

The Leicestershire County Council (Loughborough
Inner Relief Road Classified Road (1) And Epinal Way
Classified Road (2))(Side Roads) Order 2008

and

The Leicestershire County Council (Loughborough
Inner Relief Road Classified Road And Epinal Way
Classified Road) Compulsory Purchase Order 2008

Statement of Reasons

December 2008

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1. INTRODUCTION

1.1 THE PURPOSE OF THIS STATEMENT

- 1.1.1 The Leicestershire County Council has made the “Leicestershire County Council (Loughborough Inner Relief Road Classified Road (1) And Epinal Way Classified Road (2))(Side Roads) Order 2008” and is seeking confirmation of the order from the Secretary of State for Transport.
- 1.1.2 The Leicestershire County Council has made “The Leicestershire County Council (Loughborough Inner Relief Road Classified Road And Epinal Way Classified Road) Compulsory Purchase Order 2008” and is seeking confirmation of the order from the Secretary of State for Transport.
- 1.1.3 The purpose of this statement is to describe the proposals for the completion of the Loughborough Inner Relief Road and associated improvements to Epinal Way; and to explain the reasons for making the orders.

1.2 THE CLASSIFIED ROAD

- 1.2.1 The Classified Road (1) means the highway which the Council proposes to construct from the junction of Barrow Street with Aumberry Gap and Moor Lane, running north eastwards then north westwards to the junction of Baxter Gate with Lemington Street, Loughborough and which is a proposed highway which has been classified by the Secretary of State for Transport as a principal road for the purposes of the enactments and instruments which refer to highways classified as principal roads and which is a proposed highway which is a classified road in accordance with Section 12 of the Highways Act 1980;
- 1.2.2 The Classified Road (2) means the A6004, Epinal Way which the Council proposes to improve from a point 140 metres north west of its junction with Forest Road and a point 138 metres south east of that junction, Loughborough and which is a highway which is a classified road in accordance with Section 12 of the Highways Act 1980;

1.3 CONFIRMATION OF THE ORDERS

- 1.3.1 Confirming the Side Roads Order will allow the Council to improve highways, stop up highways, construct new highways, stop up private means of access to premises and provide new private means of access to premises.
- 1.3.2 Confirming the Compulsory Purchase Order will allow the Council to acquire the land and rights necessary to construct and maintain the new section of the Inner Relief Road (IRR) and improve existing highways.

2. NEED FOR THE SCHEME

2.1 EXISTING CONDITIONS

- 2.1.1 Loughborough town centre is severed by the A6, which is one of the main routes for traffic travelling through the town centre and a main local distributor for traffic travelling between Leicester, Loughborough and Kegworth. This road bisects the busy central shopping area, forming a barrier to pedestrian and cyclist movement between the north and south. As well as creating a barrier to pedestrian movement there is also a significant road safety problem. On the A6 between the terminal points of the IRR from 2000 to 2005, there were 87 road casualties recorded, half of which were either pedestrians or cyclists. On the section of the A6 to be pedestrianised, three quarters of the casualties were pedestrians or cyclists.
- 2.1.2 The A6 forms part of the principal route network in Leicestershire. As a consequence, the traffic flow of around 12,000 vehicles per day including 5.5% heavy goods vehicles is constantly interrupted by turning traffic, pedestrian crossing movements and busy bus stops creating unacceptable queues

and delay. This congestion is often exacerbated further by traffic diversions around the town resulting from roadworks, vehicular breakdowns and accidents. Consequently, outside the central Leicestershire conurbation, this makes Loughborough the largest and most congested urban area in the County.

- 2.1.3 This traffic congestion is resulting in slow moving and queuing traffic in the town centre which is also causing high levels of air pollution to such an extent that an Air Quality Management Area (AQMA) has been established in Loughborough. This AQMA covers a number of roads in central Loughborough including A6 High Street and Derby Road. Most of these roads will meet national targets by 2010, mainly due to improvements in vehicle technology. However, the one area where this target will not be met is along A6 High Street.
- 2.1.4 Access to the town centre is currently dominated by the car and poor traffic conditions adversely affect the reliability of bus services. Coupled with poor quality waiting facilities and passenger information, these factors do little to encourage private car users to switch to public transport. The lack of adequate footway width also causes overcrowding between pedestrians and passengers waiting at the town centre bus stops. Cyclists have limited route options to take and are often in conflict with both the general traffic and pedestrians.
- 2.1.5 Outside of the Central Leicestershire conurbation, Loughborough is the largest and most congested of the County's urban areas. With planned growth through to 2026, it is clear that without major transport improvements or effective demand management measures, the situation will worsen significantly in the medium to longer term. However, the proposed Loughborough Town Centre Transport Scheme is not being promoted to accommodate this level of growth. To do so would attract yet more traffic to the remainder of the A6, would create unacceptable barriers between the north and east sides of the town and could create unacceptable condition alongside the relief road.

