

<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday, 18 January 2018</b>
<b>Title of report:</b>	<b>Hereford Transport Package (HTP) Options Consultation &amp; Phase 2</b>
<b>Report by:</b>	<b>Cabinet member infrastructure</b>

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to result in the council incurring expenditure which is significant having regard to the council's budget for the service and because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.

## **Wards affected**

All wards  
(with potential particular impact on Wormside, Stoney Street, Belmont Rural, Credenhill, Whitecross, Kings Acre, Queenswood and Holmer wards)

## **Purpose and summary**

To consider feedback to HTP Phase 1 consultation and confirm scope of Phase 2 consultation and progress to consultation.

On 16 June 2016 Cabinet approved funding and delegated authority to officers to progress the Hereford bypass route selection as part of a package of transport measures in Hereford. These would support the growth of Hereford and deliver sustainable transport and health benefits to the city centre.

Cabinet confirmed that this work should include consultation with local communities and stakeholders to ensure their feedback and views inform the development, design and alignment of the bypass and the package of complementary measures. Consultation (Phase 1) took place in April & May 2017 and the outcome of this consultation is summarised in a report which is included in Appendix 1 of this cabinet report. This feedback has been considered alongside the technical

assessment of possible route corridors for the bypass and a shortlist of route corridors has been developed. The detail of this is set out in a Corridor Assessment Framework report which is attached in Appendix 2 of this cabinet report. Cabinet is asked to approve this shortlist and authorise a further round of consultation (Phase 2). This consultation will enable stakeholders to comment on the shortlist of bypass route options and provide feedback which will inform the preferred route for the bypass. Further details of the package of measures which would be delivered alongside a bypass would also be consulted on to enable a preferred package to be developed.

## **Recommendation(s)**

**That:**

- (a) having regard to the feedback to the HTP Phase 1 consultation report and the Hereford Bypass corridor assessment framework report the shortlist of route corridors shown in paragraph 25 below be approved;**
- (b) Phase 2 consultation on the approved shortlist of bypass route options and possible active travel measures be undertaken to gather feedback to inform the selection of a preferred route for the bypass and to enable the preferred package of measures to be further developed and**
- (c) the assistant director environment and place be authorised to take all operational decisions necessary to inform a decision to determine a preferred route for the bypass and a package of active travel measures within a maximum budget of £1m.**

## **Alternative options**

1. An option for proceeding with the Hereford growth proposals without the provision of a bypass was considered and discounted during the Core Strategy process. This decision is required to progress the bypass route assessment work to select a preferred route for the bypass and not to progress this work will mean the HTP objectives and core strategy growth targets cannot be achieved.
2. An option not to progress any further work until the consultation takes place and feedback received. This is not recommended as the selection of a preferred route will take account of a range of technical work which includes but is not limited to the consultation feedback. This work should progress alongside the consultation.

## **Key considerations**

3. The Hereford bypass, as part of the Hereford Transport Package, is a key infrastructure project that is necessary to drive the economic growth of Hereford and the region. It is identified as a priority within the council's Economic Vision, Local Plan Core Strategy (LPCS) and Local Transport Plan (LTP) and also within the Marches Strategic Economic Plan.
4. The Hereford Transport Package will
  - Enable the delivery of future housing, employment and educational development by maintaining acceptable peak hour journey times across the city
  - Enable the delivery of future housing, employment and educational development by providing attractive alternatives to the private car for journeys within the city

- Enable the improvement of regional connectivity by achieving acceptable peak hour journey times on the A49 through the city
  - Ensure the transport network within Hereford is resilient enough to provide consistent journey times throughout the day
  - Encourage healthy lifestyles by encouraging more people to walk and cycle
  - Reduce the impacts of transport on air quality and noise within the city
  - Protect the quality of the urban realm to enhance pedestrian connectivity in the city
  - Improve road safety within the city.
5. On 16 June 2016 cabinet approved funding to progress the delivery of the HTP project including work to determine an approved route for the bypass and a package of complementary measures. This work would include consultation with residents, communities and stakeholders to ensure their views informed bypass route corridor selection and package design.

