

QUESTIONS FROM THE PUBLIC ON THE CALL-IN OF THE CABINET DECISION ON THE SOUTH WYE TRANSPORT PACKAGE

The following questions have been received and responses provided by officers.

*Those questions that are not relevant to call in notice will all receive a written response.

Questions from Carole Protherough, Clehonger		Is question relevant to call in notice?*
Question 1	Did Parsons Brinckerhoff conduct any traffic studies to and from A465 to B4349 area?	Yes
	If so, please advise where these studies can be found?	
Response 1	Traffic surveys were undertaken at the A465 / B4349 junction on 16 th May 2012. These were used in the development of the Saturn model. Additional Automated Traffic Count surveys were undertaken from 28 th April to 6 th May 2014 to verify the flows in the traffic model. The A465 to B4349 forms part of the study area and traffic model. There will be further information regarding traffic flows submitted as part of any future planning application.	
Question 2	Could the General Overview and Scrutiny Committee investigate how this SC2 route extension can be funded if it is not in the Marches LEP SWTP scheme, nor mentioned as a scheme in LTP2?	Yes
Response 2	The new section of highway from the Southern Link Road to the B4349 Clehonger Road forms part of the scheme. The cost estimate within the cabinet report includes costs for the construction of this section of highway. These costs can be contained within the grant from the LEP for the scheme.	

Questions from Philip Jeffree, Old Clehonger		Is question relevant to call in notice?
Question 3	Who took the decision not to inform, by letter, residents near the route extension A465 to B4349 of the July 2014 consultation regarding this extension, which is not in the Council's Local Transport Plan 2, nor in the Strategic Outline Business Case for the Marches LEP SWTP scheme. Invitations were sent to a preview event for 30 June 2014 to residents in the SLR A49 to A465 area, but not, apparently, to anyone from Clehonger or Dunan?	Yes
Response 3	During the development of the scheme local stakeholders asked for consideration to be given to providing a link from a route for the Southern Link Road (SLR) to the B4349. Options for this link were developed and set out at recent public exhibitions to obtain	

	<p>feedback. The preview evening held before these exhibitions was held to enable those most directly affected by a new road to view proposals and impact on their land / property. Residents within approx. 300m of the SLR corridor and the link to Clehonger were invited to this event. The following public exhibitions then allowed the wider public to view proposals.</p>	
<p>Question 4</p>	<p>If the Cabinet fails to run a new consultation process on the SLR proposal as a stand-alone road building proposal, and proceeds to seek planning permission for this SLR Route SC2, and the proposal is taken to Judicial Review, who pays the costs of this Judicial Review action – Parsons Brinckerhoff, or Herefordshire Council?.</p>	<p>Yes</p>
<p>Response 4</p>	<p>As the decision on which route to explore further is a Herefordshire Council decision, any Judicial Review would be against the council. In the event of such a challenge being made, the losing party is likely to be ordered to pay the other side’s legal costs.</p>	

<p>Questions from Mrs E Morawiecka, Breinton</p>	<p>Is question relevant to call in notice?</p>
<p>Question 5</p> <p>Many young people would like a future in farming and in the past Herefordshire Council have enabled access via their small holdings. With the future of small holdings currently awaiting a separate cabinet decision, possibly for disposal approximately 6 months after the scheduled planning application for the Southern Link Road, would Herefordshire Council please confirm:-</p> <p>a) How many small holdings, including their acreage, lie within 1km of the Southern Link Road “corridor”?</p> <p>b) Whether any options for development on small holdings included in (a) above have been sold or are currently under negotiation?</p> <p>Response 5</p> <p>Written Response:</p> <p>a) Two</p> <p style="padding-left: 40px;">Ashley Farm 85 acres</p> <p style="padding-left: 40px;">Veddoes Farm 76 acres</p> <p>b) No</p>	<p>a) No</p> <p>b) No</p>
<p>Question 6</p> <p>The Treasury states that transport spending has to be prioritised not on projects with "high" BCRs, (benefit cost ratios) but with the "highest." According to the rules, announced in 2007, transport</p>	

spending had to be "focused on the projects with the highest returns." There is no reference in either the consultation or the report to Cabinet what the Benefit Cost Ratio is of the various road and sustainable transport options. Please provide the Benefit Cost ratios of:-

- a) Each element of the Sustainable Max option;
- b) for each of the Southern Link Road options;
- c) the full South Wye package including road and sustainable transport elements.

Please provide the basis on which these BCRs were calculated.

- a) Yes
- b) Yes
- c) Yes

Response 6

A Benefit to Cost Ratio of 3.55 for the South Wye Transport Package was reported in the Strategic Outline Business Case submitted to the LEP. Separate BCRs have not been calculated for a, b or c above.

Question 7

The Marches LEP Transport Assurance Framework Feb 20214 states at para 4.1 "Scheme business cases should therefore demonstrate high value for money and contribution to economic growth, reducing carbon emissions, reducing social exclusion, improving safety and promoting health / well being". The Parsons Brinkerhoff report to Cabinet on the Southern Link road options clearly states that "all scheme options will have a slight adverse impact on greenhouse gases due to vehicles travelling greater distances and at higher speeds"; "All route variations will have an adverse impact on walking and cycling levels in the rural area, discouraging these activities by increasing severance on existing routes and loss of rural amenity through the introduction of traffic noise and proximity to traffic"; "The four SLR options are assessed to have a moderate adverse impact on physical activity." As this report shows the road scheme fails to meet the Marches LEP Transport Assurance Framework so what is the risk assessment regarding funding not being made available for this road scheme from the Marches LEP?

Yes

Response 7

The Assurance Framework does not set thresholds for each appraisal criteria so the issue of 'failing to meet the framework' does not arise. Rather the Assurance Framework sets out which impacts should be assessed and what analytical approach should be followed to establish the scale of the impact. This approach enables an overall 'value for money' of the package to be established taking into account a range of effects.

