

**THE HIGHWAYS ACT 1980**

**-and-**

**THE ACQUISITION OF LAND ACT 1981**

**THE HIGHWAYS (INQUIRIES PROCEDURE) RULES 1994**

**COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007**

**REFERENCE: LAO/NW/SRO/2013/40 and LAO/NW/CPO/2013/41**

**REBUTTAL PROOF**

**-of-**

**James McMahon in relation to the Proof**

**of**

**DWF LLP**

**on behalf of Mr Robert Hankinson and Mrs Christina Hankinson, Beech Farm, Hollin  
Lane, Styal, SK9 4LD**

**The Metropolitan Borough Council of Stockport**

**acting on its behalf and on behalf of**

**-Manchester City Council -and-**

**Cheshire East Borough Council**

**to be presented to a Local Public Inquiry on the 30<sup>th</sup> September 2014 to consider  
objections to**

**THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO  
MANCHESTER AIRPORT A555 CLASSIFIED ROAD) COMPULSORY PURCHASE  
ORDER 2013**

**THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO  
MANCHESTER AIRPORT A555 CLASSIFIED ROAD) (SIDE ROADS) ORDER 2013**

**Parveen Akhtar**

**Head of Legal and Democratic Governance**

**The Metropolitan Borough Council of Stockport**

**Corporate and Support Services**

**Town Hall, Stockport SK1 3XE**

This rebuttal proof of evidence sets out the Council's response to the objector's proof in relation to their objection to the A6 to Manchester Airport Relief Road Compulsory Purchase Order and/ or Side Road Order that was submitted to the Programme Officer for the Local Public Inquiry as referenced on the previous page by DWF LLP on behalf of Mr Robert Hankinson and Mrs Christina Hankinson.

This rebuttal proof is presented by the Council's Project Director for the A6MARR scheme. James McMahon, however, contributions to this rebuttal have been made by the Council's Expert Witnesses as indicated alongside the responses.

The Expert Witnesses contributing to the responses to the objections submitted are as follows:

<b>Expert Witness</b>	<b>Initials</b>	<b>Proof of Evidence Name and Reference Number</b>
James McMahon	JMcM	Volume 1
Naz Huda	NH	Volume 2
Nasar Malik	NM	Volume 3
Paul Reid	PR	Volume 4
Paul Colclough	PC	Volume 5
Jamie Bardot	JB	Volume 6
Alan Houghton	AH	Volume 7
Sue Stevenson	SS	Volume 8
James McMahon	JMcM	Volume 9
Henry Church	HC	Volume 10

A plan showing the relevant land contained within the order(s) is shown at Figure 1.

Objector 43: Mr Robert Hankinson and Mrs Christina Hankinson  
 Beech Farm, Hollin Lane, Styal, SK9 4LD  
 CPO Plots: 9/7A 9/7B 8/1 8/1A-8/1C 9/9 9/9A 9/9D 9/9E 9/9F 9/9G 9/9H 9/9I 9/9J  
 Agent:  
 DWF LLP  
 1 Scott Place, 2 Hardman Street, Manchester, M3 3AA

Element of objector proof	Objection	Response	Expert Witness
43/R01	This land includes c.40 acres of grassland, which is contract farmed. It also includes three former farm buildings, one of which has been converted and let and is used by an organisation involved with the fostering of children, one is semi-converted and available to let and one remains unconverted but has a recently renewed planning consent for conversion. There is also a farm yard within the land holding.	Details of land tenure have previously been requested. We have been advised that the land is used by a hill farmer who pays a licence fee to graze the land.	HC
43/R02	Areas of my historic land interest have been vacated, taken and remain unreturned as part of the history of the SEMMMS scheme, which has changed routes over a number of years and various relief road proposals. I have been effectively held in abeyance since the 1950s without knowing exactly what is proposed and if, or when, development will come forward. Not only has this had an impact on the value of my land, but it has left me feeling like I have been manipulated in order to serve the needs of others.	The scheme has been developed in accordance with the SEMMM Strategy. A route for the proposed scheme was identified by the Highways Agency who protected it prior to the development of the SEMMM Strategy.	JMCM

