7.2.1)
- DD120.27 HD 26/06 Pavement Design (Vol. 7.2.3)
SECTION 5 SURFACING AND SURFACING MATERIALS
- DD120.28 HD 36/06 Surfacing Materials for New and Maintenance Construction (Vol.
7.5.1)
- DD120.29 HD 37/99 Bituminous Surfacing Materials and Techniques [Incorporating
Amendment No.1 dated May 1999] (Vol. 7.5.2)
- Volume 8 – Traffic Signs and Lighting*
SECTION 2 TRAFFIC SIGNS AND LIGHTING
- DD120.30 TD 89/08 Use of Passively Safe Signposts, Lighting Columns and Traffic
Signal Posts to BS EN 12767 (Vol. 8.2.2)
SECTION 3 LIGHTING
- DD120.31 TA 49/07 Appraisal of New & Replacement Lighting on the Strategic
Motorway & All Purpose Trunk Road Network (Vol. 8.3)
- DD120.32 TD 34/07 Design of Road Lighting for the Strategic Motorway & Trunk Road
Network (Vol. 8.3)
- Volume 11 – Environmental Assessment*
DD120.33 SECTION 1 - ENVIRONMENTAL ASSESSMENT – Introduction (Vol. 11.1)
- DD120.34 SECTION 2 - GENERAL PRINCIPLES OF ENVIRONMENTAL ASSESSMENT (Vol.
11.2)
- DD120.35 SECTION 3 - ENVIRONMENTAL ASSESSMENT TECHNIQUES (Vol. 11.3)
- DD120.36 SECTION 4 – ASSESSMENT OF IMPLICATIONS ON EUROPEAN SITES (Vol.
11.4)
- Volume 13 – Economic Assessment of Road Schemes*
DD120.37 ECONOMIC ASSESSMENT OF ROAD SCHEMES (COBA MANUAL)
- Interim Advice Notes
- DD121 IAN 69/05 Designing for Maintenance December 2005
- DD122 IAN 63/05r2 Asbestos Management Applicable To The Strategic Road
Network September 2009
- DD123 IAN 68/06 Infrastructure changes to improve emergency access to and
egress from the trunk road network in England May 2006
- DD124 IAN 75/06 Code of Practice for Emergency Access to and Egress from the
Trunk Road Network in England May 2006
- DD125 IAN 125/09 Supplementary guidance for users of DMRB Volume 11
'Environmental Assessment' October 2009
- DD126 IAN 126/09 Environmental Impact Assessment: Reporting of Determination
and Publication of Notices October 2009
- DD127 IAN 114/08 Highways Agency Carbon Calculation and Reporting
Requirements September 2008
- DD128 IAN 116/08 Nature Conservation Advice in Relation to Bats October 2008
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DD129	<i>Not used</i>
	Other design standards and guidance
DD130	The SUDS Manual, CIRIA C697 2007
DD131	Concrete Bridge Development Group Technical Guide No. 4 The Aesthetics of Concrete Bridges 2001
DD132	Prestressed Concrete Association: Integral Abutments for Prestressed Beam Bridges 1998
DD133	Steel Construction Institute: Integral Steel Bridges Design Guidance 1997
DD134	Guidance Notes for the Reduction of Light Pollution (1994) – The Institution of Lighting Engineers
DD135	Manual of Contract Documents for Highway Works
DD136	Routine and Winter Service Code
DD137	Network Management Manual
DD138	Memorandum of Understanding between the Environment Agency and the Highways Agency November 2009
DD139	<i>Not used</i>
	PLANNING POLICY
DD140	PPS1: Delivering Sustainable Development 2005
DD141	PPS4: Planning for Sustainable Economic Growth 2009
DD142	PPS5: Planning for the Historic Environment 2010
DD143	PPS7: Sustainable Development in Rural Areas 2004
DD144	PPS 9: Biodiversity and Geological Conservation 2005
DD145	Policy Statement for Regional Strategies 2010
DD146	PPS 12: Local Spatial Planning 2008
DD147	PPG 13: Transport 2001
DD148	PPS 25: Development and Flood Risk 2010
DD149	East Midlands Regional Plan (Regional Spatial Strategy for the East Midlands, RSS8) 2009
DD150	Bassetlaw District Council Local Development Framework: <ul style="list-style-type: none"> • Local Development Scheme 2009 • Publication (Draft) Core Strategy November 2010 • Core Strategy evidence: Infrastructure Study January 2011 • Core Strategy evidence: Transport Study January 2011
DD150A	Bassetlaw District Council Local Plan October 2001 (Chapters 1, 5, 6 and 7 and Elkesley map extract)
DD151	Nottinghamshire Local Transport Plan 2011 Implementation Plan
DD152	Nottinghamshire County Council Rights of Way Improvement Plan 2007
DD153	Nottinghamshire Cycling Strategy 2006/7 – 2010/11
DD154	East Midlands Regional Funding Allocation (RFA1 2006 and RFA2 2009)
DD155-9	<i>Not used</i>
	TRAFFIC AND ECONOMICS
DD160	Transport and the Economy: Government response to SACTRA report 1999
DD161	DfT Transport Analysis Guidance (WebTAG)
DD162	Road Transport Forecasts 2009: Results from the DfT's National Transport Model
DD163	TEMPRO Planning Data Version 5.4, Guidance Note, Department for Transport February 2008
DD164	A New Deal for Trunk Roads in England: Guidance on the New Approach to Appraisal 1988
DD165	A New Deal for Trunk Roads in England: Understanding the New Approach to Appraisal 1988
DD166-9	<i>Not used</i>
	ENVIRONMENT
DD170	East Midlands Regional Landscape Character Assessment 2009