### **Phase 1 Consultation:**

6. A first round of consultation (Phase 1) took place in April/May 2017. This consultation was combined with the Hereford Area Plan (HAP) Issues and Options consultation which focused on the detailed proposals to ensure the delivery of the city-specific policies in the Core Strategy. Combining the consultations helped to avoid overlapping periods of consultation, and helped communicate the link between housing growth and infrastructure development within Herefordshire.
7. The consultation lasted for seven-weeks, from 4 April 2017 to 22 May 2017. During the consultation period exhibitions were held at two venues in the centre of Hereford - The Courtyard and Hereford Library. During these events staff were available to discuss the project. In addition all consultation information and materials were available on a council consultation webpage.
8. The main channel for feedback was the consultation survey. This was a combined survey with questions relevant to the HAP and HTP and included 61 questions; seven of these were relevant to the HTP. These HTP questions explored the following topics:
- Movement (questions 16 and 20) as part of the HAP section of the questionnaire
  - Existing transport conditions (questions 46-48)
  - The proposed Hereford Bypass (question 49)
  - The proposed walking, cycling, bus and public space improvements (questions 50-52)
9. A total of 1,467 questionnaires were completed during this period – 1,400 were completed online and 67 were hard copy responses. Of these, 671 responded to at least one of the questions regarding the HTP. The HTP related responses are summarised within the consultation report within Appendix 1 of this report.
10. During the consultation period, 11 stakeholder organisations chose to respond about the HTP. The detail of these responses can be seen in the consultation report in appendix 1 of this report and were from the following:

- Church Commissioners for England
  - Hereford and Worcester Gardens Trust
  - Hereford Civic Society
  - Hereford Livestock Market
  - Hereford Sustainable Transport Group
  - Historic England
  - Natural England
  - Powys Council
  - Savills on behalf of Golf Inns
  - Taylor Wimpey
  - Woolhope Naturalists Field Club
11. There were a total of 35 completed petition forms received during the consultation period from local residents in Hereford and the surrounding area. 30 of these responses used templates available from the Breinton Parish website. These templates covered the themes of environment, freight, economy and sustainable transport. This can be seen in the consultation report in Appendix 1 of this report.
12. The consultation report in appendix 1 provides a detailed analysis of each of the questions asked about the HTP project. Some key points follow:
- Of the 671 respondents to the HTP section, 627 (93%) chose to respond to the first of the HTP questions Question 46 – ‘Do traffic conditions in Hereford need to improve?’ 98% of these respondents agree that the traffic conditions in Hereford need to be improved; with only 2% disagreeing with this. This reiterates the importance of transport infrastructure improvements.

- Question 47 asked 'What do you think are the current transport problems in Hereford'? Respondents were given the opportunity to rank the current transport problems in Hereford from a list of 12 options. They were asked to rank up to five, with 1 being the biggest problem, 2 being the second biggest problem etc. Analysis of responses is set out in detail in the consultation report and determined that the top five problems were ranked as follows:

<b>PROBLEM</b>	<b>OVERALL RANK</b>	<b>TOTAL SCORE<sup>1</sup></b>	<b>PERCENTAGE OF MAXIMUM POSSIBLE SCORE<sup>2</sup></b>
Traffic congestion	1	2,488	79%
Volume of heavy goods vehicles	2	1,239	39%
Long delays at signal junctions	3	1,005	32%
Poor public transport links to rural areas	4	1,000	32%
Poor cycling/walking infrastructure	5	952	30%
<p><sup>1</sup> The total score is a weighted calculation. Items ranked first are valued higher than the following ranks, the score is a sum of all weighted rank counts.</p> <p><sup>2</sup> The percentage of maximum possible score shows how close to the possible 100% of participants each response is. It has been developed to aid the comparison of responses only and does not reflect the percentage of people that chose the topic.</p>			