The Strategic Outline Business Case for South Wye Transport Package was reviewed by the Independent Technical Evaluation (ITE) and they were satisfied it does meet with the Assurance Framework. Funding has been allocated for the scheme by DfT and the LEP.

Question 8	Please provide evidence to demonstrate that the road provides high value for money vs other options available to improving growth and reducing social exclusion?	No
Response 8	The Strategic Outline Business Case identified that the scheme would have a BCR of 3.55. The next stage of funding approval will require an updated BCR to be provided as part of the Outline Business Case.	
Question 9	The Local Development Order for the Hereford Enterprise Zone relates to minimising the growth of traffic on the A49 (part of the Strategic Network). However, the Parsons Brinkerhoff report route assessment states for each of the road options “Increased traffic along the A49 but level of delay at the A49/A465 junction proposed to remain at existing levels”. PB also says that “Southern Link Road provides direct connection to the Hereford Enterprise Zone (HEZ) from the A465. Improves the supply of employment land by allowing the planning conditions that presently limit development at the HEZ to be extinguished, therefore removing substantial barriers to inward investment”. Parsons Brinkerhoff described this as a “major beneficial” for Regeneration. Would PB explain how increased traffic on the A49 will allow the planning conditions at the Enterprise Zone to be extinguished?	Yes
Response 9	Refer to call in response Reason 3	
Question 10	The PB South Wye Transport Package Preferred Option report is only about choosing a route for a Southern Link Road. However, Para 14.1.1 of the states “PB has been commissioned by BBLP on behalf of HC to identify a package of measures that would address the transport problems within the South Wye area of Hereford. The SWTP has identified a number of possible improvements, covering different transportation modes, strategies and interventions.” Where is the PB SWTP report that preceded the Preferred Option Report and why was this not a background report to the cabinet decision on the South Wye Transport Package and why has this report not been published on the HC website?	Yes
Response 10	Refer to call in response Reason 6.	
Question 11	The Cabinet report stated that there had been 404 responses when in fact PB report states that there were only 255 responses to the consultation. Route SC2 was supported with just 71 responses out of 203 whilst the “No Road” option supported by 53 out of 203 responses. Please detail how many responses were included in these total responses after the deadline of the 8th August; which option they preferred and who decided to extend the deadline for responses and how this was publicised.	Yes

<p>Response 11 The reference to 404 responses in the Cabinet Report and Preferred Option Report (paragraph 11.1.6) is a typo and should read 203 responses. There were 255 responses to the non-statutory public consultation, of these 231 were questionnaires and 24 by other formats. Herefordshire Council approved the extension of the consultation deadline to the 15th August as requested by members of the public.</p> <p>Twelve questionnaire responses were received between the 8th and 15th August and were included in the consultation. Of these 12 responses, 10 respondents answered Question 5 and their answers were as follows:</p> <ul style="list-style-type: none"> a) SC2 (3) b) SC2A (1) c) SC5 (1) d) SC7 (1) e) No road (4) 	
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Questions from Dr. Nichola Geeson, Hereford	Is question relevant to call in notice?
<p>Question 12 The recently "approved" route SC2 would pass through the middle of Grafton Wood which is ancient woodland. How can this be acceptable? Routes through Newton Coppice and Hayleaslow Wood were rightly rejected because these are ancient woodland, so why would Grafton Wood be different?</p> <p>See the extent of ancient woodland around Hereford on Natural England's MAGIC maps</p> <p>http://www.natureonthemap.naturalengland.org.uk/MagicMap.aspx?chosenLayers=baplcgrassIndex,bapldacidgrassIndex,baplowmeadIndex,bapundertergrassIndex,bapucgrassIndex,bapuhmeadIndex,baplowheathIndex,bapupheathIndex,limestonepavIndex,dunesIndex,duneswallIndex,cvsIndex,bapcgmarsIndex,mcsIndex,mudflatIndex,smarshwallIndex,lagoonIndex,lagoonwallIndex,sgrasswallIndex,impmarwallIndex,substresIndex,substrwallIndex,bapbbogIndex,bapfensIndex,baplrbogIndex,bapreedbedIndex,bappmg_rushpastIndex,ancwoodIndex,orchardPIndex,orchardIndex,fclegbIndex,bapdecIndex,niwtIndex,bapwoodIndex,backdropDIndex,backdropIndex,europelIndex,vmlBWIndex,25kBWIndex,50kBWIndex,250kBWIndex,miniscalBWIndex,baseIndex&box=343007:235481:354236:240950&useDefaultbackgroundMapping=false</p> <p>The key to the map can be found on the left side of the web page. See Habitats and Species: Habitats: Woodland: Ancient woodland. Ancient and semi-natural woodland is green vertical stripes. Ancient replanted woodland is brown horizontal stripes.</p> <p>I hope you will find this one of a number of reasons why this Cabinet decision was seriously flawed.</p>	<p>Yes</p>
<p>Response 12 Refer to response to call in Reason 2</p>	

