



**HIGHWAYS AND TRANSPORT OVERVIEW AND SCRUTINY
COMMITTEE – 3 NOVEMBER 2022**

**NORTH AND EAST MELTON MOWBRAY DISTRIBUTOR ROAD -
UPDATE**

**REPORT OF THE
DIRECTOR OF ENVIRONMENT AND TRANSPORT**

Purpose of the Report

1. The purpose of this report is to advise the Highways and Transport Overview and Scrutiny Committee on the progress of the North and East Melton Mowbray Distributor Road (NE MMDR), including cost implications, and provide an opportunity for comment, prior to the Cabinet making a decision on whether to progress to delivery of the scheme on 16 December 2022.

Policy Framework and Previous Decisions

2. In May 2016 the Cabinet agreed the continuation of the development of the Melton Mowbray Transport Strategy (MMTS). It authorised the Director of Environment and Transport to undertake the necessary consultations and negotiations as required to enable the definition of a preferred route for the eastern section of the MMDR.
3. Several reports have been submitted to the Cabinet since that time, seeking support for the various stages of delivery including submission of Outline Business Case (OBC), planning application, and the Compulsory Purchase Order (CPO) together with the associated Side Roads Order (SRO).
4. In March 2017 the Cabinet agreed to gather further evidence and undertake consultation to enable the OBC to be developed and submitted to the Department for Transport (DfT).
5. In December 2017 the Cabinet noted the outcome of consultation on the NE MMDR required to develop the OBC, approved the recommended route, and authorised the Chief Executive to approve and submit the OBC to the DfT.
6. In July 2018 the Cabinet noted the award of £49.5m from the DfT Large Local Majors Fund. It also agreed to submit a planning application for the NE MMDR

in accordance with the preferred route and also, to make and implement a CPO and SRO.

7. In June 2019 the Cabinet noted the award of planning consent and approved the delivery of the scheme.
8. In March 2020 the Cabinet again agreed to make a CPO and SRO as well as agreeing for minor amendments to be made where necessary.
9. In February 2022, the Cabinet approved the capital programme 2021/22 to 2024/25 which included NE MMDR. The capital programme has been revised as part of the Medium Term Financial Strategy (MTFS) report, which was considered by the Cabinet in September 2022.
10. In April 2022 the Cabinet agreed to take all necessary steps to confirm and implement the CPO and SRO and note the latest position with regard to costs and timescales.
11. In September 2022, the Cabinet agreed to submit the Full Business Case (FBC) to the DfT, provided that the outcome of the target cost price exercise demonstrates the NE MMDR scheme still represents value for money.

Background

12. A number of reports have previously been considered by the Cabinet at key stages detailing the background, justification and development of the NE MMDR.
13. At the Cabinet meeting in May 2016, approval was given to undertake the necessary consultations and negotiations as required to enable the definition of a preferred route for the eastern section of the MMDR. The Council subsequently made a bid to the DfT Large Local Major Schemes fund in July 2016, for funding to develop an Outline Business Case (OBC) for the delivery of an eastern distributor road. In November 2016 the DfT announced that the bid had been successful and £2.8m was awarded for the development of an OBC for an MMDR.
14. Following a meeting with the DfT in January 2017, it became apparent that an accelerated programme was required and so in March 2017 the Cabinet agreed to gather further evidence and undertake consultation to enable the OBC to be developed and submitted to the DfT. Work on the OBC was undertaken during 2017, and in September and October 2017 views were sought on the recommended route for the NE MMDR. A report was presented to the Cabinet in December 2017 and authority was given to the Chief Executive to approve and submit the OBC to the DfT.
15. Work on the scheme development continued at pace through 2018 and by July of that year, the Cabinet noted the award of £49.5m from the DfT Large Local Majors Fund and agreed to submit a planning application for the NE MMDR and to make and implement a Compulsory Purchase Order (CPO) and Side

Roads Order (SRO). The planning application for the scheme was submitted in October 2018 and subsequently granted in May 2019, subject to conditions.

