

MEETING:	GENERAL OVERVIEW AND SCRUTINY
MEETING DATE:	2 DECEMBER 2014
TITLE OF REPORT:	RESPONSE TO SOUTH WYE TRANSPORT PACKAGE CALL IN
REPORT BY:	Assistant Director Place Based Commissioning.

Introduction

1. The South Wye Transport Package was considered by Cabinet at its meeting on 13 November 2014.
2. Cabinet considered a detailed report on the subject. This considered the consultation responses received and sought confirmation of a preferred package for a new link road from the A49 to the A465.
3. At the meeting, Cabinet resolved that:
 - (a) **Route SC2 is selected as the preferred route for the Southern Link Road (SLR);**
 - (b) **Authority is delegated to Assistant Director Place Based Commissioning to prepare and submit a planning application for a scheme along route SC2; and,**
 - (c) **Subject to planning consent being obtained authority is delegated to the Assistant Director Place Based Commissioning to continue detailed design of the scheme and develop proposals for land acquisition. A further report will be prepared for cabinet outlining land and property acquisition plans and draft orders in due course.**
4. Subsequent to the meeting, the decision (Ref: 2014-15.Cab.022.Key) was called in under the relevant provisions of the Council's Constitution.

Background

5. As outlined in the report to Cabinet, the aim of the South Wye Transport Package is to promote economic growth within Hereford, while tackling specific problems in the South Wye area. The provision of transport infrastructure and improvements will achieve this by unlocking the barriers for both housing and economic growth, including land at the Hereford Enterprise Zone (HEZ).

The aims of the South Wye Transport Package (SWTP) are:

Economic:

- Reduce congestion and delay
- Enable access, particularly to developments such as the HEZ

Environmental:

- Reduce the growth in emissions such as CO₂, NO_x and PM₁₀s
- Reduce traffic noise

Health:

- Encourage physical activity
- Reduce accidents

6. The South Wye Transport Package has been developed to bring forward transport improvements in accordance with the Council's Local Transport Plan strategy for Hereford. It is also consistent with the adopted Unitary Development Plan, emerging Local Development Framework and the Strategic Economic Plan for the Marches Local Enterprise Partnership.
7. The report and recommendations to Cabinet were based upon considerable technical appraisal work carried out by a multi-disciplinary professional project team. This team brings together expertise from the relevant departments of the Council and our service delivery partners Balfour Beatty Living Places and consultants Parsons Brinckerhoff. The remainder of this report provides a response to each of the reasons identified within the Notification of Call-In. Representatives from Balfour Beatty Living Places and Parsons Brinckerhoff will be in attendance to explain these responses to the Committee and respond to questions. They are:
 - a. Andy Williams BSc DMS CEng MICE– Contract Director (Balfour Beatty Living Places)
 - b. Martyn Brooks BSc MSc MCIHT MCILT– Director of Local Government Services (Parsons Brinckerhoff) – Project Review Lead / Transport
 - c. Ben Pritchard MSc BA (Hons) CILT – Regional Director, Highways & Transportation (Parsons Brinckerhoff) – Project Director
 - d. Marc Thomas, BSc (Hons) MSc AEMA – Associate (Parsons Brinckerhoff) – Environmental Impact Assessment Lead
 - e. Phil Davidson, BSc (Hons) CEnv MCIEEM - Principal Ecologist (Parsons Brinckerhoff) – Ecology Lead
 - f. Jason Collins, BSc (Hons) MSc (Eng) TPP MCIHT PRINCE2 Practitioner - Regional Associate (Parsons Brinckerhoff) – Transport Lead
 - g. Gary Dymond, BEng (Hons) CEng MICE MCIHT -, Regional Associate (Parsons Brinckerhoff) – Highways Lead

Key Considerations

8. The following table identifies each of the reasons identified in the Notification of Call-In and provides the response from the project team.