Questions from Richard Stow, Rowlestone	Is question relevant to call in

	notice?
<p>Questions on the SWTP public consultation</p> <p>The SWTP public consultation ran from 1st July to 8th August 2014. One of the aims of this consultation was to evaluate the contribution that sustainable transport (such as walking, cycling and public transport) could make to the South Wye area. Several questions in the survey were about the adequacy and importance of cycling and walking infrastructure. This area is relatively flat, and there are large numbers of short trips made by car, so the potential contribution of sustainable transport to encourage physical activity, and to reduce congestion, emissions, traffic noise and accidents, is very high.</p> <p>The South Wye area is already relatively well served by traffic free & traffic calmed cycle and pedestrian paths, which run across the river and into the city centre on both the west and the east, but the "sustainable transport" exhibition panel (panel 9 on the Council website, which is reproduced on page 6 of the SWTP glossy brochure) completely failed to show this existing infrastructure.</p> <p>The exhibition panel 9 and page 6 of the SWTP brochure:</p> <ul style="list-style-type: none"> - failed to show that the traffic free Great Western Way crosses the river and provides easy access to Sainsbury supermarket, the Courtyard arts centre and the OLM (Debenhams, Waitrose etc) - failed to show the connecting traffic free path along the southern river bank which continues right round Bishops Meadow with simple access to Holme Lacy Road via traffic calmed streets in Putson, and then into the EZ - failed to show the new traffic free Sustrans Connect 2 bridge and the cycle path from Rotherwas/EZ to High Town 	
<p>Question 13 Given the expressed purpose of this consultation, why was so much of existing cycling/walking infrastructure (including both traffic free river crossings) missing from the consultation information?</p> <p>Response 13 The purpose of Panel 9 of the Public Consultation and Page 6 of the SWTP Brochures was to identify the additional measures that the SWTP could provide. There is good existing infrastructure in the South Wye area and there are behaviour change programmes in place to encourage sustainable travel using this infrastructure. Most of this was shown on the exhibition panels with only some elements of existing network were not shown. Their omission has not impacted on the level of support for sustainable measures expressed in consultation feedback.</p>	Yes
<p>Question 14 How can people give a meaningful response to questions about the importance or adequacy of cycling and walking infrastructure, or comment on proposed cycle ways, if they are not properly informed of what exists already?</p> <p>Response 14 The SWTP considers the opportunities to complement the existing infrastructure with additional road space allocated to modes other than the private motor vehicle. The package also identifies areas where the existing infrastructure could be improved and the response to</p>	Yes

	exhibition received indicated strong support for additional measures. A strong level of support for sustainable measures was expressed in consultation feedback.	
Question 15	How can the Council properly evaluate the potential contribution of sustainable transport in S Wye, when critical information was omitted from the public consultation materials, which completely undermined the expressed purpose?	Yes
Response 15	A strong level of support for sustainable measures was expressed in consultation feedback. The process was not undermined.	
Question 16	Will the Council now re-run a proper and valid consultation on sustainable transport for South Wye, with full information on existing cycle and pedestrian paths, and covering a key issue for cycling and walking in this area: how to increase awareness and usage of the infrastructure that already exists?	Yes
Response 16	It is not considered necessary to rerun the consultation.	

Questions from Victoria Wegg-Prosser, Breinton		Is question relevant to call in notice?
Question 17	As the Marches LEP's Local Transport Board has an Assurance Framework (version 3.0, Feb 2014) which requires that the Council, as the promoter of the SWTP, must assess all scheme options using high level evaluation and comparison criteria, why was the No Road SusTMax scheme option not subject to the same level of evaluation as the Road routes?	Yes
Response 17	Refer to response to call in Reason 5	
Question 18	Why did the 'Legal Implications' [see Cl. 52 on p. 65 of the 13 11 14 Report to Cabinet] fail to point out that the Supreme Court case regarding public consultations (R v London Borough of Haringey) ruled that 'meaningful public participation ... requires that the consultees should be provided with an outline of the realistic alternatives... [where deemed that] 'the provision of such information is necessary in order for the consultees to express meaningful views on the proposal' ? [See https://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0116_Judgment.pdf Cl. 39 and 40, p. 19/20]	No
Response 18	The legal requirements as to what is required to constitute 'fair' consultation have been established since 1985 and the decision in <u>R</u> v.	

	<p><u>Brent London Borough Council, ex parte Gunning</u>. The ‘Gunning Principles’ are that consultation:</p> <ul style="list-style-type: none"> (i) it must take place when the proposal is still at a formative stage; (ii) sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response; (iii) adequate time must be given for consideration and response; and (iv) the product of consultation must be conscientiously taken into account by the decision-maker. <p>Those 4 principles have not been changed by the <u>Haringey</u> decision referred to in the question, and the SLR consultation process meets all those requirements.’</p>	
<p>Question 19</p>	<p>Who took the decision (and when was it taken) to de-couple the Southern Link Road from the sustainable transport measures in the South Wye Transport Package, so that the Southern Link Road no longer forms part of a 'Package', but is a stand-alone road building proposal?</p>	<p>Yes</p>
<p>Response 19</p>	<p>Refer to response to call in Reason 5</p>	

<p>Questions from Mr & Mrs AJ Priddle</p>	<p>Is question relevant to call in notice?</p>
<p>Question 20</p> <p>Area of call-in qualification: 4.5.16.5 part (a) section (b) the decision of the Cabinet has failed to “consult properly and have regard to the professional advice from its officers”</p> <ul style="list-style-type: none"> a) Why weren’t relevant planning officers consulted on heritage issues, so that PB were properly informed about local conservation priorities? b) Additionally, were the relevant landscape and environmental officers consulted on landscape and environmental (light and noise pollution) issues, so that PB were properly informed about local priorities? 	<ul style="list-style-type: none"> a) Yes b) Yes