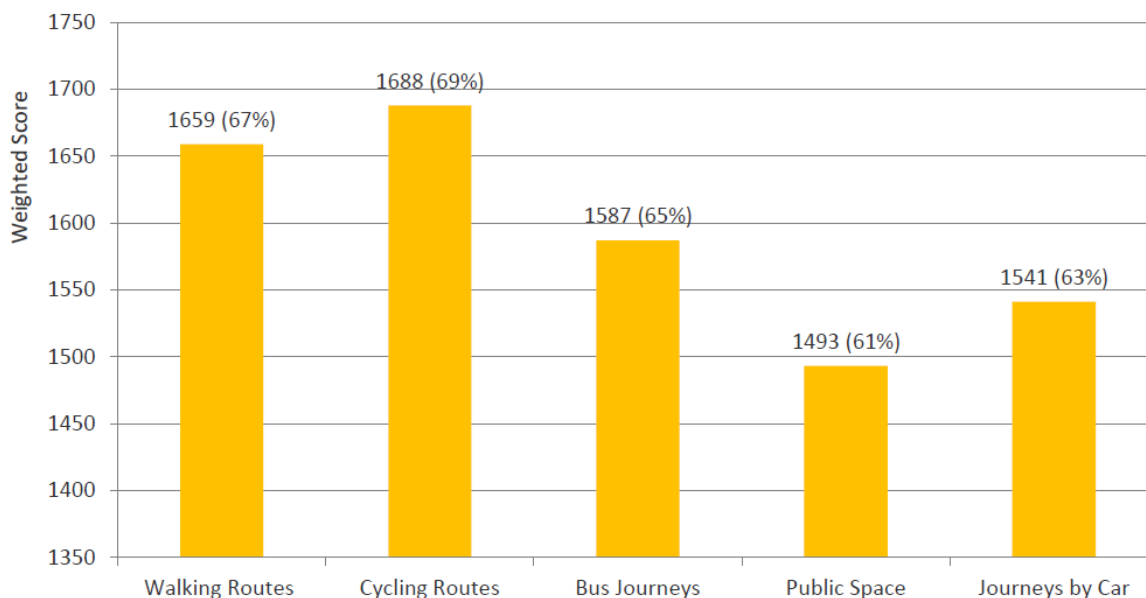
- Question 48 asked 'What do you think puts some people off walking, cycling or using the bus for short trips? There were 562 responses to this question. The five most common reasons suggested were:
  - Safety
  - Poor bus services
  - Cost of public transport
  - Lack of walking and cycling infrastructure
  - Inconvenience

- Question 49 asked 'How important do you think the following factors are in choosing the bypass route? 612 people responded to this question. They were asked to rank up to five factors. Analysis of responses is set out in detail in the consultation report and determined the top five factors as follows:

<b>FACTOR</b>	<b>OVERALL RANK</b>	<b>TOTAL SCORE<sup>1</sup></b>	<b>PERCENTAGE OF MAXIMUM POSSIBLE SCORE<sup>2</sup></b>
Reducing traffic in Hereford	1	2,314	76%
Less congestion in Hereford	2	2,200	72%
Impact on landscape (e.g. Historic Buildings)	3	1,600	52%
Impact on homes	4	1,546	51%
Improved facilities for walkers, cyclists and bus users	5	1,522	50%
<p><sup>1</sup> The total score is a weighted calculation. Items ranked first are valued higher than the following ranks, the score is a sum of all weighted rank counts.</p> <p><sup>2</sup> The percentage of maximum possible score shows how close to the possible 100% of participants each response is. It has been developed to aid the comparison of responses only and does not reflect the percentage of people that chose the topic.</p>			

- Question 50 asked 'Which of the following improvements do you think are your priorities?' Respondents were given the opportunity to rank a list of possible improvements set out in the questionnaire on a scale of 1 to 5 (1 being very important and 5 being not important at all. 492 people responded to this question. Analysis of responses is set out in detail in the consultation report and determined that the top five priority improvements are as follows:

