

- 1. The Lincolnshire County Council (A15 Lincoln Eastern Bypass)  
(Classified Road) (Side Roads) Order 2014**
- 2. The Lincolnshire County Council (A15 Lincoln Eastern Bypass)  
Compulsory Purchase Order 2014**
- 3. Application In Relation To Proposed Compulsory Purchase Of  
Land Held By The Canal & River Trust**

**Department for Transport Reference: NATTRAN/EM/LAO/0084**

**Response to Objector's Proof and Questions**

**Reepham Parish Council**

## **Response from Lincolnshire County Council to letter/proof of evidence from Reepham Parish Council**

### **1. Issues Raised by Reepham Parish Council**

#### **1.1 Alternative Routes**

- Alternative routes are inconvenient and will have a disproportionate and unacceptable impact on the village, neighbouring villages and Lincoln fringe. Residents of affected villages and Lincoln forced on to less safe, less predictable and less reliable routes despite technically feasible and economically viable alternatives.
- Previous Public Inquiry proved that personal inconvenience and problems as a result of winter weather, summer traffic and diversions from traffic accidents carry little weight against technical evidence, and even more so against 'gut feeling' of residents.

#### **1.2 Consultation with Reepham Parish Council**

- LCC has little regard for impact of proposals on the lives of residents. LCC has shown no commitment to try to resolve issue by introducing the roadbridge that was justified in dual carriageway scheme.

#### **1.3 Funding**

- LCC have ignored assurances from DfT that funding was secure. LCC have maintained the threat of losing the scheme should any delay occur.
- LCC statements unreliable. LCC stated at Jan 14 Inquiry funding would be lost if works did not start by March 2014, this was incorrect.

#### **1.4 Roadbridge Option**

- Cost of NMU bridge now approaches that of roadbridge which could be accommodated within redline boundary without any additional landtake.
- LCC stated roadbridge would need additional land.

#### **1.5 Original Proposals Not Fully Assessed**

- LCC did not fully assess the impact of original proposals and does not appreciate the impact that the latest proposals will have or how inconvenient alternative routes are when all aspects are considered.

#### **1.6 Hawthorn Road Closure Will Affect Schools and Businesses**

- LCC proposals will have real effect on real people's lives and that of local businesses and schools.

## **1.7 Incomplete modelling data and recent revisions**

- LCC stated that the modelling data was complete and robust but the need for subsequent modelling by LCC indicates otherwise.

## **1.8 General Points**

- LCC's preparation of the present scheme contains a number of limitations and omissions as outlined in the Parish Council's objection letter dated 10 July 2014. These have been reiterated in evidence by others, to be presented separately.

## **1.9 Alternatives to the Scheme**

- Proof includes correspondence regarding two alternatives to scheme.

## **2. Response from LCC**

### **2.1 Alternative Routes**

2.1.1 It should be noted that there is a third alternative to using Fiskerton Road or Kennel Lane as an alternative which is to continue to use Hawthorn Road and then join LEB and travel south towards the new roundabout at Greetwell Road. For road users heading south the journey can be continued on LEB or other destinations can be reached by either turning right at the new roundabout on to Greetwell Road or continuing around the roundabout and heading back north. The return journey can be made by joining LEB at the Wragby Road roundabout and then turning left on to Hawthorn Road.

2.1.2 In her report on the 2013 Orders at paragraph 8.39 the Inspector noted:

*"In order for the stopping up of Hawthorn Road to be acceptable under the terms of the 1980 Act 'a reasonably convenient route shall be available or will be provided'. To be convenient, a route has to be suitable for the needs and purposes of all types of user, which requires consideration of journey length, time and safety. The exact same level of convenience need not be demonstrated. Under the public sector equality duty due regard has to be given to the need to advance equality of opportunity, which in this case applies particularly to those who may be disadvantaged by reason of age and disability".*

2.1.3 In her report at paragraph 8.50 the Inspector also noted:

*"I conclude that the inherent physical characteristics and the traffic conditions of Kennel Lane, Greetwell Road and the bypass would be suitable for these roads to form part of safe alternative routes to the use of Hawthorn Road. Some journeys would involve a more circuitous or less direct route and become slightly longer in terms of distance, but journey time is unlikely to be as seriously affected as suggested in the objections.*