2.2 SCHEME OBJECTIVES AND BENEFITS

- 2.2.1 The proposed scheme will integrate a number of measures designed to improve the environment, reduce road accident casualties and provide new high quality bus infrastructure facilities in the town centre. The project is also an integral component of Charnwood Borough Council's (CBC) Masterplan, a strategic development framework to help regeneration of Loughborough town centre and to retain its competitive economic position within the East Midlands Three Cities Sub Area.
- 2.2.2 To fully realise the overall aim, the following scheme objectives must be achieved:-
 - i. Reduce severance, accidents, air pollution and the impact of traffic by removing vehicles from A6 Market Place/Swan Street and other town centre streets.
 - ii. Provide limited congestion relief and manage the impact of diverted traffic by completing a purpose built relief road and related key junction improvements on the A6004 Ring Road.
 - iii. Improve accessibility for pedestrians, cyclists and people with disabilities by upgrading the townscape environment and by providing new high quality bus infrastructure facilities.

- 2.2.3 Combined with a number of junction improvements, completion of the IRR is an essential prerequisite of the scheme to remove all through traffic away from the town centre. Once in place, environmental improvements can be carried out along A6 Swan Street/Market Place/High Street and Baxter Gate.
- 2.2.4 In addition, high quality bus infrastructure facilities are proposed in the High Street/Baxter Gate area and in The Rushes/Derby Square area which together with improved bus movements around the town which will encourage greater use of public transport.
- 2.2.5 The Loughborough Town Centre Transport Scheme will help to deliver all the key LTP and the four DfT shared transport priorities as well as to help meet the government targets set out in the 10 year plan

3. THE SCHEME

3.1 DESCRIPTION OF PROPOSALS

- 3.1.1 The Loughborough Town Centre Transport Scheme is being promoted by Leicestershire County Council. The Scheme consists of a number of components
 - i. Completing the remaining section of the IRR, and upgrading junctions on the existing relief road to carry traffic flow diverted from the closed A6
 - ii. Providing an improved pedestrian environment in the town centre following the closure of the A6 Swan Street/Market Place
 - iii. Provision of new high quality bus waiting/interchange facilities both in High Street/Baxter Gate and The Rushes/Derby Square areas
 - iv. Related junction improvements on the Loughborough A6004 Ring Road will help reduce traffic demand on the relief road and the town centre road network.
- 3.1.2 Loughborough Inner Relief Road
 - i. The full extent of the relief road including the new section linking Baxter Gate to the A6 Leicester Road.
 - ii. The relief road will follow existing roads along Bridge Street, Fennel Street and Lemyngton Street. A new road link of approximately 400m in length will be constructed between Baxter Gate and A6 Leicester Road.
 - iii. The new road link will generally be a 2 lane single carriageway road with footways/cycleways along both sides. Additional carriageway width will be required at the junctions to facilitate pedestrian crossing refuges and extra lanes for traffic turning movements with signalised control at Bridge Street, Fennel Street, Baxter Gate, and Barrow Street.
 - iv. Pelican/toucan crossings will also be provided on the relief road near to Church Gate, Pinfold Gate and Moor Lane where the main pedestrian demand for crossings have been identified.
- 3.1.3 Pedestrian Environment
 - i. Once traffic has been removed from the A6 Market Place/Swan Street, it is proposed to improve the environment in the town centre by providing new pedestrian preference areas.

- ii. The existing A6 along Swan Street and Market Place will be closed to all vehicles apart from essential service vehicles delivering outside core restriction periods.
- iii. It is intended to provide an improved standard of paving, lighting and street furniture in keeping with the improvements recently undertaken on nearby Biggin Street.
- iv. The reduction in traffic flow on High Street and Baxter Gate will also provide the opportunity to widen and improve existing footway facilities.

3.1.4 Bus Waiting & Interchange Facilities

- i. New bus hubs will be established at The Rushes/Derby Square and High Street/Baxter Gate. The bus hubs will incorporate quality shelters with high level access kerbs within an improved pedestrian environment. It is envisaged that shelters, where possible, will be designed to make use of shared space between both waiting bus passengers and passing pedestrians. This will make best use of available space and at the same time avoid segregating different users.
- ii. High quality lighting, timetable cases and local town information will be incorporated as part of the new shelters. Individual stops will be clearly and uniquely identified and town centre key plans will be used to ensure passengers can easily find the departure point they require.
- iii. Removal of traffic from the town centre streets will enable more reliable bus services and provide more road space for buses.
- iv. Loughborough is already covered by the StarTrak real time bus passenger information system that gives 'next bus' information. Provision will be made within the new public transport infrastructure to improve and expand the system within the town centre.
- v. Other traffic management measures will be considered (such as selective vehicle detection at the signalised junctions) to assist buses travelling in and out of the town centre.