**Figure 5-4 - Priority improvements**



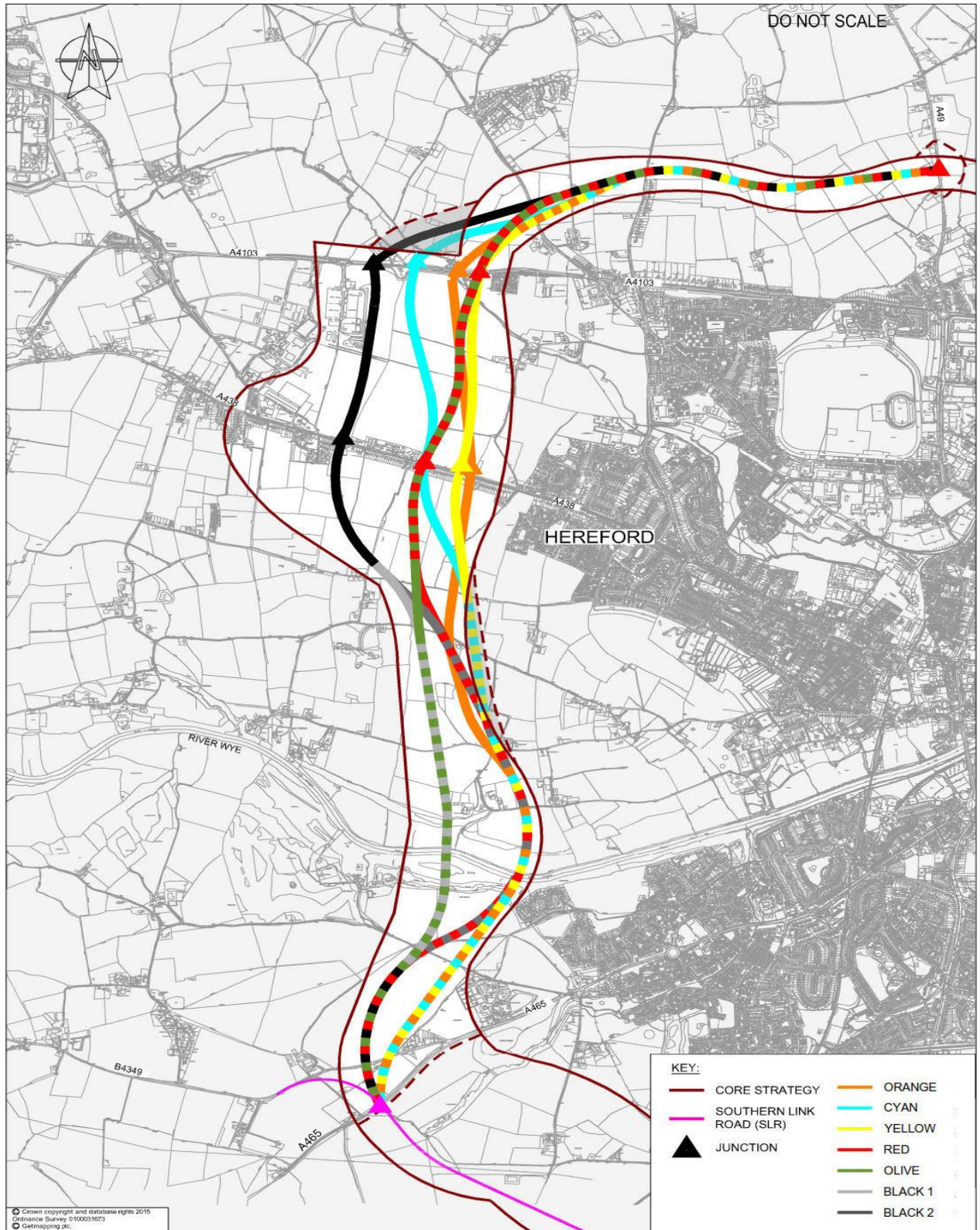
- Question 51 asked ‘Are there any locations where you think walking, cycling, bus and public space improvements could be beneficial?’ 228 people responded to this question. Table 5.4 in the consultation report in appendix 1 sets out a detailed summary of suggestions made.
  - Question 52 asked ‘Are there any other options we need to consider to help manage Hereford’s transport problems?’ 221 people responded to this question. Table 5.5 in the consultation report in appendix 1 sets out a detailed summary of suggestions made.
13. The consultation reached a wide range of landowners, business, residents and communities. The consultation increased awareness of the proposals, planning and design process. Feedback received demonstrates that overall there is broad agreement amongst respondents that traffic conditions in Hereford need to be improved. There was broad support for the principle of a bypass to solve some of these transport problems with some objection to the location of the route corridor despite this being adopted in the Core Strategy.
  14. Some survey respondents expressed concerns about the impacts of a bypass scheme, several recognised the economic benefits, the opportunity to provide infrastructure for housing growth and benefits in terms of sustainable travel in the city centre.
  15. This feedback was assessed alongside technical design and appraisal work to inform bypass route corridors and it will also assist with developing the package of active travel measures which could be delivered with a bypass.