	<p>Reason 1:</p> <p><i>“The option appraisal process, and thus the consequent decision, is contrary to the Local Transport Plan Network Capacity management hierarchy (LTP 2013/14-2014/15 Policy: p3 and Policy LTP HN2), contrary to Highways Agency advice and contrary to Department for Transport WebTAG guidance. [ref part c above]”</i></p>
	<p>Response to reason 1:</p>
	<p>1.1 The South Wye Transport Package which comprises a new Southern Link Road and complementary package of sustainable transport measures within the South Wye area is entirely consistent with the council’s current Local Transport Plan. The Local Transport Plan comprises two main documents entitled:</p> <ul style="list-style-type: none"> • Local Transport Plan Strategy and Delivery 2013-2015; and • Local Transport Plan Policy 2013-2015 <p>1.2 In understanding the policy context it is important to read the two documents together. The Local Transport Plan Strategy and Delivery document sets out an overall transport strategy for supporting economic growth. Whilst this document now covers the period to 2015/16, it does set out the context for the development of a longer term strategy on page 12. This highlights that the Council is committed to working with the LEP to bring forward infrastructure projects. It states that the Council will seek to “secure funding for schemes which will help us deliver our growth and regeneration proposals focused on Hereford and the Rotherwas Enterprise Zone.” Specific mention is also made to developing “the Belmont Transport Package,” which was the earlier name for the South Wye Transport Package (prior to the scope being widened to cover the whole South Wye area).</p> <p>1.3 The Local Transport Plan Policy document is consistent with the approach outlined in the strategy document. Regarding the specific points highlighted in this reason for call-in, the following matters are relevant.</p> <p>1.4 Firstly, the Network Capacity Management Hierarchy in the Local Transport Plan (Policy LTP HN1, page 24) refers to the approach the council will take to deal with recurring congestion issues. The option assessment approach adopted for this project has been entirely consistent with this policy.</p> <p>1.5 As outlined in the Cabinet report, three initial scenarios were developed, fully in accordance with Policy HN1 and HN2 (which cross refers to step 2 of the Network Capacity Management Hierarchy):</p> <ul style="list-style-type: none"> • ‘Sustainable Max’ which represented step 1 - demand management; • ‘Traffic Max’ which collectively represented steps 2 to 4 – network management, targeted engineering improvements and road widening; and

	<ul style="list-style-type: none"> • ‘Southern Link’ which represented step 5 – new road building. <p>1.6 In addition, the sequential test requirements of policy HN1 were further re-enforced with an additional step to ensure the selected option would best address the identified problems and deliver our transport policies, particularly in respect of environment and health. This was done by adding the components of the sustainability max option to the southern link option. This combined option then became the recommended preferred option. This approach is also consistent with the Option Assessment (OA) process contained in WebTAG which helps scheme promoters identify an option to take into an outline business case. (WebTAG – the Transport Appraisal Process guidance published by the Department for Transport)</p> <p>1.7 Following on from Policy HN2 on page 25 of the Local Transport Plan Policy document, the approach to Highway Network Expansion is outlined and states “To deliver growth identified for Hereford, in line with our Network Capacity Management Hierarchy, new highway infrastructure is required”</p> <p>1.8 The principle of the preferred option was tested by the Local Enterprise Partnership (LEP) when it prioritised the South Wye Transport Package strategic outline business case against their adopted Assurance Framework (which is based on WebTAG case criteria) which includes local and national policy in the strategic case element of the business case. The outcomes of that test and the award of funding is evidence that the LEP has accepted the merits of the scheme and that they are well founded.</p> <p>1.9 The Highways Agency has accepted work undertaken to date as appropriate. This is confirmed in their written response to our recent public consultation. The project has complied with their recommended option assessment process. The Highways Agency has been engaged throughout the development of the scheme and will continue to be involved as the scheme progresses.</p> <p>1.10 WebTAG is guidance issued by the Department for Transport for option development and scheme appraisal. The approach adopted is consistent with WebTAG and this is explained through the following responses to detailed points within the appraisal.</p> <p>1.11 It is clear from the funding award made by government and the LEP, that both are satisfied with the approach that has been taken in developing the scheme to date.</p>
	<p>Reason 2:</p> <p><i>“Route SC2, selected by the decision, passes through 2014 designated Ancient Woodland (Grafton Wood), a factor which had earlier ruled out four other route options in Parsons Brinckerhoff’s (PB) appraisal. [ref part a (b) and (e) above]”</i></p>
	<p>Response to reason 2:</p>
	<p>2.1 In accordance with Highways Agency advice, and in order to meet scheme objectives, the new link road design must be compliant with national highway standards and should connect with the A49 at the existing roundabout junction of the A49 with the Rotherwas Access Road.</p>