	<p>c) If Council Officers were consulted only after the presentation to the public on 30 June 2014, or after recommending SC2 to Cabinet, it appears that the research is following a predetermined route selection and does not follow the proper, logical process to ensure that good balanced design is generated.</p> <p>How can the design choice have been informed and based on proper robust research, if research follows, instead of preceding, route option choice?</p>	<p>c) Yes</p>
<p>Response 20</p>	<p>a), b), c) The project team is a multi-disciplinary team drawn from officers of Herefordshire Council, Parsons Brinckerhoff and Balfour Beatty Living Places. Representatives from the Highways, Transportation and Planning teams were involved in the development of the scheme and have reviewed the reports produced by Parsons Brinckerhoff, as outlined in the report to Cabinet.</p> <p>a), b), c) Local priorities are informed by the Local Plan (currently the adopted Unitary Development Plan) which is subsequently informed by national policies which have been reviewed by Herefordshire Council and its consultants. Local priorities have been considered appropriately in the Stage 1 and the appropriate environmental receptors potentially affected by the route options identified and the correct value of for environmental receptors used.</p>	
<p>Question 21</p>	<p>Area of call-in qualification: Part c: this decision appears to be contrary to /outside Policy Framework</p> <p>a) Why were Core Strategy and UDP policies ignored in the design process and narrowing of route options?</p> <p>Specifically:-</p> <p>Emerging Core Strategy:</p> <p>Policy LD1 – “Landscape and Townscape”</p> <p>Policy LD4 – “Historic environment and heritage assets”, Objective 1</p> <p>UDP Part 1 Policy S7 - “Natural and Historic Heritage (section 3)</p> <p>b) Why has there been no modelling (visual, noise, light etc) to identify the impact of different routes prior to route selection?</p>	<p>a) No</p> <p>b) No</p>
<p>Response 21</p>	<p>a) The development of a South Wye Transport package is consistent with the Core Strategy and UDP. The planning authority would consider the planning application for the Southern Link Road in line with policies referred to in the questions at the planning stage.</p> <p>b) The appraisal of options considered these factors amongst other appraisal criteria.</p>	

<p>Question 22</p>	<p>Area of call-in qualification: The option appraisal process etc is contrary to Highways Agency advice and contrary to Dept of Transport WebTAG guidance</p> <p>a) Since expert advice is that typically an Environmental Impact Assessment takes from 6 to 12 months to complete, particularly in order to assess environmental impacts in both summer and winter, when did PB start their EIA work?</p> <p>b) Will PB be able to convince a higher authority that the haste with which this EIA will have been conducted allows for the robustness & high standards required by the EU for the protection of the environment? (see EU Directive on EIAs (rev April 2014), which state that “under no circumstances must the time-frame compromise the achievement of high standards for the protection of the environment”</p> <p>c) Since two representatives from PB have suggested that they have been put under programme constraints (one of which was minuted by PB), were the consultants, PB, put under pressure by their clients, Hereford Council, to submit a planning application in December.</p>	<p>a) No</p> <p>b) No</p> <p>c) No</p>
<p>Response 22</p>	<p>a) EIA process started in April 2014 when the Ecology surveys were commissioned along a wide study area including all eight route options being considered.</p> <p>b) The Local Planning Authority, Herefordshire Council, will determine the planning application and the accompanying Environmental Statement. PB has been consulting the Herefordshire Planning team throughout 2014 and has further consulted with statutory and non-statutory Consultees in 2014 as part of the EIA process. The design and environmental assessment process has progressed from a design and environmental baseline that has been evolving since 2010.</p> <p>c) All Engineering Consultants, including PB, are set programme targets by their clients. These are discussed and agreed in advance by both parties to ensure that a high quality product is delivered at the right time and at the right price. It is therefore normal practice for Engineering Consultants to work under programme constraints. The report to Cabinet on 13 November 2014 outlined an indicative programme for the delivery of the package. Due to the delay in confirming the preferred route for the Southern Link Road, it is necessary to revise this programme and planning application is now due to be submitted in January 2015.</p>	
<p>Question 23</p>	<p>Area of call-in qualification: WebTAG guidance 2.2.6</p> <p>a) How can PB claim that there has been “on-going engagement” with English Heritage (a key stakeholder), throughout Stage 1 of the process, as required by WebTAG Option Guidance, when their first contact with English Heritage was a letter received from EH to PB dated 13th</p>	<p>a) Yes</p>

	<p>October?</p> <p>b) Why did Parsons fail to respond in detail to our representations date 14 August 2014 and particularly to our Appendix VIII “extended appraisal criteria analysis chart”? This was a detailed and careful appraisal of the merits of the original 8 routes, comparing PB’s scoring with our assessments (checked by two independent professionals). The conclusion was that SC2 was an exceptionally poor selection.</p>	<p>b) Yes</p>
<p>Response 23</p>	<p>a) Herefordshire Council and its consultants consulted with English Heritage early in the Stage 1 process in 2012 as part of the Corridor Assessment study in early 2012 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>Although there was no requirement at this stage to separately consult 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>b) The representation made on 14th August was considered but we maintain that the assessment work undertaken by Parsons Brinckerhoff was still correct.</p>	
<p>Question 24</p>	<p>Area of call-in qualification: WebTAG guidance 2.9.6</p> <p>We have repeatedly asked PB for an explanation of their selection criteria without success. Where is there a clear explanation of the criteria or thresholds for determining which options “pass” or “fail” in Stage 1 of the process?</p>	<p>No</p>
<p>Response 24</p>	<p>The approach to appraisal is described in the Preferred Option Report (Section 2).</p> <p>Also, see response to General Overview and Scrutiny Committee Reason 2.</p>	
<p>Question 25</p>	<p>Area of call-in qualification: WebTAG Guidance 2.9.5</p> <p>Where is the “robust evidence” that PB did any research/ongoing consultation into ancient woodland or heritage matters at the sifting stage, to back up their decision to summarily eliminate routes SC1, SC3, SC4 & SC6, as it appears that they are now trying to bring evidence to bear to back up their earlier rushed decisions/flawed process?</p>	<p>No</p>