3.1.5 Bus Routing Trial

- i. Although the scheme is based upon a full closure of Market Street to traffic, the County Council has resolved to undertake a one year trial from completion of the scheme allowing southbound buses to continue to use their existing route through the town centre. This trial will enable road safety implications of buses passing through the pedestrian area to be assessed. Upon completion, the results will be considered and a review of the bus routing arrangements will be undertaken.

3.1.6 Related A6004 Ring Road Junction Improvements

- i. In order to mitigate the effects of closing the A6 and removing vehicular traffic from the town centre, the Scheme proposes some limited capacity junction improvements on the A6004 Ring Road. The traffic model identified two junctions (Epinal Way/ Forest Road and Belton Road/Belton Road West Extension) that once improved would most effectively reduce traffic demand on the relief road and the town centre road network.
- ii. Proposals for the A6004 Epinal Way junction with Forest Road will change the existing roundabout configuration to traffic signal control. With the additional traffic lanes on junction approaches traffic capacity can be increased whilst at the same time provide improved

pedestrian crossing facilities within the signal phasing. Proposals for the A6004 Belton Road junction with Belton Road West Extension will provide minor widening alterations to the existing junction layout.

3.1.7 Rights of Way

- i. Pinfold Gate will be stopped up where it meets the western boundary of the IRR and a turning head will be provided for vehicles. A link for pedestrians and cyclists will be provided between Pinfold Gate and the Inner Relief Road.
- ii. School Street will be stopped up at its junction with Pinfold Gate and a turning head will be provided for vehicles. A link for pedestrians and cyclists will be provided between School Street and Pinfold Gate.
- iii. The footpath K89 known as Pinfold Jetty follows a route between School Street and Pinfold Gate. Part of this footpath will be stopped up where it crosses the IRR and replaced by a Toucan crossing for pedestrians and cyclists to continue their journeys to and from the town centre.
- iv. The private means of access to the rear of the Beauchief Hotel from Aumberry Gap will be stopped up and replaced by a new private means of access situated approximately 20m to the North West.
- v. The private means of access from the service road (running parallel to the West of the A6 Leicester Road) into the offices of the CBC will be stopped up. The main entrance on Southfield Road will continue to provide access to the offices.

3.1.8 Lighting

- i. Street lighting will be provided along the full length of the new section of the IRR between Baxter Gate and the A6 Leicester Road. The lighting columns will be 12m high generally positioned at the back of the footway/ cycleway. Modern type cut-off lanterns will be used to minimise light pollution.
- ii. The junction of Epinal Way/Forest Road currently has street lighting which will be revised to suit the improved junction layout.

3.1.9 Traffic

- i. A traffic model for the Loughborough area has been developed to help predict the traffic impact of the proposals on the surrounding area within the town as well as on the wider traffic network. The results support the case for building the IRR including the associated network improvements and show that the scheme can provide economic benefits for road users in Loughborough.
- ii. The IRR has been designed to accommodate future low growth traffic flows and other known commitments up to the opening year in 2010. Any further permitted development in the town requiring highway network improvements must be provided by development. For the environmental assessment however, high future growth in 2025 has been assumed to represent the most pessimistic scenario.
- iii. Prior to developing the current proposals, various studies were undertaken. The Loughborough Area Transport Study (LATS) was carried out in 2004 based on the

Loughborough Transport Model (LTM) to consider the existing transport issues in and around the town, and to assess the likely impact of future development.

- iv. The study revealed that since the opening of A6004 Epinal Way Extension in July 2003, sections of the Epinal Way have become markedly more congested and recommended that the LTM should be used to assess the preferred development options that the Borough Council would be putting forward through the Local Development Framework (LDF). Those developments, identified as committed or being in place by 2010, are included in the do-minimum scenario.

3.1.10 Related Development

- i. The draft Masterplan for the town centre provides strategic guidance for the long term development of sites including those adjacent to the IRR. There are currently 5 development sites identified near to the route of the IRR:
 - Wharf Development – Located on the A6 Derby Road near Bridge Street. It is now substantially completed and provides accommodation for approx 200 students adjacent to the Grand Union Canal.
 - Loughborough Magistrates Court – This has vehicular access from Pinfold Gate and egress for custody vehicles only onto the IRR. This is now completed.
 - Former Hospital Site – A planning application is currently being considered by CBC. Access for a limited number of vehicles is proposed from Pinfold Gate through the Pinfold Medical Centre.
 - Pinfold Medical Centre –Proposals to improve the medical centre are being considered which retain the existing access off Pinfold Gate.
 - Aumberry Gap Development – The site bounded by Aumberry Gap, Barrow Street, High Street and Pinfold Gate identified in the draft Masterplan for development.