DD171	Bassetlaw District Landscape Character Assessment 2009
DD172	Biodiversity and Environmental Impact Assessment – A Good Practice Guide for Roads Schemes 2000
DD173	Landscape Character Assessment – Guidance for England and Scotland 2002
DD174	Natural Environment Research Council Report No. 124 Flood Estimation for Small Catchments 1994
DD175	BS 5228 -1:2009 Code of Practice for Noise and Vibration Control on Construction and Open sites. Noise
DD176	BS 5228 -2:2009 Code of Practice for Noise and Vibration Control on Construction and Open sites. Vibration
DD177	Update of Noise Database for Prediction of Noise on Construction and Open Sites, DEFRA, 2005
DD178	Environment Agency Pollution Prevention Guidance PPG1, PPG2, PPG3, PPG5, PPG6, PPG8, PPG13, PPG18, PPG21, PPG26
DD179	Biodiversity: The UK Action Plan, HMSO, 1994
DD180-9	<i>Not used</i>
	EC DIRECTIVES
DD190	85/337/EEC Council Directive 27/6/85 on the assessment of the effects of certain public and private projects on the environment
DD191	97/11/EC Council Directive of 3/3/97 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment
DD192	91/962/EEC Council Directive 23/12/91 standardizing and rationalizing reports on the implementation of certain Directives relating to the environment
DD193	2000/60/EC Directive 23/10/00 establishing a framework for community action in the field of water policy (the Water Framework Directive)
DD194	91/441/EEC Council Directive 26/6/91 amending Directive 70/220/EEC on the approximation of the laws of Member States relating to measures to be taken against air pollution by emissions from motor vehicles.
DD195	79/409/EEC Council Directive 2/4/79 on the Conservation of Wild Birds
DD196	92/43/EEC Council Directive 21/5/92 on the conservation of natural habitats and of wild fauna and flora
DD197	80/68/EEC Council Directive 17/12/79 on the protection of ground-water against pollution caused by certain dangerous substances
DD198	75/440/EEC Council Directive 16/6/75 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States
DD199	76/160/EEC Council Directive 8/12/75 concerning the quality of bathing water
DD200	78/659/EEC Council Directive 18/7/78 on the quality of fresh waters needing protection or improvement in order to support fish life

Highways Agency Proofs of Evidence

HA-POL-P1	Proof of Evidence – Mr Alan Darby
HA-POL-SP1	Summary Proof of Evidence – Mr Alan Darby
HA-POL-P1A	Appendices to Proof of Evidence – Mr Alan Darby
HA-TRA-P2	Proof of Evidence – Mr David Whittle
HA-TRA-SP2	Summary Proof of Evidence – Mr David Whittle
HA-TRA-P2A	Appendices to Proof of Evidence – Mr David Whittle
HA-ENG-P3	Proof of Evidence – Mr Dave Robinson
HA-ENG-SP3	Summary Proof of Evidence – Mr Dave Robinson
HA-ENV-P4	Proof of Evidence – Mr Paul Reid
HA-ENV-SP4	Summary Proof of Evidence – Mr Paul Reid
HA-ENV-P4A	Appendices to Proof of Evidence – Mr Paul Reid
HA-DRA-P5	Proof of Evidence – Mr Neil Scott