Response 25	<p>Herefordshire Council and its consultants consulted with statutory and non-statutory consultees early in the Stage 1 process in 2012. This included Natural England, English Heritage, the County Ecologist and Archaeologist at Herefordshire Council amongst many others.</p> <p>Comments raised by consultees were considered in the Stage 2 Environmental Assessment Report which formed the basis of the environmental Appraisal Summary Tables (ASTs) used to inform the decision to reduce the number of route from 8 to 4.</p> <p>Also, see response to General Overview and Scrutiny Committee Reason 4.</p>	
Question 26	<p>Area of call-in qualification: WebTAG guidance 2.2.11</p> <p>Why have PB not substantiated their assessment of cost and the return on investment by supplying stakeholders with the detailed costings, which were requested continually over a period of 4 months, or have they been deliberately obstructive during the consultation process, because costings have not been carried out to the required level of accuracy?</p>	No
Response 26	<p>Parsons Brinkerhoff provided cost information for the four routes being consulted upon during the consultation process and information about cost has also been provided to stakeholders since then. PB have not been obstructive in this regard. Detailed cost estimates for the routes ruled out due to the impact on ancient woodland have not been developed as these routes were sifted out due to impact on ancient woodland. Costs of the four routes consulted upon and those considered as a result of consultation responses have been developed to in accordance with guidance and standard industry practice. The approach to preparing cost estimates has been consistent across each alignment, including those developed post public consultation. The estimates have been prepared by qualified Quantity Surveyors and reviewed by senior practitioners with relevant experience.</p> <p>Costs have been developed under the series headings within Volume 1 - Specification for Highway Works of the Manual of Contract Documents for Highway Works. Specifically for the Southern Link Road this includes preliminaries, site clearance, fencing, road restraint systems, drainage & service ducts, earthworks, pavements, kerbs footways and paved areas, traffic sign and road markings, street lighting and landscaping and ecology. This is appropriately for the current project stage and is in accordance with government guidance.</p>	
Question 27	<p>Area of call-in qualification: Route SC2, selected by the decision, passes through designated Ancient Woodland (Grafton Wood), a factor which had earlier ruled out options</p> <p>How can Cabinet allow three viable routes (SC3, SC4 and SC6), which are all in Amey's figures markedly less expensive than the chosen SC2. SC2 also has other damaging characteristics (adverse</p>	Yes

	impact on heritage and landscape assets, plus noise and light pollution)?	
Response 27	Refer to response to call in Reason 2	
Question 28	Area of call-in qualification: English Heritage was not consulted. How could PB design a road without consultation with the country's leading consultees on such matters? Due process was not followed and surely the route selection process is irreparably flawed?	Yes
Response 28	Refer to response to call in Reason 4	

Questions from Hugh Bryant, temporary Co-ordinator of Grafton and Merryhill Road Action Group		Is question relevant to call in notice?
Question 29	In relation to agenda item 5.2 Part c Why has the fact that English Heritage was not consulted by Parsons Brinckerhoff been regarded as a significant reason to call in the Cabinet decision to adopt route SC2 when Parsons Brinckerhoff have already undertaken a fair and balanced assessment of heritage issues? In advocating SC2 as the route to be selected, the Parsons Brinckerhoff Assessment supported route SC2 which is approximately equidistant from the listed properties of Merryhill Farm and Merryhill Barns and listed properties at Haywood Lodge. Also SC2 does not cut through the site of the medieval motte at Grafton. Both SC5 and SC7 would be approximately half the distance from Merryhill Farm and Merryhill Barns than SC2 would be to Haywood Lodge. Therefore it can be seen that heritage issues have already been fairly and carefully considered in the Assessment.	Yes
Response 29	Refer to response to call in Reason 4	

Questions from John Harrington and The Hereford Transport Forum		Is question relevant to call in notice?
Question 30	The Hereford Transport Forum submitted a proposal to Cabinet in early 2014 for a trial of traffic control/light removal on the A49 Central Corridor as it travels through the city, to include the	

removal of signal control at the junction of the A49 (T) and A465 at the Belmont (Asda) junction. This junction was formerly an uncontrolled roundabout but has 16 sets of lights at present. Trials and implementation of signal control removal at Poynton, Cheshire (28,000 vehicle movements a day on a single carriageway) and Portishead (Cab Stands Junction) near Bristol have been hugely successful in reducing traffic waiting times, air pollution and accidents. The team members responsible for these highly successful schemes (Ben Hamilton-Baillie of Hamilton-Baillie Associates and Keith Firth of SKM Transport) strongly believe the same approach could be successfully implemented on Hereford's A49 (T) Central Corridor through the city. As Cabinet did not reply to our proposal, which included an offer by the Highways Agency to fund the trial, for over 4 weeks (until Olwyn Barnett interceded on our behalf) and then summarily dismissed our approach it is arguable that alternatives to new road building to achieve the objectives of removing barriers to growth were not fully explored in this particular instance. Further to this the cost of a trial of traffic signal removal and traffic signal removal far surpasses the value for money benefit of the SLR. In view of the government's guidance on the application process for Growth Deals applied for through the LEPs, can the Cabinet demonstrate:-

- i) that the value for money case for the interventions (quantified and unquantified costs and benefits of the strategy as a whole) was satisfactorily examined?
- ii) Can the Cabinet explain where they have properly and fully considered the removal of lights at the Asda/Belmont Roundabout as part of the SWTP, to help reduce congestion; greenhouse gases; improve the environment for cyclists and pedestrians in line with the objectives of Local Transport Plan and the Marches LEP and the Highways Agency?
- iii) Please provide evidence to the answer to 1(ii) above e.g. names of any personnel and records (minutes, notes, e-mails) relating to any discussions of the issue I have raised in this question (traffic signal removal)? N.B. Please note Cllr Price's later statement that the Highways Agency expressed the view that this approach was a 'non starter' has been categorically and strenuously refuted on record by the HA and in particular the manager alleged to have expressed this view to Phillip Price.

i) No

ii) No

iii) No

Response 30 Development of the SWTP has followed Government guidance (WebTAG) and has included consideration of a range of measures which are documented and in the public domain. The removal of traffic signals on the A49 is a matter for the Highways Agency to consider.