3.2 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

- 3.2.1 Planning officers have advised that a formal Environmental Statement to assess the impact of the IRR is not required. Nevertheless, a comprehensive assessment of the environmental impact of the proposals has been undertaken based on the worst-case growth scenario, i.e. a high level of traffic growth up to the scheme opening and design years. The key findings are summarised as follows:-
 - i. **Local Air Quality** – There will be a significant improvement in local air quality in the A6 shopping/commercial area whilst residential properties fronting the relief road and on Epinal Way will experience an increase in air pollution. No properties however will be subject to a breach in national air quality strategy objectives. Loughborough contains an air quality management area (AQMA) which includes the A6 through the town centre effecting 360 properties. The AQMA was declared due to a predicted breach of national air quality objectives. The IRR has been identified as the only realistic option to achieve the required reduction in air pollution.
 - ii. **Green House Gases** – Calculations show the core town centre area is expected to achieve a 75% reduction of CO2 levels as a result of the A6 closure, equivalent to an estimated 364

tonnes/year. Other routes in the town centre area experiencing a reduction in traffic flow, although not experiencing such dramatic changes, will also benefit from a reduction in CO2 emissions. However, Epinal Way will experience an increase of 120% in CO2 levels resulting from increase in traffic flows equivalent to an estimated 445 tonnes/year. The DMRB calculations predict a slight overall deterioration in CO2 levels for the Scheme and it is therefore assessed as having a negative impact. Nevertheless, based upon the worst case scenario this increase in CO2 is very small (approximately 5%).

- iii. **Noise** - Calculations show there will be a significant noise reduction of approximately 20LAeq once traffic has been removed from the town centre area. A noticeable reduction of some 3LAeq is also expected in the Sparrow Hill area and on Church Gate, to the west of the IRR. There will be noticeable increase in noise levels of approximately 3LAeq on Bridge Street which forms part of the relief road. There will also be a less noticeable increase on Barrow Street and in the Moor Lane area. However, for a sizeable number of properties and businesses within the 300-metre band of the IRR, there will not be a discernible difference in already relatively low noise levels. With the increase in traffic flow along Epinal Way in the vicinity of the Forest Road junction improvement, calculations forecast that there will be a noticeable increase in noise level of approximately 3LAeq. However, the majority of residential properties along Epinal Way are set well back from the edge of the ring road and as such, the increase in traffic flow will have no effect on them.
- iv. **Biodiversity/Water Environment** - The most important biodiversity sites in the immediate vicinity of the scheme are the Wood Brook and the Grand Union Canal and these would remain unaffected. In addition, there is no record of protected species from other adjacent areas. Nevertheless, a contingency will be part of the scheme to ensure that buildings to be demolished or trees to be removed are checked for protected species at the appropriate time and mitigation measures put in place where necessary. The loss of some trees will be more than compensated by the tree planting to be included as part of the landscaping proposals throughout the scheme. The new road will lead to a minor increase in impervious run off area but this can be accommodated within the existing drainage system.
- v. **Townscape/Heritage** - The scheme would have a large beneficial effect along the proposed pedestrianised zone of Swan Street and Market Place. The scheme proposals will help to enhance the appearance of central shopping area and significantly improve the pedestrian movement throughout the town centre, thereby helping to restore a sense of place and regenerate the central retail area.

Where the IRR follows the existing road corridor, the proposals would have a moderate adverse impact on the scale and appearance of the existing townscape. Although the proposals are not visually intrusive, the increase in traffic flow would increase the sense of severance particularly in the vicinity of Church Gate conservation area and All Saints Church. As part of mitigation measures, pelican/toucan crossings are to be installed where the main pedestrian crossing movements have been identified, along with street landscaping where possible within the confines of the existing highway.

Along the new section of IRR, the route will initially pass over mainly derelict land and a surface car park identified in the Charnwood Borough Council's Masterplan for redevelopment. Between Pinfold Gate and Moor Lane, the route will have a large adverse impact cutting through the existing street pattern and demolishing three properties. Where the route exposes rear elevations, new highway boundary treatment will be provided to mitigate the visual intrusion.

- vi. **Accidents** – Between 2000 and 2005, three quarters of the 87 road casualties on the section of the A6 between Bridge Street and Barrow Street were pedestrians and cyclists. Completion of the IRR will close this part of the A6 to through traffic, significantly reducing accidents in the town centre.

Over the 60 year assessment period, the Scheme will provide a saving of 397 accidents (5 in the opening year).