## **Bypass Corridor Assessment:**

16. Following consideration of the feedback to the consultation described above 24 possible bypass route corridors were identified within the corridor set out in the adopted core strategy and communicated in the consultation.
17. These bypass corridors were developed from the work of previous consultants as part of the core strategy development and took account of the wide range of constraints within the core strategy corridor.
18. These routes are a wide range of possible options throughout the corridor that could be feasible as route alignments. Insofar as possible they are spread across the core strategy corridor to ensure no geographic bias.
19. Detailed constraint mapping has taken place to ensure that all constraints within the core strategy corridor are identified and assessed across all bypass route corridors.
20. This work is set out in detail in a corridor assessment framework report which is attached in Appendix 2 to this report.
21. The route corridor assessment framework consists of 30 criteria encompassing a wide range of social, environmental, physical and economic issues and have been selected on the basis of their importance to the efficiency and effectiveness of the bypass itself, and reflect particularly sensitive locations within the core strategy corridor. Assessment work has followed webTAG guidance and Highways England Project Control Framework (PCF) and is as follows:
  - Analysis of constraints and opportunities of each of the possible route corridors
  - Identification of key policies as set out in the National Policy Statement for National Networks (NPSNN), and
  - Setting of scoring ranges for each of the route corridors based on a scale of their impact, either positive, neutral or negative.
22. The results of this work are set out in the corridor assessment report in Appendix 2.
23. In accordance with DfT guidance the 24 possible route corridors have been reviewed to identify those which are unlikely to pass key viability or acceptability criteria. This initial sift has been based upon the National Planning Policy Framework (NPPF) and NPSNN. Ancient Woodland designation is the most important policy consideration in this instance as an Examining Authority is directed to refuse any application where it can be demonstrated that there are alternative routes that avoid ancient woodland. Of the 24 possible route corridors, 14 impact directly upon Ancient Woodland. Since there are ten possible route corridors which avoid Ancient Woodland, these 14 route corridors have not been taken forward to the short list.
24. Three of the remaining ten possible route corridors require constructing an additional roundabout on the A465 to the east of the proposed junction with the Southern Link Road (SLR), along with local upgrading of the section of A465 between the two roundabouts. This arrangement would add complexity to the traffic movements, introducing a dog-leg for traffic wishing to travel on both the SLR and the section of bypass north of the A465. This layout would be less attractive for through traffic in using the bypass and is not consistent with the route being part of a strategic trunk road network. As a consequence, these three route corridors have also not been taken through to the short list.