43/R03	I have never been able to ascertain if the moving of the routes was determined by cost or whether it has more to do with the maximisation of land holding values in certain areas for interested parties or to accommodate the requirements of adjoining landowners. I have never been given a detailed justification in discussion with the officer about the reasons for the route changes.	<p>A range of factors are considered in developing the preferred design for the scheme, including, for example, public consultation response, environmental impact, cost, traffic impact.</p> <p>The Council has provided responses to the objector regarding various queries relating to the scheme design and the scheme in general.</p> <p>See also response to 43/02.</p>	JMCM/NH
43/R04	As a general note, we are disheartened that the conversations and correspondence with the respective Councils to date have been largely unhelpful. I have, on numerous occasions, raised a number of issues with the proposed scheme and have received a plethora of alternate and contradictory answers.	<p>The Council has provided responses to the objector regarding various queries relating to the scheme design and the scheme in general.</p> <p>A schedule of contact is provided with Appendix HC40 of Henry Church's Proof of Evidence Appendices.</p> <p>There is also a further schedule of correspondence within Appendix A that provides a schedule of correspondence prior to the appointment of CBRE (Henry Church) by the Council.</p>	NH
43/R05	The route selections is, and has always been, of critical importance to my wife and I because of the effect, both positive and negative, which it has had in the past and continues to have on various projects at Beech Farm, together with the valuation of my land interests. It is my assertion that, despite pressing, I was not consulted on the reasons why the route was changed to a more southerly route prior to the planning application being published. Whilst I note the reference to the Phase 1 Consultation Report, these are matters that could have quite easily been	<p>On the 25<sup>th</sup> October 2012 the objector was invited to the Council offices to view the design and discuss further with the Project Team as part of a drop in session for land owners affected by the scheme. This was part of the phase 1 consultation.</p> <p>Within Appendix B a letter dated 7<sup>th</sup> November 2012 (during Phase 1 of the public consultation) to Mr Hankinson provides details of the proposed alignment 'DF6Mainline Option 1' and drawing 1007/3D/DF6/A6-MA/GA/794 (Appendix C). Although at the time the Council was considering two alignment options, of which the objector</p>	NH

	discussed with me on an individual basis prior to the submission of the planning application, when the position was well known.	<p>was aware of, the drawing was provided to indicate what the effects of this route alignment would be on his land holding. The drawing indicates the approximate land take, the effects on existing Public Rights of Ways and the provision of access off the A6MARR and a track to severed land plots (north of the A6MARR).</p> <p>On the 4<sup>th</sup> June 2013 the Objector was invited to a drop in session again to review the preferred scheme design and discuss matters with the Project Team. This was in advance of the second phase of public consultation.</p>	
43/R06	I understand that the original route to the north which was intended for the trunk road was not safeguarded by the Acquiring Authorities, and, as such, was built upon and could no longer be utilised. As a result, the Acquiring Authorities safeguarded the southern route for the purposes of the trunk road, it being compliant with the requirements for engineering a road to trunk road standards. The road proposed was then de-trunked and, as a result, it is my understanding that the route proposed under the SEMMMS Scheme could legitimately move back to the northern route originally intended.	<p>In determining the preferred route for the scheme, which included consideration the northern alignment, a number of factors were considered:</p> <ul style="list-style-type: none"> <li>• Environmental factors</li> <li>• Operational safety</li> <li>• Traffic modelling</li> <li>• Economics</li> <li>• Construction and land costs</li> <li>• Construction issues</li> <li>• Service Diversion costs</li> <li>• Public consultation</li> </ul> <p>The Council will prove that the scheme has been effectively designed taking into account all necessary considerations.</p>	JMcM
43/R07	It is my view that the determination by the Acquiring Authorities of which route option for the SEMMMS Scheme is the “preferred” option is based upon flawed and bogus information. It has been stated by the Acquiring Authorities that the relief road has to take a certain line to avoid	<p>The basis for the selection of the preferred scheme was based on various criteria including the environmental impacts. However, in addition several other factors were considered:</p> <ul style="list-style-type: none"> <li>• Operational safety</li> <li>• Traffic modelling</li> <li>• Economics</li> </ul>	NH/PR