- vii. **Proposed Mitigation** - Where the IRR does impact on its immediate surroundings a number of mitigation measures are proposed. These include providing boundary walls to reduce traffic noise, and highway boundary treatment that is in sympathy with both the existing and proposed urban streetscape. Walls and planting will provide privacy for properties in the Hastings Ward, or will mask the unattractive views of rear facades of buildings on other parts of the route. Where possible, open areas will be provided with attractive paving and proportionate soft landscaping to link with identified pedestrian desire lines and purpose built crossing points.

3.2.2 **Alternative Scheme Options** – Before arriving at the proposed scheme, three overarching alternative options were considered. Two were rejected as they would fail to meet the scheme objective to provide high quality bus hubs on Baxter Gate and Derby Square. The third alternative provides less value for money with less vehicle journey time benefits than the proposed scheme.

3.2.3 **Alternative Routes for completion of the Inner Relief Road** - Proposals for construction of an inner circulatory road were first included in a Draft Local Plan in 1971. Since then, the corridor for an inner relief road has been established in subsequent Local Plans and over time, approximately two thirds of the relief road has been developed. Nevertheless, the route to complete the relief road was again reviewed prior to receiving planning permission in May 2007, to ensure that it still remained the best solution. A number of wider circulatory routes were considered but these were rejected either on grounds of cost or because they have to pass through narrow residential streets. The remaining options were limited to completing the relief road between Baxter Gate and the A6 Leicester Road. In addition to the proposed route along the Local Plan corridor, three alternative routes were considered in more detail. The alternative routes were rejected as inferior to the proposed route because in each case they required the demolition of a greater number of buildings.

4. THE PLANNING POSITION OF THE ORDER LAND

4.1 COUNTY COUNCIL DECISIONS

- 4.1.1 On 18th November 2004, Cabinet approved the first stage public consultation on outline options for transport proposals in central Loughborough.
- 4.1.2 At its meeting on 4th July 2005, Cabinet approved the Provisional Local Transport Plan for 2006-2011, which includes proposals for Loughborough town centre, involving completion of the Inner Relief Road, improved town centre pedestrian and bus facilities together with improvements to Epinal Way. That decision was endorsed by the County Council on 13th July 2005.
- 4.1.3 On 31st October 2005, Cabinet resolved that no part of the former hospital site adjacent to Baxter Gate should be acquired for use as a bus station and that the provision of high quality on-street bus facilities is a better solution in the development of transport proposals for central Loughborough.
- 4.1.4 At its meeting of 23rd November 2005, Cabinet approved options for second stage public consultation on the project, which were welcomed in general terms by the Highways, Transportation and Waste Management Scrutiny Committee on 30th November 2005.
- 4.1.5 On 17th January 2006 Cabinet noted that the Loughborough town centre scheme had been rated as a priority by the East Midlands Regional Assembly in the first five year programme to start in 2009, an essential prerequisite for government funding.
- 4.1.6 On 7th March 2006 the Cabinet considered the outcome of public consultation and approved the preferred scheme to be included as a named major scheme in the second Local Transport Plan
- 4.1.7 On 19th December 2006 the Cabinet resolved that the preferred scheme to complete Loughborough Inner Relief Road be approved to form the basis of a planning application
- 4.1.8 On 17th May 2007 the Development Control and Regulatory Board resolved to grant planning permission for the construction of the Loughborough Inner Relief Road.
- 4.1.9 On 23rd November 2007 the Cabinet gave its approval to progress the statutory procedures needed to acquire land and rights subject to government funding.

4.2 LOCAL AND REGIONAL PLANS

- 4.2.1 Proposals for an inner circulatory road were first included in the Loughborough Draft Local Plan in 1971. The route corridor for the Loughborough Inner Relief Road, a key component of the Loughborough Town Centre Transport Scheme, is safeguarded in the Leicestershire, Leicester and Rutland Structure Plan 1996 – 2016. The corridor including the land required for the Inner Relief Road has been the subject of two planning public inquiries and is currently protected in the Borough of Charnwood Local Plan.
- 4.2.2 Charnwood Borough Council's Loughborough Town Centre Masterplan, adopted in February 2007, intended to form part of that council's new Local Development Framework, calls for completion of the inner relief road and associated measures.
- 4.2.3 The proposals have the support of the Charnwood Borough Council and have been named by the East Midlands Regional Assembly in the 5 year programme of transport funding priorities in the East Midlands.
- 4.2.4 The scheme proposals contribute to the *Regional Spatial Strategy 8* and the Loughborough Inner Relief Road is named in the Three Cities Sub Area as an investment priority.