25. Of the 24 possible route corridors, 14 have been rejected on the basis of considering their impact on Ancient Woodland and a further three have been rejected on the basis of poor connectivity with the wider network. The remaining seven route corridors are to be taken through to the short list for further appraisal and examination. The short listed of corridors can be seen in Figure 5.1 of the corridor assessment framework report and are as follows



26. Whilst seven routes have been shortlisted there are lengths of the bypass where these lie close to each other. It can be seen in the corridor assessment report that the impact of the seven short listed corridor routes varies depending on the respective alignment. However, all are possible and none have features / impacts at this stage which would rule them out. All merit further appraisal in the next stage of the project.
27. Cabinet are asked having regard to the selection process followed, to approve further consultation of this short list of routes to enable feedback which will inform further detailed assessment and enable a preferred route for the bypass to be determined which would be the subject of further report and further consultation in 2018.
28. Subject to cabinet's approval to the recommendations in this report, consultation will commence in February for a period of six weeks. A further report will then be presented to cabinet setting out feedback to this consultation and a recommendation for a preferred route for the bypass and a package of active travel measures for consideration. It is a matter for the general scrutiny committee to determine, but it may choose to exercise its right to pre-decision scrutiny of that decision.
29. Cabinet are asked to authorise the assistant director environment and place to take all steps to inform a decision to determine a preferred route for the bypass and a package of active travel measures within a maximum budget for £1m. This work will identify the merits and challenges of each route corridor in a much greater level of detail, seeking ways to maximise the benefits and mitigate any adverse impacts. Each route will be assessed using national guidance and standards across a wide range of criteria including economy, environmental and social factors alongside the feedback to consultation to enable a preferred route to be determined.

## **Community impact**

30. The bypass is a significant transport infrastructure element of the Hereford transport strategy, linked to the promotion of social progress (by supporting housing needs), economic prosperity (by supporting new jobs, area regeneration, and business), and environmental quality (lessening the harmful impacts of traffic growth, providing an alternative route for the movement of Heavy Goods Vehicles (HGVs), and freeing up space for pedestrians and cyclists). The delivery as part of a Hereford Transport Package will enable active travel measures to be implemented to deliver benefits to communities within the city.
31. The HTP is in line with the priorities set out within the council's corporate plan and local transport plan. The scheme supports economic growth and connectivity and health and wellbeing priorities.

## **Equality duty**

32. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In taking forward the route options for the bypass and the associated package of measures and in consultation with local communities, the council will pay due regard to the public sector equality duty under the Equality Act 2010.

## Resource implications

33. Spend to the end of 2016/2017 totalled £1.4m. In that financial year the council secured £590,000 external grant from Highways England to support these development costs and the remaining spend was funded from council revenue and reserve budgets.
34. Spend in 2017/2018 is forecast at £2.122m. This will be a mix of revenue followed by capital spend when the scheme is included in the councils capital programme. Revenue costs will be funded from council's revenue budgets, councils reserves budgets, external grant from Midlands Connect and then capital budget as follows and the appropriate process for allocating this funding has been followed:

<b>Total Estimated Spend</b>			<b>2,122,000</b>
Revenue Spend			1,612,000
Capital Spend			510,000
<b>Revenue Spend</b>			<b>1,612,000</b>
<b>Funded By</b>			
Budget			170,000
Relief Road Reserve			308,418
ECC reserve			600,000
Midlands Connect			150,000
Severe Weather Reserve			383,582
<b>Capital Spend</b>			<b>510,000</b>
<b>Funded By</b>			
Highway asset management & major infrastructure investment			510,000

35. Spend in 2018/2019 to confirm a preferred route and to develop a planning application for the scheme is estimated at £2.45m it is intended to be funded from the council's corporately funded prudential borrowing as is included in the proposed capital programme to be approved by Council 26 January 2018.

