

From: [REDACTED]
To: [A46 Newark Bypass](#)
Subject: Update on James Miller (Kelham) Ltd and Adrian Hatton
Date: 30 September 2025 17:14:02
Attachments: [REDACTED]

Please can you forward these comments to the Secretary of State

We are aware that a decision from the Secretary of State is imminent, and therefore would like to make them aware that my clients are doing all they can to reach agreement with National Highways for the acquisition of their land by National Highways. However, National Highways and their Project Team are still taking an exorbitant amount of time to respond to updated heads of terms and conclude matters. As a result of the announcement of the Road Investment Strategy and an awaited announcement on delivery times of the Scheme (expected in March), National Highways and their contractor have changed the terms in the Heads of Terms to manage this and unravel what had previously been accepted by my client. My particular concern in relation to the conduct of National Highways and their contractors Skanska are below, I also thought it would be useful if we updated you.

For James Miller (Kelham) Ltd and John James Miller, the final point has been agreed between agents, we await National Highways sign off of the Heads of Terms
For Adrian Hatton, NH and their contractors are at the final hour changing the Heads of Terms to fit with RIS and provide themselves with greater flexibility, as we are close to an announcement they are (in my opinion) using this to change and strongarm the heads of terms to give them greater flexibility in the delivery of the scheme. The DCO sets out the area of my client's land for permanent acquisition, however we have negotiated a temporary acquisition and the land handed back to my client as it is included in a solar planning application. Given this is the 11th hour and the risk of a decision and powers being granted for a permanent acquisition, my client is backed into a corner having to accept these changes or risk (potentially) NH falling back on their powers and permanently acquiring the land. We have had months to get these agreed but the delays in producing correct plans and signing off on changes to the Heads of Terms is causing my client undue stress.

Kind regards

[REDACTED]

[REDACTED] **MRICS**
Rural Surveyor RICS Registered Valuer
Associate Director



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