5. INFORMATION GIVEN IN THE LIGHT OF GOVERNMENT POLICY STATEMENTS

5.1 GOVERNMENT POLICIES

- 5.1.1 *The Planning Policy Statement 6* covers town centres and the main town centre uses. The Government's key objective for town centres is to promote their vitality and viability by:
- i. planning for the growth and development of existing centres; and
 - ii. promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.
 - iii. The Loughborough town centre transport scheme will support this key government policy for town centres.
- 5.1.2 *The 'Air Quality Strategy: Working Together for Clean Air'* sets out Government Policy and how a range of measures would help to deliver cleaner air in the medium term. Consequently, an Air Quality Management Area was declared for Loughborough covering a number of roads in and around the main town centre. Although various alternatives have been considered, the action plan identifies the completion of the Inner Relief Road as the only realistic way to resolve the town centre pollution problem.
- 5.1.3 The *Regional Spatial Strategy for the East Midlands (RSS8)* defines the Three Cities Sub-Area and proposes ways of developing relationships between the Principal Urban Areas of Derby, Leicester and Nottingham to create more sustainable patterns of development and movement, and to promote economic competitiveness. These three cities, all within 25 miles of each other are the largest in the East Midlands region and three of the fifteen largest cities in England.
- 5.1.4 They are the major commercial, industrial, administrative and cultural centres of the region. They contain many of the region's key companies, its largest shopping destinations, the main centres of higher education and healthcare, and other public services. Taken together they represent half the economy of the entire region.
- 5.1.5 Significant improvements are being planned or undertaken to improve the economic prosperity of these three cities, and much of this work is taking place in and around their city centres. This work is being pursued in collaboration with East Midlands Development Agency and urban regeneration companies with significant transport funds being used to enhance the attractiveness of the city centres.
- 5.1.6 Loughborough is identified by the RSS8 as a Sub Regional Centre of the Three Cities Sub-Area. The RSS8 states that "the development needs and opportunities of these settlements [Sub-Regional Centres] should be considered in the light of their relationship to the Principal Urban Areas". This is particularly important for Loughborough given its unique position in relation to the three cities, and it is within this context that the future vitality and viability of Loughborough town centre must be considered.

5.1.7 Although Leicestershire is a relatively prosperous county, Loughborough still has pockets of significant deprivation. Five of the County's ten most deprived wards are in Loughborough. Three of these, Hastings, Southfields and Storer wards lie adjacent to the town centre (Indices of Deprivation 2004). Charnwood Borough Council, in partnership with the County Council has developed a town centre Masterplan that will help to alleviate these problems. An integral part of the Masterplan is the Loughborough Town Centre Transport Scheme, which will help to support the competitive economic position of the town within the East Midlands Three Cities Sub-Area.

5.2 GROWTH IN THE THREE CITIES SUB-AREA

5.2.1 The housing strategy for the Three Cities Sub-Area also embodies the New Growth Points and will require significant urban extensions to meet the level of growth envisaged in the draft Regional Plan. In the Leicester Housing Market Area (which covers Leicester and Leicestershire) the draft Regional Plan envisages about 30% of all new housing outside of Leicester being provided in Charnwood Borough, and that the vast majority of this should be provided in, or in sustainable urban extensions (SUE) to, Loughborough. This will require up to 500 new dwellings per year through to 2026. This is about 35% above Department of Communities and Local Government (DCLG) Household Projections.

5.2.2 In the past there has been significant pressure for development in the vicinity of East Midlands Airport (EMA). However the draft Regional Plan makes clear that urbanisation of the area around EMA would lead to an unsustainable pattern of development and would be environmentally unacceptable. *Draft Regional Policy 13* therefore requires that development associated with EMA should be focussed on the three cities and the sub-regional centre of Loughborough.

5.2.3 For Loughborough to play its full role in accommodating a significant proportion of regional housing growth and growth associated with EMA, it clearly must have an attractive and vibrant town centre.

5.2.4 *Draft Regional Plan Policy 21* stresses the need for local authorities, East Midlands Development Agency and sub-regional strategic partnerships to work together to promote the vitality and viability of existing town centres. It highlights the benefits this will bring in the Three Cities Sub-Area in terms of reduced pressure on strategic transport infrastructure if these towns can become more self sufficient and do not have to rely on the three cities for their retail needs.

6. SIDE ROADS ORDER

6.1 THE NEED FOR THE SIDE ROADS ORDER (SRO)

6.1.1 The SRO will, subject to Confirmation of the Secretary of State for Transport, empower the County Council to stop up existing side roads and private means of access affected by the Scheme, to improve existing side roads, and to create a new cycle track (with right of way on foot) and private means of access as a consequence of the main works.

6.1.2 The full title of the Order published under the Highways Act 1980 is:
The Leicestershire County Council (Loughborough Inner Relief Road Classified Road (1) and Epinal Way Classified Road (2))(Side Roads) Order 2008.

6.2 THE NEED FOR SIDE ROAD ALTERATIONS

6.2.1 The proposed alterations to existing highways and private means of access that would be affected by the Scheme are detailed in the Schedule attached to the Side Roads Order, and shown diagrammatically on the Side Roads Order plan SRO1. The following descriptions should be read in conjunction with the Schedules in the Order and the site plans.

