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for Transport

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For the attention of Ms Mair Young

Your Ref: 4/HPM/ZipX007407DW

MY/ZipX006870DW

Our Ref: NATTRAN/WM/LAO/0076

Date: 26 August 2015

Dear Sir

**HIGHWAYS ACT 1980
ACQUISITION OF LAND ACT 1981**

**THE STAFFORDSHIRE COUNTY COUNCIL (A50 GROWTH CORRIDOR – A522
WESTERN GRADE SEPARATED JUNCTION, UTTOXETER) SIDE ROADS ORDER
2014 ("the SRO")**

**THE STAFFORDSHIRE COUNTY COUNCIL (A50 GROWTH CORRIDOR –
WESTERN GRADE SEPARATED JUNCTION, UTTOXETER) COMPULSORY
PURCHASE ORDER 2014 ("the CPO")**

**THE STAFFORDSHIRE COUNTY COUNCIL (A50 GROWTH CORRIDOR –
REALIGNMENT OF A522, UTTOXETER ROAD, UTTOXETER) COMPULSORY
PURCHASE ORDER 2014 ("the CPO")**

**THE A50 TRUNK ROAD (UTTOXETER GROWTH CORRIDOR SLIP ROADS)
ORDER 201 ("the SLRO")**

1. I refer to the concurrent Public Local Inquiries ("the Inquiry") held at Uttoxeter Racecourse, Wood Lane, Uttoxeter, Staffordshire ST14 8BD and Staffordshire County Council, Stafford between 14 April 2015 and 21 May 2015 before Mr Ian Jenkins BSc CEng MICE MCIWEM, an Inspector appointed by the Secretary of State ("the Secretary of State") to hear objections to and representations about the above named SRO and CPO Orders submitted for confirmation by Staffordshire County Council ("the Council") and the SLRO as proposed by the Secretary of State for making. The inquiry was concluded in writing, by the Inspector, on the 5 June 2015.

2. If confirmed by the Secretary of State, the SRO and the two CPOs would, respectively, authorise the Council to:

(i) improve or stop up lengths of highway, construct new highways and stop up and/ or provide new private means of access to premises, in order to facilitate the A50 Growth Corridor and the provision of a new grade separated junction between the A50 and the A522 northwest of Uttoxeter; and

(ii) compulsorily purchase land and the rights over land in order to construct the A50 Growth Corridor – A522 Western Grade Separated Junction and the re-alignment of the A522 with its associated works and mitigation measures, as provided for by the above-mentioned SRO.

3. If made by the Secretary of State, the SLRO would provide for the proposed A50 slip roads to become trunk roads when the Order comes into force.

THE INSPECTOR'S REPORT

4. The Inspector has considered all the objections to and representations about the Orders both as made in writing and presented orally at the Inquiry and has submitted a report to the Secretary of State. A copy of that report is enclosed with this letter. References in this letter to the Inspector's report are indicated by the abbreviation "IR" followed by the paragraph number in the report.

5. The Inspector's report summarises the proposed modifications to the Order at IR 3.2 to 3.2.2 and the case for the Council at IR 4.1 to IR 4.5.1. The case for the supporters is at IR 5.1 to IR 5.1.6. The case for the objectors is summarised at IR 6.1 to IR 7.2.31 and the Council's response to individual objections is detailed at IR 8.1 to IR 8.2.5. The Inspector's conclusions are detailed at IR 9.1 to 9.3.51 and recommendations are given at IR 10.1 to IR 10.4.

THE INSPECTOR'S CONCLUSIONS AND RECOMMENDATIONS

6. In light of conclusions reached, the Inspector recommended at IR 10.1 that the SRO and both CPOs should be confirmed subject to the modifications outlined in the Inspector's dossier, ID 54. These modifications are included at Annex A to this letter. He also recommended that the SLRO should be made without modification.

THE DECISION OF THE SECRETARY OF STATE

7. The Secretary of State has considered carefully all the objections to, and representations about the Orders, including the alternative proposals put forward. He has considered the Inspector's report and accepts his conclusions and recommendations.

8. He notes the Inspector's comments in relation to the SRO at IR 9.1 to IR 9.1.6. After considering the evidence, the Secretary of State agrees with the Inspector's overall conclusion that the requirements of section 18(6) and 125(3) of the Highways Act 1980 would be satisfied and that the SRO should be made with modification.

9. The Secretary of State has also considered whether the purposes for which each of the CPOs are required sufficiently justify interfering with the human rights of the objectors, owners and lessees and is satisfied that they do. In particular, consideration has been given to the provisions of Article 1 of The First Protocol to the European Convention on Human Rights. In this respect, the Secretary of State agrees with the Inspector's conclusions at IR 9.3.51 and is satisfied that in confirming the CPOs a fair balance has been struck between the public interest and interests of the objectors, owners and lessees.

10. After consideration of the objections, either singly or together, the Secretary of State does not believe they constitute grounds for not proceeding with the proposals and accepts that the modifications referred to in paragraph 6 above are necessary and that they should be made. For these reasons the Secretary of State has decided to confirm, as modified, The Staffordshire County Council (A50 Growth Corridor – A522 Western Grade Separated Junction, Uttoxeter) Side Roads Order 2014, The Staffordshire County Council (A50 Growth Corridor – Western Grade Separated Junction, Uttoxeter) Compulsory Purchase Order 2014 and The Staffordshire County Council (A50 Growth Corridor – Realignment Of A522, Uttoxeter Road, Uttoxeter) Compulsory Purchase Order 2014.

11. The Secretary of State notes the Inspectors consideration of the SLRO at IR 9.2.1 to IR 9.2.2. He notes that the planning application was supported by the Environmental Statement, and agrees with the Inspector that this indicates that the scheme would be likely to have a negligible effect on agricultural soils. The Secretary of State notes that there were no outstanding objections to the SLRO and agrees with the Inspector that it would be expedient to make the SLRO in order to achieve the full scheme of Trunk Road improvements.

12. The Secretary of State, after considering the evidence, agrees with the Inspector's overall conclusion that the requirements of section 10(2) of the Highways Act 1980 would be satisfied and that the SLRO should be made as drafted without modification (IR 9.2.3, IR 10.2).

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

COMPENSATION

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

AVAILABILITY OF DOCUMENTS

15. A copy of this letter and the annexed modifications report, together with a copy of the Inspector's report, has been sent to statutory objectors, those objectors, their representatives and the other persons who appeared and made representations at the Inquiry. A copy of this letter and its annex, together with a copy of the Inspector's conclusions and recommendations, has been sent to all other supporters of the scheme and outstanding objectors. Copies will be made available on request to any other persons directly concerned and will also be made available for viewing at <https://www.gov.uk/government/collections/highways-act-inspectors-reports-and-decision-letters>.

16. Please arrange for a copy of the Inspector's report and a copy of this letter, including its Annex, to be made available for inspection at the offices of the Council and at all other places used to deposit the Orders for public inspection at making stage. Any person entitled to a copy of the Inspector's report may apply to the Secretary of State for Transport, at this address within 6 weeks of the receipt of this letter, to inspect any document, photograph or plan submitted by the Inspector with the Inspector's report. Those documents, photographs or plans are retained at this office and will be made available at a local place of inspection.

RIGHT OF CHALLENGE

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

Yours sincerely



VICTORIA POINTER
Authorised by the Secretary of State
to sign in that behalf