*The indication is that reasonably convenient alternatives would be available for people travelling by motor vehicle. In addition, there probably would be journeys that would be little affected in time or distance or see an improvement. There is no*

*evidence that the stopping up proposal would have an adverse effect on scheduled regular bus services."*

- 2.1.4 Dr Billington presents in his evidence information on the relative journey distances, times and safety of the alternative routes compared to Hawthorn Road both before and after LEB is open.
- 2.1.5 With regard to safety, Dr Billington concludes that "there is nothing in the analysis of the historic data which indicates that the alternatives to Hawthorn Road are inherently less safe either in terms of the risk of being involved in an accident or in likely severity of accidents. This analysis is supported by the conclusions of the Lincolnshire Road Safety Partnership and of the Inspector at the 2014 Inquiry"
- 2.1.6 Dr Billington notes in his summary at Paragraph 5.1.5:
- "With regard to the transport issues relevant to the choice of the Hawthorn Road junction, my evidence has shown that there are currently safe and reasonably convenient alternative routes available for movements to and from Cherry Willingham and Reepham, and that this will remain the case in the future with the Scheme in place."*
- 2.1.7 Dr Billington identified that there would be '*minimum impact on local journey times*'; as a result the additional financial impact of using the alternative routes is also likely to be small.
- 2.1.8 With regards to potential improvements on the alternative routes, as part of its statutory duty the County Council monitors all of its road network and maintains and improves it as appropriate and where budgets allow. The alternative routes will continue to be included in this monitoring programme following the opening of LEB.

## **2.2 Consultation with Reepham Parish Council**

- 2.2.1 Following the decision in July 2014 by the Secretary of State not to confirm the previous Orders, a number of discussions have taken place with various stakeholders to discuss the way forward for the scheme and outline the County Council's position.
- 2.2.2 Mr Rowley's evidence outlines the consultation regarding the relocated NMU bridge to the south of Hawthorn Road. At Paragraph 4.2.8 he notes:
- "A meeting was held with Cherry Willingham and Reepham Parish Councils on 22 July 2014. Subsequent to that meeting the decision was taken to investigate a number of options to address both the concerns of the Parish Councils and those raised by the Inspector in her report on the Orders."*
- 2.2.3 Subsequent paragraphs 4.2.9 to 4.2.17 outline the process carried out which resulted in the relocated NMU bridge being granted planning permission on 6 October 2014. As highlighted in the Statement of Reasons this relocation satisfies the only outstanding concern raised by the previous Inspector.

## **2.3 Funding**

- 2.3.1 At the previous Public Inquiry in February 2014, the County Council expressed the view that there was a risk that following the General Election in May 2015 a change of government might affect the funding situation for the Bypass. This was similar to what had happened following the General Election in May 2010 when the scheme was descoped from a dual carriageway and a number of other changes were made to fit within the new government's spending plans.
- 2.3.2 As a result the County Council noted that the simplest way of minimising this risk was to commence work prior to the election as any future government would be unlikely to withdraw funds from a scheme that had started construction.
- 2.3.3 This statement was not unreliable as noted by the Parish Council, the risk that the Council had noted at the time has not however occurred following the General Election.

## **2.4 Roadbridge Option**

- 2.4.1 The roadbridge option proposed by the Parish Council is covered in the separate response to the Parish Council's Alternative 1.

## **2.5 Original Proposals Not Fully Assessed**

- 2.5.1 The proposals to partially close Hawthorn Road were assessed in both the Best and Final Bid funding application to central government that resulted in the grant of Programme Entry in November 2011 and as part of the planning application for the scheme that was granted planning permission in June 2013. Subsequent analysis has also been undertaken of the potential impacts of the partial closure of Hawthorn Road in support of the 2014 Public Inquiry and the current Public Inquiry. All this analysis, as highlighted in Dr Billington's evidence, and noted above, continues to confirm that there will be safe, reliable, reasonably convenient alternative routes.
- 2.5.2 All of the relevant impacts, costs and benefits of the scheme, including the Hawthorn Road junction, were assessed as part of the Business case submitted to and accepted by the DfT and the planning application was supported by a Transport Assessment of the impacts of the scheme.