## Legal implications

36. The policy context for delivery of this scheme is through the Core Strategy and HAP, and the Council as the highways authority will promote and deliver the scheme following set procedure.
37. The route to secure planning consent is still to be determined through discussion with the DfT and will be subject to further legal advice.
38. If the bypass meets certain size thresholds and criteria, it must be treated as a Nationally Significant Infrastructure Project (NSIP) under the relevant provisions of the Planning Act 2008 (as amended), and the council must make an application for a Development Consent Order (DCO), which will be submitted to the Planning Inspectorate (PINs) and determined by the Secretary of State for Transport. If the project is classed as an NSIP the council cannot be the determining authority for a planning application. If the criteria is not met, any planning application will be determined by the Council as the local planning authority under the Town and Country Planning Act 1990.
39. One of the determinants of whether the bypass is an NSIP is whether the Secretary of State will be the highway authority for the road. It is understood that, whilst Highways England accept the likely benefits to the strategic highway network of the bypass and recognise that, at some future date, the bypass should take the place of the current relevant part of the A49 trunk road within the strategic road network, to facilitate delivery of the objectives set out in the council's LTP, it has not yet been agreed or accepted that the Secretary of State will be the highway authority for the bypass.
40. It is understood that this criteria may be met if, at any point up to completion and operation of the road, the Secretary of State does decide to adopt the road, as part of the Strategic Road Network. Given that the bypass would be connecting the A49 trunk road in the south with the A49 in the north, and the future aspiration to de-trunk the existing A49 as it passes through Hereford, it is understood that it is felt likely that the bypass will eventually become part of the Strategic Road Network.
41. It is anticipated that further consideration will be given, including guidance from the DfT, in determining whether the bypass is an NSIP.
42. Any consultation on the choice of route should be "robust", in order to reduce the possibility of a judicial review challenge. To date the Council have undertaken a robust appraisal following guidance and the national standard to avoid any successful challenge.

## Risk management

43. Risk associated with the HTP project will be reviewed regularly during the progress of the scheme. Risks will be reported to and mitigation actions agreed in accordance with the council's risk management policies.
44. Residents and statutory bodies could bring successful challenge during the course of the planning application for the bypass, if the council does not carry out a robust appraisal process of the alignment alternatives. This risk will be managed through the commissioning of engineering, transport planning, and environmental professional services challenged and reviewed by an adequately resourced project team within the council and its delivery partner Balfour Beatty Living Places. The route appraisal will be carried out and documented in accordance with DfT Transport Analysis Guidance (WebTAG). Compliance with this guidance will be monitored at key stages in the project.

45. The need for significant investment in transport infrastructure is recognised by the council, the LEP, and Highways England. It is possible that the current economic climate and the reliance on various funding sources to deliver the road may affect the timing and deliverability of the bypass. The risks associated with uncertainty of funding will be managed through applications for government funding, consideration of phased delivery of the road, the development of a robust business case, and ongoing regional partnership work through both the LEP and Midland Connect to secure funds from central government.

## **Consultees**

46. The detail of the phase 1 consultation about this project earlier this year is set out in this cabinet report above and in greater detail in the consultation report in Appendix 1.
47. Two further consultations will take place as the project progresses. Subject to this decision consultation will take place from February 2018 on the shortlist of bypass route corridors and possible active travel measures. A second consultation will take place on the preferred alignment and package of measures following a cabinet decision on a preferred route. There will be ongoing consultation with local people directly affected by the scheme, local communities and groups, parish councils and local members.
48. There is ongoing engagement with statutory consultees. This will include consultation with Highways England on transport modelling, developing the business case and establishing the required design standards; consultation with Historic England discussing options to avoid adverse impacts on heritage assets, including the setting of listed buildings; consultation with Natural England to agree the approach to the Habitats Regulation Screening Assessment and Environmental Impact Assessment; and the Environment Agency to discuss matters in relation to watercourses and flood risk, particularly design requirements for the River Wye.
49. All political groups were consulted about this report on the 4 July 2017 and comments were requested by 19 July 2017. Cllr Powers requested information on Phase 1 consultation feedback which is appended to this report

## **Appendices**

Appendix 1: HTP Phase 1 Consultation Report

Appendix 2: Hereford Bypass Corridor Assessment Framework Report

## **Background papers**

None