Question 31 When considering the case for the Southern Link Road (and SWTP in general) did the Cabinet or their agents look at the options for increased investment in public transport and did they cost the benefits of investment in new buses (council owned or subsidised private operators) versus the construction of a new road. If so, where is this evidence detail (bearing in mind, once again, the government's heavy emphasis, as part of the application process,

No

	<p>on transparency and statistical research). In particular did they look at the potentially enormous benefits of school buses and local ‘hoppers’ to run regularly (say every 15mins or so during peak hours) and the effect that this increased and reliable form of transport would have on reducing cars on the road (a single bus roughly equally 30 cars removed from the road network).</p>	
<p>Response 31</p>	<p>A Sustainable Transport Max approach was considered as part of the appraisal of package options which aims to reduce the use of the private car through improvements to public transport, the introduction of bus lanes, segregated cycle routes and lanes, pedestrian crossings, the introduction of a tree lined boulevard along the A465, or small localised improvements.</p> <p>As appropriate for this stage of the overall process, an outline of the sustainable package of measures has been developed This did not include detailed consideration of improvements to bus services which might take place alongside improvements to infrastructure.</p>	
<p>Question 32</p>	<p>Did the Cabinet or their agents consider a case for utilising the existing (disused and now pedestrianised) railway bridge and its course (Great Western Way) as a tram thoroughfare which could link the populations of Belmont, Hunderton, The Oval, Redhill and Putson to the top of Holmer Road? I believe this could be arguably considered as a requirement by the Cabinet under the government’s requirement that they must confirm they are making ‘the most of existing resources’ when applying for funding.</p>	<p>No</p>
<p>Response 32</p>	<p>The Great Western Way forms an important part of the city cycle and pedestrian route network supporting thousands of non-motorised short distance journeys on a daily basis. The introduction of trams or other vehicles on this route would conflict with the existing use by pedestrians and cyclists. The option to introduce a metro facility on the Great Western Way was assessed previously by the Council and was not prioritised on the basis that it would not provide sufficient transport benefits and would not represent value for money.</p>	
<p>Question 33</p>	<p>Did the Cabinet or their agents consider a case for utilising the existing (disused and now pedestrianised) railway bridge and its course (Great Western Way) as a tram thoroughfare which could link the populations of Belmont, Hunderton, The Oval, Redhill and Putson to the top of Holmer Road? I believe this could be arguably considered as a requirement by the Cabinet under the government’s requirement that they must confirm they are making ‘the most of existing resources’ when applying for funding.</p>	<p>No</p>
<p>Response 33</p>	<p>Repeat question</p>	
<p>Question 34</p>	<p>As required by central government, when applying for the funding via the LEPs, can the Cabinet give evidence of the investment matching by the local authority and by local or national business</p>	<p>No</p>

<p>Response 34</p>	<p>partners? I am particularly keen to hear of matching investment from the private section. Where are the details of this investment?</p> <p>The Council's local contribution is set out within its capital programme and medium term financial strategy. Private contributions are sought via the planning process and will be secured via S106 planning obligations and (in future) community infrastructure levy. The Council's capital programme and medium term financial strategy are in the public domain. Future development contributions are subject to negotiation. The Council's intention to negotiate developer contributions towards the SWTP are set out in the Herefordshire Local Plan - Core Strategy, Infrastructure Delivery Plan September 2014, also in the public domain.</p>	
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<p>Questions from Amanda Martin</p>		<p>Is question relevant to call in notice?</p>
<p>Question 35</p>	<p>How has the scheme appraisal process for the SLR dealt with the acknowledged phenomenon* of traffic induction caused by new roads in and around urban areas?</p> <p>* Standing Advisory Committee on Trunk Road Assessment report "Trunk Roads and the Generation of Traffic" December 1994 at 11.23</p>	<p>No</p>
<p>Response 35</p>	<p>The situation in respect of the South Wye Transport Package is somewhat unusual in that it is a stated objective of the package to help facilitate development at the Hereford Enterprise Zone. It necessarily follows that development of the Enterprise Zone, even with sustainable transport measures in place, will generate additional vehicular traffic. This additional traffic will partially fill the space created on the network by provision of the package (including the SLR). This is equivalent to the phenomenon of induced traffic, although in this case it is a deliberate consequence of facilitating development at the Enterprise Zone.</p>	
<p>Question 36</p>	<p>How is the SLR consistent with Key Objective 1.1 of the Council's Local Transport Plan (2013/14 and 2014/15) ("the LTP") to reduce congestion in Hereford City and increase accessibility by "less polluting and healthier forms of transport than the private car"?</p>	<p>No</p>
<p>Response 36</p>	<p>The southern link road provides improved vehicular access to the Hereford Enterprise Zone and a strategic housing site at lower Bullingham, enabling the removal of traffic from the city's existing highway network. This provides capacity for sustainable transport measures and measures which will manage demand on the existing network providing congestion relief and supporting non-polluting modes of transport including walking and cycling and providing opportunities to improve access for public transport.</p>	