	<p>impact upon a woodland of local significance, located to the north of the substation. It is, however, clear to anyone within the locality that this woodland is little more than a piece of wasteland, which has neither character nor importance to the local community; it is of only minor ecological value, being a relatively new monoculture of non-native poplars. I have consistently pointed out that the value of this area of woodland is considerably overrated.</p>	<ul style="list-style-type: none"> <li>• Construction and land costs</li> <li>• Construction issues</li> <li>• Service Diversion costs</li> <li>• Public consultation</li> </ul> <p>The woodland is one of a small number of environmental considerations which along with engineering, operational and cost-related considerations informed the selection of the preferred option. It was not a determining factor in this instance. In order to engage with the most directly affected local residents, Local Liaison Forums have been set up in areas in close proximity to the scheme. Meetings for the Local Liaison Forum Groups have been held as part of both the Phase 1 and 2 consultations and prior to the planning application being submitted. The Local Liaison Forums have provided an opportunity for local residents to have direct dialogue with the Council and help shape the scheme design. Local Liaison Forums will continue to be held as the scheme develops. As the objectors have stated, the chosen route has gone through many iterations. This has led to a scheme design that has the optimum horizontal and vertical alignment to meet the scheme objectives whilst minimising the overall impact on the surrounding area. The Council will prove that the scheme has been effectively designed taking into account all necessary considerations.</p>	
43/R08	<p>During the CPO and planning application consultation process, it is my view that the opinion of the local people should have carried significant weight and it is apparent that this has not been the case; the local residents view this piece of land as an area of trash rather than woodland of local significance.</p>	<p>See response to 43/R07.</p>	SS/ AH

43/R09	<p>I have also never received a copy of the costs v benefits analysis that was undertaken and it is right that the same should be given if a full picture of the consultation process in determining the preferred route is to be transparent to members of the public.</p>	<p>The Committee Reports and Consultation reports on the junction options are available to the public on the local authority and SEMMMS websites. The business case for the scheme is also on the website since it was submitted in 2013.</p>	SS
43/R10	<p>The proposed road scheme cuts directly through my land from the north west corner in a south easterly direction, until it hits the golf course land. I currently access my land (fields used for the grazing of livestock) across a rail bridge sited within my land ownership.</p> <p>The land of this bridge incorporates a public footpath (FP7), which is to be diverted as part of the proposals. The footpath, once it has crossed the bridge, turns to the left and runs up the side of my land before it then turns to the right and crosses my field in a south-easterly direction.</p> <p>The proposed scheme diverts this footpath under the relief road via a pedestrian subway constructed as part of the proposed rail bridge and then links the same back to its original line. I am particularly concerned about the implementation of the footpath diversion on the ground, as this may give rise to potential trespass issues across my land without appropriate signage to identify the proper line of the diverted path,</p>	<p>FP7 currently traverses the objector's land. The Council would welcome any more specific details of trespassing concerns so that the design and specification can seek to address these concerns, notwithstanding the route contained within the published Side Road Order. The diverted routes will be signed and gates and fences erected where required.</p>	SS

	particularly throughout the construction phase.		
43/R11	The footpath (FP7) is to be stopped up from a point 417 metres north east of its junction with the north eastern highway boundary of Hollin Lane, eastwards in a distance of about 126 metres. The site plans I have seen for this diversion do not identify the starting point for the 417 metres, nor the identity of the location of the 126 metres which is to be stopped up and, as such, the Stopping Up Order submitted by the authorities is unclear.	This is correct. The Council and the Project Team can explain the Side Roads Order to more detail if required and also have done in previous meetings.	NH
43/R12	I currently access the northern part of their land along the line of the footpath (FP7) as it currently lies, continuing northwards where the footpath then turns to the south-east. As part of the scheme proposals, it is understood that I will not be able to access the severed part of my land with vehicles along this line and, instead, have to take a convoluted route of access (as described below). Likewise, the Vodafone mast which is located in this severed part of the land also has to be accessed for maintenance purposes along the new road access.	The proposed private means of access arrangements have previously been explained to the objector (see email to Alice Birch of DWF of 16.01.14 which is provided at Appendix D).  The subway has been provided to allow pedestrians a through route underneath the relief road. Due to the limited headroom and width dimensions it is not possible to provide a vehicular access for the benefit of the objector. The road alignment has been lowered in the location which further restricts the ability to construct the subway. An access directly off the dual carriageway is provided at a safe location. This leads to a track for the benefit of the land owner and his lease holder (Vodafone) to access their respective apparatus.	NH
43/R13	The scheme proposes to take plots 9/9, 9/9A and also 9/10 and 9/10A from the adjoining owner, W Nixon & Sons Limited,	The plots of land owned by the objector are required for the following purposes:	NH