	<p>2.2 Detailed botanical survey work was undertaken in 2014 as part of the appraisal. Ancient woodland formed part of the overall biodiversity resource assessed during the WebTAG AST work. Wherever possible the project has sought to avoid woodland within the corridor area.</p> <p>2.3 As a result, four routes which impacted directly on the ancient woodland of Hayleasow Wood /Newton Coppice were discounted, three of which also impacted on Grafton Wood and the fourth which would not comply with highway design standards. This was possible as other route options which would comply with highway design standards were available which meant that this area could be avoided whilst still meeting scheme objectives.</p> <p>2.4 The area of Grafton Wood cannot be avoided by any of the remaining routes which comply with Highways Agency requirements to deliver a scheme to national highway standards and which will join the A49 at existing roundabout with the Rotherwas Access Road.</p> <p>2.5 The route proposed through Grafton Wood will be designed to minimise impact and ensure that any remaining impact is mitigated. Residual impacts will be mitigated and compensation provided in the form of replacement and supplementary planting, with detailed proposals to be presented in the Project Environmental Statement which will form part of the planning application for the scheme.</p> <p>2.6 The approach outlined above is in accordance with the environmental impact hierarchy of avoidance-minimisation-mitigation-compensation, as set out in the National Planning Policy Framework Guidance.</p> <p>2.7 All five ‘woodland’ blocks within the ecological study area have been surveyed. Grafton Wood was surveyed by two experienced Parsons Brinckerhoff Ecologists on 8 April 2014, during an Extended Phase 1 Habitat Survey. The ecological characteristics of Grafton Wood, as assessed via that survey, gave no indication that the habitats present might constitute ancient woodland. Targeted botanical surveys of all woodlands within the study area were completed. This survey work identified that Grafton Wood contains substantially fewer ancient woodland indicator species, and fewer botanical species overall, than the other four woodlands. The habitats present are, indeed, not best classified as woodland. Out of the five woodlands surveyed, Grafton Wood has the fewest features that are characteristic of ancient woodland.</p> <p>2.8. Grafton Wood was included on the local AWI on the basis of historical mapping, i.e. mapping dating from 1885 and subsequently was used to infer the ancient status(or otherwise) of woodlands. Some sites were also subject to field survey, although this did not include Grafton Wood. Documentation from the Local AWI work recognises that assigning ‘semi-naturalness’ to sites via historical mapping analysis is not a fully robust approach. It identifies that field survey is required to confirm whether a wood can be classified as semi-natural.</p> <p>2.9 The following photographs provide the committee with aerial and ground level views of Grafton Wood and Hayleasow Wood /Newton Coppice which highlights the points made above.</p>
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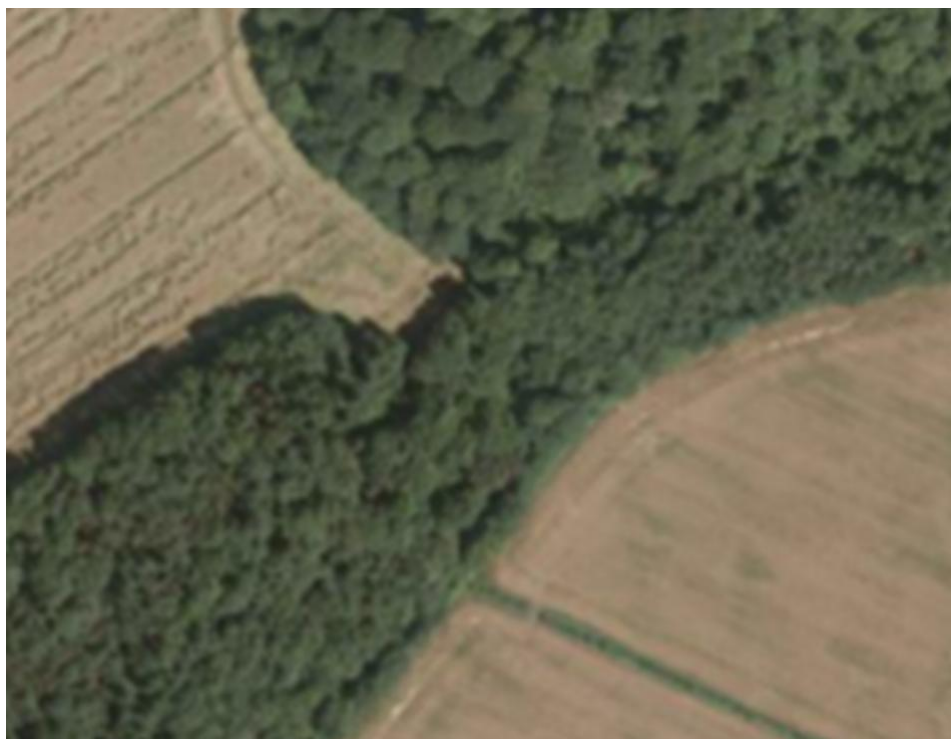
Aerial Photo of Grafton Wood with SC2 route outline:



Ground View of Grafton Wood:



Aerial Photo of Hayleasow Wood /Newton Coppice



Ground View of Hayleasow Wood /Newton Coppice



	<p>Reason 3:</p> <p><i>“PB’s Appraisal Summary Tables (Appendix 1) shows 10 benefits, 8 of which are graded “Slight”. The only “Major” benefit identified is to ‘Regeneration’, citing “planning conditions that presently limit development at the Enterprise Zone to be extinguished”. These limits have been specified to Council and the LEP as capacity constraints on the A49; yet PB’s Report states (7.5.2 and 7.6.2) that, once the SLR is built, there will be “an increase in traffic along the A49”.”</i></p>
	<p>Response to reason 3:</p>
	<p>3.1 It is important to clarify the relevant sections of the Preferred Option Report and correctly identify the benefits when responding to this reason for call-in described above. The Appraisal Summary Tables referred to are contained within the South Wye Transport Package Preferred Option Report which formed Appendix 1 of the report to Cabinet.</p> <p>3.2 Appendix A of the Preferred Option Report shows the Appraisal Summary tables for the different SLR options <u>without</u> any of the complementary sustainable transport measures in place. Route SC2 is shown to have 11 benefits. Seven are graded ‘slight’, three are graded ‘moderate,’ and one is graded ‘major’.</p> <p>3.3 However, the cabinet decision was based on the overall benefits of the South Wye Package. Appendix B of the Preferred Option Report shows that SC2, plus the complementary sustainable transport measures, generates 13 benefits. Of these, six are graded ‘slight’, six are ‘moderate,’ and one is ‘major’. This is greater than that quoted in the reason for call-in and clearly illustrates the additional benefits which the wider SWTP provides.</p> <p>3.4 The increase in traffic referred to in paragraphs 7.5.2 and 7.6.2 of the Preferred Option Report takes place over short sections of the A49, focused on the approaches to the proposed junction with the Rotherwas Access Road. This reflects traffic choosing to travel via this section of road to access the new SLR. For most of the A49, and more generally within the local area, there is a reduction in traffic flow. This is shown by reference to figures 16 and 17 of the Preferred Option Report which have been extracted and follow at the end of this report. The detailed results shown on these diagrams will be explained by the project team at the meeting.</p> <p>3.5 The traffic model shows that the SLR is fulfilling its intended purpose. It has created spare capacity on the A49 and surrounding area by traffic diverting to the new route, and in the modelling carried out this has been partially filled by new development, some of which is traffic from the Enterprise Zone. That is, the appraisal shows that the SLR will fulfil its dual economic function of both reducing congestion and delay, and allowing development in the area to proceed.</p> <p>3.6 Whilst there are isolated links in the traffic model which show a small increase in traffic with the SLR in place, in either the AM or PM peak periods, this merely serves to illustrate the balance required between creating traffic relief through construction of the SLR and then allowing development to proceed to meet the aspirations of the Enterprise Zone. The precise</p>

	amount of development permitted will need to be agreed with the Highways Agency in accordance with the Local Development Order.
	<p>Reason 4:</p> <p><i>“English Heritage and Sustrans were not consulted. The summer 2014 consultation was on the SWTP, but the SLR has been de-coupled from the Package for separate appraisal and decision, without the package of sustainable transport measures (Sustainable Transport Max) thus rendering the consultation responses un-sound as evidence – whether in support or otherwise – of the SLR alone. [ref part a (b) above]”</i></p>
	<p>Response to reason 4:</p>
	<p>4.1 English Heritage and Sustrans were consulted as part of the project. The consultation carried out over the summer 2014 was advertised through Herefordshire Council website, advertised on local radio, Facebook, Twitter, Hereford Times, in local communities by way of posters and display stands. There were 37 sites across Herefordshire with in excess of 1250 brochures made available to the public and monitored weekly. At the 4 day public exhibition 199 people signed the attendance register and there were 255 consultation responses received.</p> <p>4.2 Consultation responses were not directly requested from English Heritage or Sustrans in the 2014 consultation. Our appraisal work was presented at the public consultation, taking into account heritage features and the cycle network amongst many other factors. This appraisal information was freely available to all through the wide range of media identified above.</p> <p>4.3 Although Sustrans did not provide a response as part of this consultation, we are in regular discussion with them about a number of cycle infrastructure projects across the county. We have a good working relationship with them and have delivered a number of projects in partnership (including Connect 2 project). As part of these ongoing discussions we are working with Sustrans regarding the detailed design for locations where the National Cycle Network will cross the southern link road and to take forward the wider package of sustainable transport measures.</p> <p>4.4 Herefordshire Council and its consultants consulted with English Heritage, Sustrans and other statutory and non-statutory consultees early in the Stage 1 process in 2012 as part of the Corridor Assessment study and as part of the Belmont Transportation Study in late 2012. Comments raised by English Heritage were considered in the Stage 2 Environmental Assessment Report which formed the basis of the environmental Appraisal Summary Tables (ASTs) in the Preferred Options Report.</p> <p>4.5 Although there was no legal requirement to separately consult again with English Heritage, Herefordshire Council advised English Heritage by email on 1st August 2014, during the consultation period, that the appraisal process had taken account of heritage features and that the Council would be in contact regarding statutory consultation as part of any future planning application. A letter was received from English Heritage dated 13th October 2014 and this was included in the Consultation Report.</p>