<p>Question 37</p>	<p>How is the SLR consistent with the Council's commitment stated in the LTP to promoting alternatives to the private car for short to medium length journeys to and from the city?</p>	<p>No</p>
<p>Response 37</p>	<p>The southern link road enables sustainable measures within the existing highway network which will promote alternatives to car journeys within the city.</p>	
<p>Question 38</p>	<p>How does the SLR contribute to fulfilling Key Objective 1.1 of the LTP to "maintain access for rural residents and people without access to a car"?</p>	<p>No</p>
<p>Response 38</p>	<p>The southern link road enables sustainable measures within the existing highway network which will promote alternatives to car journeys within the city. The southern link will assist residents to the south west of Hereford accessing the city and in particular work opportunities at Hereford Enterprise Zone.</p>	
<p>Question 39</p>	<p>How is the SLR consistent with Key Objective of the LTP to "Provide alternatives for longer distance commuters so that they can also reduce their car use and adopt healthier lifestyles"?</p>	<p>No</p>
<p>Response 39</p>	<p>The southern link road will provide residents to the south west of Hereford with direct access to proposed park and ride facilities identified in the pre-submission core strategy (policy HD6) and linked to the strategic housing site at lower Bullingham. The link also provides greater access opportunities for residents to the south of Hereford to access a range of proposed park and share locations which have been identified adjacent to the A49 and A465 highway corridors. These sites are promoted on the basis that they provide rural residents with opportunities to access bus services, car sharing and cycle access into Hereford.</p>	
<p>Question 40</p>	<p>What is the NPV of the SLA and which model and appraisal process were used?</p>	<p>No</p>
<p>Response 40</p>	<p>The appraisal of the different SLR options used the principles of a Stage 1 level of appraisal outlined in the Department for Transport guidance WebTAG. A Benefit to Cost Ratio of 3.55 for the SWTP was reported in the Strategic Outline Business Case submitted to the LEP.</p>	

<p>Questions from Mr Donald I Kitchener, Grafton Lane, Hereford</p>	<p>Is question relevant to call in</p>
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<p>Question 41 As you want to put the road (SC2) as tight to The Green (my home) is it to have more building land to build more houses on Ashley Farm and Veddoes Farm? Are you looking to build houses on the Council Land both sides of The Green?</p> <p>Response 41 There is no plan to build houses on the sites referred to.</p>	<p>notice?</p> <p>No</p>
<p>Question 42 Why couldn't the road be put where the road by the wood where it was when we bought our house?</p> <p>Response 42 A number of routes have been considered as set out in the consultation materials and a process has been followed which looks at the route which performs best when looking across a number of criteria and considering feedback from stakeholders and the public. It would not be acceptable to adopt a route which may have been previously looked at (which you refer to above) but which has not been appraised in accordance with guidance.</p>	<p>No</p>

<p>Questions from Paige Mitchell, Hereford</p> <p>Congestion creating a barrier to the development of the HEZ and the inadequacy of Sustainable Transport Measures to address that congestion</p> <p><u>Congestion</u></p> <p>The sole criteria on which the ‘Sustainable Transport Max’ option failed to meet objectives, either fully or partially was ‘unlocking the barrier of further development’ at the Hereford Enterprise Zone (HEZ) (see South Wye Transport Package, exhibition panel 8).</p> <p>The ‘barrier to further development’ at HEZ is identified in the Strategic Outline Case Pro-forma as congestion on the A49. Parsons Brinckerhof identify ‘low network capacity [caused by] a limited number of crossing of the River Wye, resulting in significant levels of congestion along the A465 and A49.’ (South Wye Transport Package Preferred Option Report, para 2.3)</p> <p>The South Wye Transport Package Report to Cabinet 13 November 2014 states the following reason for dismissing a No Road Option, specifying that ‘congestion could not be reduced’ (para 1):</p> <p>‘No Road Option: If a route is not selected and a road scheme is not approved / route selected, the transport objectives within the South Wye area cannot be achieved. Economic growth at the Hereford Enterprise Zone would be impacted and congestion could not be reduced.’</p> <p><u>Nationally Recognised Guidance</u></p> <p>The Written Statement of a Key Decision Cabinet (South Wye</p>	<p>Is question relevant to call in notice?</p>
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Transport Package' states that 'nationally recognised guidance' was used 'in order to carry out a robust appraisal (para 6.). The South Wye Transport Package Report specifically refers to WebTAG (para 2) and points out that 'WebTag requires appraisal of how costs and benefits of a scheme accrue to different groups in society' (para 41).

Transport Analysis Guidance An Overview of Transport Appraisal explains the way in which Treasury Green Book Principles are applied to transport appraisal (para 1.3.1)

'The Green Book recommends the cost-benefit analysis approach to appraisal. Applying this to the transport context, transport appraisal draws together information on a wide range of impacts – it does not just consider the direct impacts on the transport users and service providers affected by the intervention, but also the impacts of the intervention on the environment, wider society and government. Analysts should seek to place a monetary value on as many of the impacts as possible to allow a direct comparison between the costs and benefits of the intervention. WebTAG provides guidance to enable option development and analysis; and the appraisal of impacts (costs and benefits) produced by each option.'

WebTAG Transport Appraisal Process specifies:

- 'There should be an auditable and documented process which identifies the best performing options to be taken forward for further appraisal.' (para 1.1.5)
- national and local policies should be taken into account early in 'Option Development Stage 1' (Fig 1)
- * 'as wide a range of options as possible should be considered, including all modes, infrastructure, regulation, pricing and other ways of influencing behaviour. Options should include measures that reduce or influence the need to travel, as well as those that involve capital spend. Revenue options are likely to be of particular relevance in bringing about behavioural change and meeting the Government's climate change goal.' (para 2.8.2)
- 2.8.3 Studies should not start from an assertion about a preferred modal solution, or indeed that infrastructure provision is the only answer. Following the Eddington Transport Study², Sponsoring Organisations will be looking to encourage the better use of existing infrastructure and avoiding "solutions in search of problems". In this context, it is recognised that small schemes can represent high value for money.
- 2.8.9 Options should represent reasonably discrete interventions, such as light rail versus guided bus. In contrast, the difference between alignments of a possible road might best be thought of as variants around an option, unless there are clear differences in costs and / or benefits for different alignments.