<p>and I will not be able to access this severed land directly from land to the south because the scheme will also be taking plots 9/9D, 9/9E, 9/9F, 9/9G, 9/9H, 9/9I and 9/9J.</p>	9/9	Essential license for site compound/construction area
	9/9A	license to construct private means of access for use by owner (and any lessee/tenant of the owner)
	9/9D	Essential license for site compound/construction area
	9/9E	Title required for essential environmental mitigation
	9/9F	Title required for construction of new highway
	9/9G	Title required for essential environmental mitigation
	9/9H	license to construct private means of access for use by owner (and any leaseee/tenant of the owner)
	9/9I	Title required for diversion of public footpath
	9/9J	Title required for diversion of public footpath
	<p>The objector should also refer to the Side Roads Order Schedule 9 and Site Plan 9 (as modified) which recognises that the objector has been re-provided with a private means of access and that the land required to construct the track has been included within the Compulsory Purchase Order.</p>	

		<p>The land take includes for land that is intended to be used by the Contractor on a temporary basis and the Council's agent is in discussion with the land owner's representatives regarding a licence agreement for this requirement.</p> <p>The land owner will be able to access his severed land following completion of the scheme and the Council has re-provided the associated Private Means of Access.</p>	
43/R14	<p>Until recently, there were no meaningful discussions on the part of the Acquiring Authorities with me as to how access to my land will be made possible during the construction phase. Furthermore, there were no provisions made for how Vodafone will access, by vehicle, their mast on the severed parcel of land, adjacent to plot numbers 9/9, 9/9A and 9/10 during or post construction.</p> <p>It has not been made clear during discussions with the Acquiring Authorities or as part of any plans that I have seen how this area of land is to be accessed during the construction period and, likewise, how the Vodafone mast located upon this piece of land will be maintained. This is both unacceptable and highly prejudicial to me.</p>	<p>The Objector refers to land bounded by plots 9/9, 9/9A, 9/10 and Styal Railway Line that is occupied by the Vodafone telecommunications mast. The land has been specifically omitted from the CPO following initial discussions with the Objector whereby he explained the importance of the location of the mast. The access post implementation of the scheme has been described above.</p> <p>During the preliminary design stage of the scheme exact access arrangements were unknown. The contractor has advised that access can be managed to the site based on frequency of visits, type of plant and any other pertinent information on this matter. Protocols regarding access to the telecom mast to be agreed, subject to suitable advance notice being given.</p> <p>This was explained at the meeting held on 2<sup>nd</sup> September 2014 to the Objector and his representatives.</p>	NH
43/R15	<p>As plot 9/9D is coloured pink and is listed under Schedule 1 Table 1 of the CPO Order, this indicates that it will be acquired permanently; no reference is made to it being acquired temporarily. However, the attached plan indicates that the plot will be</p>	<p>SMBC is unable to compulsorily acquire land temporarily. It would prefer to acquire land temporarily by agreement but if this is not possible then it will acquire land permanently. Land not required post scheme will be subject to the <i>Crichel Down Rules</i> .</p>	HC