6.2.2 The Scheme will require alteration of side roads and accesses and the Order made under Sections 14 and 125 of the Highways Act 1980 implements these alterations. The Scheme requires the

stopping up of highways at various points as detailed in section 3.1.7. The proposed arrangements are detailed below:

SCHEDULE 1 (SR01 \ PLAN A)

Locality: Loughborough in the District of Charnwood.

Highways to be improved

Southfield Road
A6 Leicester Road
Barrow Street
Moiria Street
Moor Lane
Aumberry Gap
School Street
Pinfold Gate
Baxter Gate
Lemyngton Street
Church Gate
Fennel Street
Bridge Street
A6 Derby Road/The Rushes

Highways to be stopped up

Footpath K89, Pinfold Jetty, from its junction with Aumberry Gap, north eastwards, for a distance of 50 metres, to the north eastern boundary of the classified road, where it meets the rear boundary of properties Nos. 26 and 27 School Street.

School Street, from its junction with Pinfold Gate in a south easterly direction to the south eastern boundary of property No. 1 School Street, a distance of 15 metres.

Pinfold Gate, where crossed by and between the two boundaries of the classified road 1, for a distance of 45 metres.

Reference letters of new highways

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A
(Cycle Track with a right
of way on foot)

-

Private means of access to be stopped up

Access from Aumberry Gap to the Beauchief Hotel (X1).

1

Access from A6 Leicester Road Service Road to Charnwood Borough Council car park (X2).

-

Reference number of new access

SCHEDULE 2 (SRO1 \ PLAN B)

Locality: Loughborough in the District of Charnwood.

Highways to be improved

Forest Road

Highways to be stopped up

-

Reference letters of new highways

-

Private means of access to be stopped up

-

Reference number of new access

-

7. COMPULSORY PURCHASE ORDER

7.1 INTRODUCTION

- 7.1.1 The Scheme requires the acquisition of land for which a Compulsory Purchase Order has been made. The Compulsory Purchase and Side Road Orders are based on the scheme design that gained planning permission on 17th May 2007. The County Council will be negotiating with the owners to purchase by agreement, but it is unlikely, with the number of acquisitions involved that negotiations by agreement will be reached with all landowners affected. Therefore to meet the timetable for construction, compulsory purchase powers are required.

7.2 THE ORDER LAND

- 7.2.1 Loughborough is a market town in the north of the county of Leicestershire, and the administrative centre of the Borough of Charnwood. The town lies centrally within 15 miles of the cities of Leicester (to the south), Derby (to the northwest) and Nottingham (to the north). The Order land is situated at the following two locations in the built-up area of Loughborough town.
- i. Town Centre - along the existing route of the Inner Relief Road (IRR) between A6 Derby Road and Baxter Gate and along the corridor of land safeguarded for the Inner Relief Road between Baxter Gate and the A6 Leicester Road. In the town centre, this land has several uses and comprises of an area of open development land, parts of residential gardens, surface car parks (public and private) and buildings being used as a day nursery, a funeral directors, a butchers shop, tyre fitters and a residence.
 - ii. Epinal Way - At its junction with Forest Road. The order land is being used as highway verge and footway.
 - iii. Detailed drawings of the scheme can be viewed at the offices of Leicestershire County Council, County Hall, Glenfield.

7.3 THE COMPULSORY PURCHASE ORDER

- 7.3.1 The Order has been made and is about to be submitted to the Secretary of State for Confirmation pursuant to the Highways Act 1980 (sections 239, 240, 246 and 250) and the Acquisition of Land Act 1981.
- 7.3.2 The Order Land is required to construct and maintain the new section of the Inner Relief Road and improve existing highways.
- 7.3.3 The Order Plan CPO1 shows the extent of the Order Land, which comprises 43 plots.

7.4 LAND TO BE ACQUIRED

- 7.4.1 Confirmation of this Order will enable Leicestershire County Council to acquire compulsorily land required for the Scheme in order to construct new highways, improve highways, stop up highways and private means of access to premises, and to provide new means of access to premises. It will also enable Leicestershire County Council to acquire compulsorily land required for the mitigation of adverse effects and for the acquisition of rights for construction and maintenance of the Scheme. All land shown in the Schedule is required for the Scheme.

7.5 JUSTIFICATION FOR THE COMPULSORY PURCHASE ORDER

- 7.5.1 The Scheme is required in order to meet the objectives set out in Chapter 2.
- 7.5.2 A description of the Scheme proposals and the effects of the Scheme are detailed in Chapter 3.
- 7.5.3 The Scheme fits with national, regional and local strategies and policies at a number of levels:
- i. Planning Policy Statement 6 objectives;
 - ii. The Regional Spatial Strategy for the East Midlands (RSS8);
 - iii. Leicestershire, Leicester and Rutland Structure Plan 1996 – 2016, Leicestershire Local Transport Plan 2006 - 2011; and
 - iv. Loughborough Town Centre Masterplan, adopted in February 2007.
- 7.5.4 These are described in Chapters 4 and 5.