HA-DRA-SP5 Summary Proof of Evidence – Mr Neil Scott
 HA-DRA-P5A Appendices to Proof of Evidence – Mr Neil Scott
 HA-CON-P6 Proof of Evidence – Mr John Skeet
 HA-CON-SP6 Summary Proof of Evidence – Mr John Skeet

Highways Agency Rebuttals

HA-R 1 Not Used
 HA-R 2 Highways Agency Rebuttal to Mrs Swann – (Obj/2)
 HA-R 3 Highways Agency Rebuttal to The Greaves Family – (Obj/3)
 HA-R 4 Highways Agency Rebuttal to Mr Horrocks – (Obj/4)
 HA-R 5A Highways Agency Rebuttal to M W Headland & Son (Obj/5A)
 HA-R 5B Highways Agency Rebuttal to Mr P Headland (Obj/5B)
 HA-R 6 Highways Agency Rebuttal to Mr Gay (OBJ/6)
 HA-R 7 Highways Agency Rebuttal to Mr Watson (Obj/7)
 HA-R 8 Highways Agency Rebuttal to Ms Lees (Obj/8)
 HA-R 9 Highways Agency Rebuttal to Mr & Mrs Raper (Obj/9)

Other documents submitted by the Highways Agency

HA 1/A Drawing - Published SRO/CPO Combined (1027062/P/127)
 HA 1/B Drawing - Proposed Amendments to Published SRO/CPO Combined (1027062/P/128)
 HA/2 Opening Statement on behalf of the Highways Agency
 HA/3 Extract of Highways Law (2nd Edition)
 HA/4 Compliance with Statutory Procedures Folder
 HA/5 Letter from Nottinghamshire County Council dated 30 June 2011
 HA/6 List of Highways Agency Witnesses
 HA/7 Note re "BOATS"
 HA/8 Note re "Accident Locations"
 HA/9 Note on "Noise Levels"
 HA/10 Note regarding the Side Roads Order
 HA/10A Note re manner in which "Jockey Lane" is shown in SRO
 HA/11 Note – Land included in CPO for purpose of Twyford Bridge Improvements
 HA/12 Note re "Markham Moor Truck Stop"
 HA/13 Closing Submissions on behalf of the Highways Agency
 HA/14 Letter dated 21 July from Joseph Camm Farms Limited re Plots 4 & 4a

Objections

OBJ/2 Mrs Swann - Correspondence
 OBJ/3 The Greaves Family – Correspondence
 OBJ/4 Mr Horrocks – Correspondence
 OBJ/5A M W Headland & Son – Correspondence and Closing Submission
 OBJ/5B Mr P Headland - Correspondence and Closing Submission
 OBJ/6 Mr Gay – Correspondence
 OBJ/7 Mr Watson – Correspondence
 OBJ/8 Ms Lees – Correspondence
 OBJ/9 Mr & Mrs Raper- Correspondence

Supporters' Representations

S/1 Freight Transport Association (FTA)
 S/2 Trail Riders Fellowship (TRF)
 S/3 CTC Right to Ride Network
 S/4 Elkesley Primary & Nursery School
 S/5 Mr Beard
 S/6 Mrs Vernon
 S/7 Mr Jennings
 S/8 Mr Lees

S/9	Mrs Davies
S/10A	Mr Millar
S/10B	Mrs Millar
S/11A	Mr JF Douglas
S/11B	Mrs P Douglas
S/11C	Mr O Douglas
S/12	Mr Richardson
S/13	Mr & Mrs Simpson
S/14	Mr & Mrs Savill
S/15	Mr & Mrs Askew
S/16	Mr PH May – JAB Short Limited
S/17	Mrs Audrey Ackroyd
S/18	Mr Martin Smith – Nottinghamshire Ramblers Association
S/19	Mr Ken Dyer – KDA Design & Ken Dyer Associates
S/20	Mr P Hiley – Local Access Forum
S/21	Mr Stronach (no written evidence)
S/22	Mr Holmes
S/23	Mr John Mann MP

Other Representations

REP/1	Natural England
REP/2	Mr & Mrs Horner
REP/3	The Carr Family

General Inquiry Documents

X/1	Notes of Pre Inquiry Meeting 26 th May 2011
X/2	Notes for the Guidance of Inspectors
X/3	ODPM Circular 06/2004