	acquired for temporary purposes (see attached Plan 2). This plot should there be deleted from the Order and made the subject of the temporary access order on a licence on terms to be negotiated.		
43/R16	We understand that as part of the proposals, land will be required to be taken from me on a temporary basis to the south of the proposed road line. I have been attempting to ascertain for some time what the extent of this land will be, how long it will be required for and what it is required for. Ongoing negotiations with Stockport Metropolitan Borough Council finally confirmed some answers in that the land is required for a compound for the construction materials for the adjacent rail bridge and not for the construction materials for the adjacent rail bridge and not for the construction of the road, as had previously been advised to me.	<p>The contractor has advised the Council of more accurate requirements for all temporary compound sites along the length of the scheme including at this location.</p> <p>The land is required for the duration of the construction contract (Spring 2015 to Summer 2017) for the purposes of constructing the road over Styal rail line bridge.</p> <p>As noted above the Council's land agent is in negotiation regarding a licence agreement with respect to land required on a temporary basis.</p>	HC/NH
43/R17	Detailed Heads of Term are being negotiated with the Acquiring Authorities by solicitors acting on my behalf but, to date, no substantive response on the same has been provided. I have particular concerns regarding the storage and location of overburden in stockpiles to ensure the suitability for reinstatement of the land when the compound is no longer required. I also have concerns about the design and fencing of the compound to protect the livestock that I have grazing on my land.	<p>As noted by the Objector the Council is in negotiation with his representatives regarding the area of land to be occupied under a license agreement. Measures have been agreed in principle regarding the assessment of the land prior to occupation and post completion of the works. the fencing during these works will be agreed between the council and the land owner in order to safeguard his livestock.</p> <p>Should a person feel that the value of their land and property has decreased or that they have suffered other losses as a direct consequence of the road scheme, they are entitled to claim compensation under the statutory compensation code and each claim will be determined on</p>	HC/NH

		its merits.	
43/R18	<p>Unfortunately, the extent of the land proposed to be taken is still unclear to me, as is the time frame that it will be required for. I have been advised that the bridges will be constructed during Easter and Christmas periods and that the land could be required for “two Christmases”, meaning that the land could be outside of my control and unable to be utilised for farming for anywhere between 13 and 35 months.</p> <p>It is highly unfair to my wife and I that such a matter has not yet been resolved as part of the scheme submitted, as I cannot establish the impact on my livelihood without knowing exactly how long this land will be unusable. It is not acceptable to state that this will be finally determined by the contractor once the contract for the construction works is let. I, therefore, object on the basis of the uncertainty of the proposals and the detrimental impact on the amenity of my enjoyment and commercial use of my land.</p>	<p>The Council has endeavoured to be clear with the objector regarding the extent of the land take and for its required purpose. A summary is provided within the response to 43/R13.</p> <p>The CPO has been published which includes land required for working room and the Contractor’s compound. The order published (December 2013) soon after the appointment of the contractor (November 2013). The Project Team and the Contractor has been developing the requirements of the temporary land take in liaison with the land owner in order to mitigate the effects of it.</p>	NH/HC
43/R19	I object vehemently to the height of the railway bridge proposed to be constructed adjacent to the north west corner of my land on the basis that it is, in fact, over 3 metres higher than is necessary and no plausible explanation has been provided by the Acquiring Authorities as to why this	<p>The Council wrote to Mr Moritz (DWF) acting on behalf of Mr Hankinson on 30<sup>th</sup> October 2013 (Appendix E). An extract is below:</p> <p><i>‘Your client has previously raised his concerns regarding the height of the relief road. The SEMMMS Design Team reviewed, and the road was subsequently lowered by</i></p>	NH

	<p>is.</p>	<p><i>approx. 1.5m on the east side approach to the rail bridge.'</i></p> <p><i>And:</i></p> <p><i>'The SEMMMS Design Team has consulted Network Rail and has agreed a vertical clearance between the railway overhead electrical apparatus and the soffit of the proposed bridge structure. However, there may be further scope to reduce the height of the bridge and the road at detailed design stage subject to further consultation between Network Rail and the contractor.'</i></p> <p>The Contractor has since developed the scheme design in order to reduce the height of the bridge and its associated earthworks embankments. The design has therefore lowered the alignment of the relief road by approximately 900mm following refined of the road alignment, reducing the thickness of the bridge and continuing to liaise with Network Rail.</p> <p>A drawing has been provided to the Land owner indicating this and is contained within drawing A6MARR-4-W-01-300-SK-001 (Appendix F).</p>	
43/R20	<p>I have been told by the Acquiring Authorities that the height of the bridge is dictated by the height of the railway, including overhead power lines, but this does not explain why the bridge proposed under the scheme has a clearance which is some 3 metres higher than the Styal Road bridge.</p>	<p>The current topographical surveys have indicated level heights for the electrical infrastructure. The road vertical alignment, including the associated earthworks, is bound by these levels and Network Rail stipulations in terms of vertical clearances. The standards provided to the Council by Network Rail have dictated the height that the bridge must be above the railway and the Council cannot compromise on these standards due to safety reasons. The Styal Road Bridge is likely to have been built at a time when different standards were imposed by Network Rail and this does not set the precedent for the design</p>	NH