7.6 SPECIAL CONSIDERATIONS

- 7.6.1 detail of issues affected by proposals with regard to;
- i. Ancient monuments - None directly affected
 - ii. Listed buildings
 - No. 4 Moor Lane – Local building of character (19th Century) to be demolished.
 - Pinfold Gate Day nursery – Locally listed building (19th Century) to be demolished.
 - No. 45 Baxter Gate – Locally listed building (18th or 19th Century) to be demolished.
 - iii. Conservation areas
 - Church Gate – Minor highway improvements proposed along existing route through conservation area.

- Leicester Road - Minor highway improvements proposed along existing route through conservation area.

iv. Special category land – None directly affected

v. Consecrated land – None directly affected

7.7 **OBSTACLES**

- i. None - A corridor including the land required for the Inner Relief Road is currently protected in the Borough of Charnwood Local Plan and on 17th May 2007 the Development Control and Regulatory Board resolved to grant planning permission for the construction of the Loughborough Inner Relief Road.

7.8 **GOVERNMENT DEPARTMENT VIEWS**

7.8.1 Department For Transport Views

- i. The Loughborough Town centre Transport Town Centre Transport scheme was given programme entry on 12th November 2008

7.9 **OTHER INFORMATION**

7.9.1 Related Planning Application

- i. None at present

7.10 **RELATED ORDERS**

7.10.1 None at present

8. HUMAN RIGHTS CONSIDERATIONS AND ANY OTHER CONSIDERATIONS

- 8.1.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("**Convention**"). The Convention includes provisions, the aim of which is to protect the rights of the individual.
- 8.1.2 Section 6 of the Human Rights Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering a compulsory purchase order, notably the following articles:
- i. Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law
 - ii. Article 8 protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
- 8.1.3 The European Court of Human Rights has recognised in the context of Article 1 that regard must be had to the fair balance which has to be struck between the competing interests of the individual and of the community as a whole. Interference with a Convention right is permitted only where it is necessary and proportionate. In pursuing this Order, the Council has considered carefully the balance to be struck between individual rights and the wider public interest. Such interference with Convention rights as exists is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the Scheme will bring. Compensation will be available to those entitled to claim it in accordance with the relevant statutory provisions.
- 8.1.4 The Council considers that there is a compelling case in the public interest for confirmation of the Order and that the Order, if confirmed, would strike an appropriate balance between public and private interests. The rights of owners of interests in the Order lands under the Human Rights Act 1998, in particular the rights contained in Article 8 and Article 1 of the First Protocol, have been taken into account by the Council when considering whether to make the Order and when considering the extent of the interests to be comprised in the Order. In addition, having regard to the provisions of the 1990 Act and the guidance set out in Circular 06/2004, the Council considers that the Order Land is both suitable for and will facilitate the carrying out of development, redevelopment and improvement and will make a positive contribution in the promotion or achievement of the economic, social and environmental wellbeing of its area for the reasons explained in this statement.

9. GENERAL INFORMATION

9.1 PUBLIC INQUIRY

- 9.1.1 In the event of a public inquiry the County Council will publish a list of relevant documents and make them available for inspection at:
- i. Leicestershire County Council offices County Hall Glenfield Leicester LE3 8RJ
 - ii. Charnwood Borough Council Offices, Southfield Road, Loughborough, Leicestershire, LE11 2TN

iii. Loughborough Town Hall, Market Place, Loughborough, Leicestershire, LE11 3EB

9.2 **COMPENSATION**

9.2.1 Provision is made by statute with regard to compensation for the compulsory purchase of land and the depreciation in the value of affected properties. More information is given in the series of booklets published by the Department of Communities and Local Government entitled *Compulsory Purchase and Compensation* listed below:

- i. Booklet No 1 – Compulsory Purchase Procedure
- ii. Booklet No 2 – Compensation to Business Owners and Occupiers
- iii. Booklet No 3 – Compensation to Agricultural Owners and Occupiers
- iv. Booklet No 4 – Compensation to Residential Owners and Occupiers
- v. Booklet No 5 – Reducing the Effect of Public Development: Mitigation Works

9.2.2 Copies of these booklets are obtainable free of charge from:

- i. Communities and Local Government Publications
PO Box 236
Wetherby
West Yorkshire
LS23 7BN

Tel. 0870 1226 236
Fax: 0870 1226 237
Textphone: 0870 1207 405
Email: communities@twoten.com.