16. All pre-commencement planning conditions were discharged by April 2022 enabling, together with a bat mitigation licence from Natural England, the demolition of Sysonby Farm in April and May 2022. This commencement of works ensured the conditions and timescales of the previously secured planning permission for the scheme were met.
17. Focus then turned to the making of the necessary statutory orders including a CPO and SRO. Although planning permission was granted in May 2019, the final plans for land take continued to evolve and were only finalised in early 2020. The proposed land take was presented to the Cabinet in March 2020 where it was agreed to make a CPO and SRO as well as agreeing to make minor amendments of both the CPO and SRO if required. The CPO and SRO were subsequently made in July 2020 and published in October 2020. There were 22 objections to the Orders received and, after a period of negotiation, 12 remaining objections were considered at the Public Inquiry presided over by a Planning Inspector during September 2021. The Inspector subsequently submitted a report to the Secretary of State for Transport with her recommendations. The Secretary of State then confirmed the Orders in March 2022.
18. Following the Cabinet's approval in April 2022 to take all necessary steps to confirm and implement the Orders, work has been undertaken to acquire possession of, and entry onto, the required land. The Council made and served a General Vesting Declaration (GVD) in August 2022 and Notice of Making a GVD for part of the land required for the scheme. Notices to Treat and Enter have also been served for land, on the understanding that not all of the land may be required permanently. This has secured the vast majority of land required to deliver the scheme. The remaining land required is subject to final negotiations of easements, licences and the like. Advanced works are planned in Autumn 2022, broadly in line with the details presented in the April 2022 Cabinet report.

Current position

19. Due to the complex nature of the implications arising from both a decision to proceed with the scheme or to withdraw from delivery, at the time of the agenda for this meeting being published the detailed proposals were still being finalised to take account of all potential factors across the Council and the associated financial impacts. Therefore those details were not ready to be included in this report. A supplementary report setting out the detailed proposals is currently being prepared and this will be circulated to members and published on the County Council's website prior to the meeting on 3 November 2022.

Background papers

9 May 2016 - Cabinet - 'Progress with the Development of a Melton Mowbray

Transport Strategy’:

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4602&Ver=4>

10 March 2017 – Cabinet - ‘Melton Mowbray Transport Strategy and Distributor Road – Development of a Business Case and Identification of a Preferred Route’

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4859&Ver=4>

12 December 2017 – Cabinet – ‘Melton Mowbray Distributor Road Proposals’ 112

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4866&Ver=4>

6 July 2018 – Cabinet – ‘North and East Sections of the Melton Mowbray Distributor Road Proposals’

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=5412#A156249>

25 June 2019 – Cabinet – ‘North and East Melton Mowbray Distributor Road – Outcome of Planning Application’:

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=5412#A156249>

24 March 2020 – Cabinet – ‘North and East Melton Mowbray Distributor Road - Making of the Compulsory Purchase Order and Side Roads Order for Land Required’

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=5993#A162737>

17 September 2021 – Cabinet – ‘Medium Term Financial Strategy – Latest Position’

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6446>

26 April 2022 – Cabinet - North and East Melton Mowbray Distributor Road – Land Assembly

<https://politics.leics.gov.uk/ieListDocuments.aspx?MId=6743>

16 September 2022 - Cabinet - North and East Melton Mowbray Distributor Road – Approval to submit Full Business Case

[https://politics.leics.gov.uk/\(S\(bceou120k23rqv55d2gvfa3d\)\)/documents/s171226/NE_MMDR%20FBC](https://politics.leics.gov.uk/(S(bceou120k23rqv55d2gvfa3d))/documents/s171226/NE_MMDR%20FBC)

Circulation under the Local Issues Alert Procedure

20. This report has been circulated to Members representing the electoral divisions in the Melton area – Mr J. T. Orson CC, Mrs P. Posnett MBE CC, Mr M. Frisby CC and Mr B. Lovegrove CC.

Equality and Human Rights Implications

21. An Equality and Human Rights Screening Report has previously been produced for this scheme and submitted as part of the Cabinet report in July 2018.
22. The full Equality and Human Rights Impact Assessment formed part of the planning application submission which can be viewed online. This includes full details of assessed impacts and proposed mitigation where applicable.

Environmental Implications

23. A full assessment of the environmental impacts of the scheme was conducted as part of the Environmental Impact Assessment submitted with the planning application. This can be viewed online through the County Council's planning portal.

Appendices

24. None

Officers to Contact

Ann Carruthers
Director, Environment and Transport
Tel: (0116) 305 7000
Email: Ann.Carruthers@leics.gov.uk

Janna Walker
Assistant Director, Development and Growth
Tel: (0116) 305 0785
Email: janna.walker@leics.gov.uk.

This page is intentionally left blank