		requirements that the A6MARR should be built currently. It is in the interest of the scheme to maintain the road as low as possible over the railway line and its infrastructure which has been surveyed at track level and this has been carried out to date within the current design. The Council has written to the land owner's engineering consultant to explain the design levels of the relief road on 11th January 2013.	
43/R21	The height of the bridge is an issue for me as the higher it is, the more of my land is required to be taken under the CPO. Obviously, the higher the bridge, the higher the road descending from the bridge and the more adjacent land is needed to enable the incline to be accommodated. There is also very little information as to how the inclines down from the road will be landscaped and this is fundamental in order to protect my amenity and to protect livestock.	<p>The reduction in the height of the road alignment has yielded a small reduction in land to the north side of the road and therefore it is not proposed to implement a modification to the CPO. This is contained within drawing A6MARR-4-W-01-300-SK-001 which is located at (Appendix F).</p> <p>The landscaping proposals are indicated with the Proof Appendices of Paul Reid.</p>	NH/PR
43/R22	The land upon which the proposed bridge is to be constructed lies at 70.5m above sea level. Under bridge design guidance, deemed acceptable on the current Styal Road bridge, it is considered that 4.8m clearance from the track to the bottom of the bridge soffit, and a further 1.9m to the deck of the bridge, is appropriate. Theoretically, therefore, on the basis of these calculations, the deck of the proposed rail bridge could be 77.2m above sea level; a 3.9m disparity from the proposed height of that bridge, which currently stands at 80.5m.	<p>It has been explained to the objector on several previous occasions that the dictating factor regarding the height of the bridge is the vertical clearance to the Overhead Line Equipment (OLE) not clearance from the track level.</p> <p>The clearance to the OLE has been set at the absolute minimum that Network Rail will and have accepted.</p>	NH

	I, therefore, consider the current design to take much more green belt land than is actually necessary, leading me to question whether prospective cost is more important to this proposed scheme than the retention of green belt land.		
43/R23	The bridge height affects plots 9/9E, 9/9F, 9/9G, 9/9H. If the bridge and the line are lowered, this would affect the justification of the size of these plots, therefore, there must be scope for reducing their size.	See response to 43/R21	NH
43/R24	I have previously been told that the height of the bridge proposed under the scheme at this location has been guided by Network Rail and that any issue should be “taken up with them”, however, this is a highly unsatisfactory response. I should not have to resort to negotiations and conversations with third parties to the application proposed: if the Acquiring Authorities are promoting the schemes then they should, respectively, be aware of the answers to any questions that may arise, or indeed, obtain those answers as part of the CPO process. To simply refer me to a third party for answers is both unprofessional and a disservice to the public interest.	See responses to 43/R19, 43/R20, 43/R21, 43/R22.	NH
43/R25	I understand that as a result of meetings involving Styal Parish Council, Network Rail and the Acquiring Authorities, it has been agreed that the bridge height can be reduced by 900mm and that any further reduction would be dependent on Network Rail accepting the bridge as a rail bridge	See responses to 43/R19, 43/R20, 43/R21, 43/R22.	NH

	<p>capable of having the catenary fixed to the underside of the bridge structure. This was confirmed during ongoing negotiations and it was explained that the reduction was based upon a reduced deck thickness and lowered highway alignment. Network Rail have, to my knowledge, confirmed that the catenary cable will not be permitted to be fixed to the bridge, in line with current policies and guidelines.</p> <p>I understand, however, that the reduction in height will have a negligible to non-existent effect on the reduction of land take from my land ownership. It still remains to be my view that the bridge height is higher than it necessarily needs to be.</p>		
43/R26	<p>Part of the proposals result in the severance of an area of my land from the remainder of my land ownership. This will be a triangular portion of land to the north side of the proposed relief road. This is farmed land used for the grazing of livestock and also containing a Vodafone telephone mast. This severance will cause a permanent post-construction issue for me.</p>	<p>See responses to 43/R13 and 43/R14.</p>	NH
43/R27	<p>The scheme proposed a left-hand turn from the relief road across my neighbouring land, turning back on itself to run into my land. We understood originally from conversations with Naz Huda that it is proposed that this road would be adopted highway maintained at the public</p>	<p>The Council will provide all necessary rights of the Objector to access his residual land plots north of the relief road.</p> <p>The objector has expressed a desire to retain land on which new PMAs will be created. If this land is to be returned to the land owner then the proposed PMA rights will have to be preserved and agreed.</p>	NH/HC