	<p>4.6 It is not correct to assert that “the SLR has been de-coupled from the Package for separate appraisal and decision”. The Preferred Option Report presents results for both ‘without package’ (Appendix A) and ‘with package’ (Appendix B). The report to Cabinet made it very clear that the decision was to be based on both the SLR and the wider package of sustainable transport measures (e.g. paras 18 and 35).</p> <p>4.7 The reason the Cabinet report recommendation states “route SC2 is selected as the preferred route for the Southern Link Road” is due to the SLR requiring a planning application to proceed. In contrast, the sustainable transport measures can be implemented within the existing highway boundary by the council using Traffic Regulation Orders and its other powers as Highway Authority.</p>
	<p>Reason 5:</p> <p><i>“Further routes identified post-consultation as SC8, 8a and 9 “were given the same intensity of appraisal as other routes”. Yet the ‘No Road’ option, favoured by the second largest percentage of respondents, has not been given any detailed or intensive appraisal. [ref part a (b) above]”</i></p>
	<p>Response to reason 5:</p>
	<p>5.1 The consultation results show considerable support for the provision of a road and it is important to be clear on the responses received. The consultation questionnaire asked respondents : “For the Southern Link Road, which option on the brochure map do you prefer if a new road were part of the solution?” The responses were:</p> <ul style="list-style-type: none"> - SC2 - 35% - SC2A - 23% - SC5 - 8% - SC7 - 8% - No road - 26% <p>5.2 It can be seen from the above that 74% of respondents preferred one of the road options.</p> <p>5.3 The No Road option was first assessed as part of the sequential tests requirements as represented by the Sustainable Max and Traffic Max options. The level of assessment undertaken at that stage was consistent across all options and commensurate with that stage in the process, as advised by WebTAG.</p> <p>5.4 It is incorrect to assert that the No Road option has not been given the same intensity of appraisal as the ‘with road’ options. The Preferred Option Report compares each ‘Do Something’ with the ‘Do Minimum’. Each Do Something includes a version of the SLR and the Do Minimum excludes it. That is, the Do Minimum, against which all road options are compared, is the same as the No Road option. WebTAG requires us to undertake the same level of appraisal for both the Do Something and Do Minimum, and this has been achieved.</p> <p>5.5 We will continue to follow this approach for subsequent stages of project development to</p>

	make sure that the projected benefits of the Package remain achievable.
	<p>Reason 6:</p> <p><i>“The SWTP ‘Package Assembly Report’, cited in 1.1.3 and 10.6.1 of PB Preferred Option Report was not available as part of the papers to Cabinet. [ref part a (b) and (e) above]”</i></p>
	<p>Response to reason 6:</p>
	<p>6.1 The reference to the Package Assembly Report (PAR) within the Preferred Option Report was an error. The Council has commissioned Parsons Brinckerhoff to produce the PAR, which will provide details of the sustainable package of transport measures. However, that work is not yet completed and therefore there is not yet a PAR in existence. It only becomes desirable to have a PAR in place as part of the planning application process.</p> <p>As appropriate for this stage of the overall process, an outline of the sustainable package of measures has been developed. This was consulted on in our Summer SWTP exhibitions. As indicated, Parsons Brinckerhoff has been commissioned and are progressing development of the detail of these measures. The PAR will be finalised and will form part of a set of documents which would be submitted as part of a planning application for the southern link road element of the South Wye Transport Package.</p> <p>The package of measures was referred to within the cabinet report, but it does not influence the route selection for the SLR. As the PAR is not yet finalised, it was neither referred to in the Cabinet report, not relied upon by the report author in preparing that report. As it is not finalised, it was not relied upon by Parsons Brinckerhoff in preparing their report. Accordingly, it is therefore not a background paper.</p>

Supplementary information in relation to Response to reason 3

Extract:

South Wye Transport Package Preferred Option Report – 2017 Traffic Flow diagrams figures 16 and 17