Transition to sustainable transport modes as thrust of Local Transport Plan

Local Transport Plan Policy 'has two main focuses' of which the

first applies to Hereford City

'Reducing congestion in Hereford City and increasing accessibility by less polluting and healthier forms of transport than the private car. We aim to:

- 'Reduce short distance car based trips transferring as many as possible to less polluting and healthier modes such as walking and cycling'

The LTP states that ' that 'Cycling offers an alternative for short trips of up to five miles' and that one benefit of encouraging cycling is:

- 'Reduced congestion, particularly if focused on peak hour trips. At peak times along radial routes in many urban areas, cycling will typically be faster than using a car or bus.' (p29)

The Council has stated:

'Most of the traffic in our towns and city is for short local journeys – there are about 10,000 journeys made by car each morning and evening in Hereford by people travelling within the city. If we can help just 20% of those people to walk, cycle or use the bus instead of cars the road network will be like it is in the school holidays all year round.' (Herefordshire Council (2012) Local Transport Plan (2012-2015) Consultation – Autumn 2012, p6. Unusually, the Council has removed all traces of this document from its website)

Given the above, please answer the following questions:

Question 43 At what stage was the barrier to development at HEZ established and by whom? **No**

Response 43 The process of preparing the Local Development Order (LDO) commenced in February 2012, this process included consultation with the Highways Agency regarding the level of development which could be accommodated within the existing highway network. The LDO was adopted by the council in April 2013 and is expected to be refreshed in the near future following agreement with the Highways Agency.

Question 44 What data on the origin and destination of traffic on the congested A49 and A465 was considered in developing and evaluating the options for the South Wye Transport Package? **No**

Response 44 Travel data and interview responses reflecting trip movements in Herefordshire were used to develop the 2012 base year traffic models used to evaluate the performance of the SWTP. This included the following:

- Car Park travel data was recorded at 14 of the main council-controlled public off-street car parks through a user questionnaire survey.
- A vehicle registration plate survey was undertaken to establish highway trip origin-destination movements. The survey consisted of 12-hour vehicle flow counts and accompanying AM, IP and PM sample records of vehicle registrations, passing in both directions through 17

	<p>monitoring sites.</p> <ul style="list-style-type: none"> Travel surveys in the form of household and workplace travel diaries were undertaken to establish the trip origins and destinations of vehicles travelling to, from and within Hereford City Centre. 	
<p>Question 45</p>	<p>What national policy, particularly on sustainable development and the new sustainable development indicators, was used to guide option development as indicated by WebTAG?</p>	<p>No</p>
<p>Response 45</p>	<p>The policy used to guide option development for the SWTP is outlined in the South Wye Transport Package Preferred Option Report (Section 2) and informed by the Strategic Outline Business Case (SOBC). The SOBC identifies key objectives used to guide the option development. This covers the policy objectives at National and Regional level including Department for Transport, Highways Agency, Network Rail, Department for Communities and Local Government (National Planning Policy Framework) and Marches Local Transport Board.</p>	
<p>Question 46</p>	<p>Given that the Southern Link Road is considered as the first phase of the Hereford Relief Road (Parsons Brincherhof Spara 2.2.1) what consideration was given to the National Planning Policy Framework NPPF para 177 which states that ‘infrastructure and development policies should be planned at the same time, in the Local Plan.’</p>	<p>No</p>
<p>Response 46</p>	<p>The strategic planning of new growth and infrastructure is proceeding seamlessly. The LTP includes provision for a new road link between the A49 and the A465 to form a component of an Outer Distributor Road for Hereford. That element of the LTP was captured in the adopted UDP (para 8.8.11 (b)).</p> <p>A broad route for a Western Relief Road for Hereford is now included in submitted Herefordshire Local Plan. The planning application for the road between the A49 and the A465 will be determined after the examination of that Plan (February 2015) and in the context of the Inspector’s findings.</p>	
<p>Question 47</p>	<p>Where is the monetised cost and benefit appraisal for the Sustainable Transport Max option as required by WebTAG? Why was this not presented to the public to put the evaluation of the effectiveness of each Option into the context of overall costs? What cost comparisons between the three options were put to the public?</p>	<p>No</p>
<p>Response 47</p>	<p>A Benefit to Cost Ratio of 3.55 for the South Wye Transport Package was reported in the Strategic Outline Business Case submitted to the LEP. Separate BCRs have not been calculated for the Sustainable Transport Max option or Traffic Max. A high level qualitative of the Traffic Max, Sustainable Max, and the New</p>	

	<p>Southern Link Road was illustrated in the 2014 Public Consultation Material.</p> <p>The costs of the Southern Link Road are contained within the South Wye Transport Package Preferred Option Report (Section 6.10).</p>	
<p>Question 48</p>	<p>How were the potential contributions of sustainable travel modes to achieving policy objectives modelled?</p>	<p>No</p>
<p>Response 48</p>	<p>In the appraisal of Sustainable Max, and following the proportionality guidance contained in WebTAG, we modelled the effects of the sustainable transport measures by reducing the amount of traffic which would be generated by the areas which would benefit most from the measures.</p>	
<p>Question 49</p>	<p>Where is the Appraisal Summary Table for the ‘Sustainable Transport Max’ option?</p>	<p>No</p>
<p>Response 49</p>	<p>There is no AST for the Sustainable Transport Max option in the Preferred Option Report. The impact of the SLR both with and without the Sustainable Transport Measures is identified in Appendix A and Appendix B of the Preferred Option Report.</p>	
<p>Question 50</p>	<p>How does this process conform to the Constitution’s Decision-Making principle f: explain what options were considered and give the reasons for the decision.</p>	<p>No</p>
<p>Response 50</p>	<p>The process set out in the Preferred Option Report sets out what options were considered to meet the objective of the South Wye Transport Package project. The consideration of both Traffic Max and Sustainable max options for the area is set out within the Preferred Options report. The performance of these options against the objectives of the scheme is recorded and the reasoning for the package approach is explained. The appraisal of the routes for a link road as part of a package of measures is set out and the appraisal / score of each route is provided and then summarised to show the best performing route.</p>	