	<p>expense, but that this was merely proposed rather than guaranteed. It has since been confirmed that the road will have the status of a farm track and will be privately maintained.</p> <p>In the event that the road is not adopted highway, the turn off from the road is within the ownership of my neighbour and so I would require rights of way over the same. This would result in significant negotiations and could result in a commercially disadvantaged position for my wife and I in terms of our bargaining power, with my neighbour effectively owning a “ransom strip” of land.</p>	<p>Mr and Mrs Hankinson will be granted rights over land currently owned by their neighbour to ensure access to their retained land. There will be no “ransom strip” created.</p>	
43/R28	<p>It has been confirmed to me during ongoing negotiations that the Acquiring Authorities will grant access rights to Vodafone and Network Rail throughout the construction period. It is important that access for these parties and myself/my agents is permitted with or without vehicles. If the road is privately maintained, I would also like to be able to govern those access requirements for Vodafone and Network Rail and I would like the track to be properly gated and secured.</p>	<p>See response to 43/R27.</p>	NH/HC
43/R29	<p>I would submit that the proposals for this turn off from the relief road need to be properly considered, taking into account my interests and also the current land ownerships and I, therefore, object on the basis of such uncertainty.</p>	<p>The turn off from the relief road allows for vehicle to stop off the dual carriageway in a safe position and then to open up gates as required.</p>	NH

43/R30	The effect of taking plots 9/9, 9/9A and also the neighbouring plots, 9/10 and 9/10A, is that I and Vodaphone will be unable to access the plot upon which the mast is situated by vehicle.	See response to 3/R13	NH
43/R31	I note that the road as proposed will decline to the south-east and that the proposed drainage of the road will follow this line. As it currently stands, the land drains to the north-west and the proposals result in the situation where the drainage will flow to the south-east, onto my land, and also results in the proposed road sitting higher in the landscape than it necessarily need be in order to take the flow of water against its natural course.	<p>The drainage design will drain all of the carriageway, footway, verges and earthworks.</p> <p>The earthworks drainage will intercept surface water from adjacent fields where it acts as a head drain.</p>	NH
43/R32	My land naturally drains to the north-west and will continue to do so; however, there is a possibility that the proposed land by acquired plot numbers could sever my drainage outlet and I would then be left with water-logged land. This is a fundamental concern, especially given the use of the land for the grazing of animals, which has not been addressed as part of the scheme proposals. There has been a general failure to provide information on this point to our clients until very recently.-	<p>It has often been to chart existing land drainage across private fields. Sometime but not often plans are provided but not in this case. It is therefore proposed that the much of the drainage will be discovered during construction. Connection so to appropriate discharge points will be made physically by the contractor.</p> <p>In advance of that all adoptable earthworks drainage will provide a drainage system that caters for the toe and top of earthworks slopes run off. this will be a combination of French/ drains and ditches. This will provide opportunity for intersecting private drains to connect to if an alternative discharge points such as at natural watercourse, ponds etc. are unavailable.</p> <p>The Council and the Contractor will liaise with the farming tenant or the objector in order to understand the existing field drainage systems.</p>	NH

43/R33	It is my understanding from ongoing negotiations that all unchartered land drainage will be picked up and diverted to suitable outfall points. Until this is evidenced, my objection on this basis remains.	See response to 43/R33	NH
43/R34	The compensation due for the value of any land to be taken by virtue of the CPO is to be assessed.	Should a person feel that the value of their land and property has decreased or that they have suffered other losses as a direct consequence of the road scheme, they are entitled to claim compensation under the statutory compensation code and each claim will be determined on its merits.	HC
43/R35	In summary, I robustly object to the SEMMMS Scheme CPO on the basis of the doubtless uncertainty of the scheme, the flawed basis of the chosen preferred route and the protection of the amenity of my land.	See responses above.	SS/NH

Figure 1: Land within the Order(s)