## **2.6 Hawthorn Road Closure Will Affect Schools and Businesses**

- 2.6.1 The issue of the impact on schools of the changes at Hawthorn Road has been discussed in the evidence of Dr Billington. Dr Billington notes at paragraph 5.18 and 5.19:

*"5.1.8 The Schools Services Manager from the Children's Services Directorate of the County Council has indicated support for the Scheme based on the improvements it will offer in parental choice and its contribution to encouraging sustainable travel to schools.*

*5.1.9 Local schools have been consulted and head teachers from schools to the east of LEB and from Christ's Hospital School have expressed concerns about impact on travel to their schools, and hence budgets. The head teacher of Carlton Academy School has identified advantages for her school and pupils and has indicated support*

for the Scheme, and the principal of Branston Community Academy has also expressed support for the Scheme."

## **2.7 Incomplete Modelling Data and Recent Revisions**

2.7.1 The Parish Council wishes to question the completeness and robustness of the previous and the current traffic modelling. The objective of the most recent traffic modelling workstream was to investigate the issue of Hawthorn Road closure in further detail and any consequent impact on the overall business case for LEB. Hence the current analysis does not question the completeness or robustness of the earlier analysis but builds on the previous evidence base to provide enhancement, where beneficial, to investigate a number of issues pertinent to the current Inquiry.

2.7.2 Mr Smith notes in paragraphs 3.9.1 to 3.9.4 of his evidence

*"3.9.1 An economic appraisal of the scheme was completed in support of the Best and Final Bid Business Case (BaFB) submitted to DfT. The economic assessment is intended to capture the range of costs and benefits derived from the LEB in order to determine its investment worth or value for money.*

*The geographical area of assessment covers the LEB model area. The process is undertaken to DfT requirements using DfT software and includes the following:*

- *Costs including design, construction, land, preparation and supervision; and*
- *Benefits including accident benefits, time savings, fuel vehicle operating costs (VOC), non-fuel VOC, Operator and Government revenues.*

*3.9.2 In all cases, these individual economic assessments are based on comparisons of DM and DS traffic model forecasts for the LEB opening and design years.*

*3.9.3 The BaFB showed that the benefits of the scheme will far exceed the costs resulting in a Benefit to Cost Ratio (BCR) of 8.435. The DfT accepted this assessment of the scheme and considered it to represent "Very High" value for money, as defined in the DfT's Value for Money Assessment: Advice Note for Local Transport Decision Makers (Document Reference: CD102).*

*3.9.4 By means of comparison Table 3-6 below shows that, following the model refinement process described in this document, the LEB assessment provides similar benefits. The table shows that the most significant benefits (£911m) are generated as a result of journey time and operating cost savings for vehicles travelling around the network. The BCR remains "Very High" at 9.4. Detail of the full process is included within Forecast and Economic Note Update (CD84)."*

2.7.3 This re-evaluation is considered to represent a complete and robust exercise both in its original form and in respect of the enhancements introduced to meet the requirements of the current Inquiry.

## **2.8 General Points**

2.8.1 It is not clear which correspondence dated 10 July 2014 the Parish Council is referring to, as this is prior to Orders being republished in October 2014.

## **2.9 Alternatives to the Scheme**

- 2.9.1 A number of alternatives to the scheme (including the two proposed by Reepham Parish Council) have been proposed by objectors and assessed by the County Council.
- 2.9.2 The Parish Council's alternatives were advertised as Alternatives 1 and 2 in the Lincolnshire Echo on 23 July 2015.
- 2.9.3 The findings of the assessments are outlined in the individual responses to each alternative.

## **2.10 Responses to Questions to Mr Willis from Reepham Parish Council**

2.10.1 **Question:** Will you please explain how you consider that Lincolnshire County Council has fully complied with its Statement of Community Involvement despite the obvious deficiencies outlined?

2.10.2 **Answer:** At Paragraph 15 of the Notes of the Pre Inquiry Meeting held on 18th May 2015, the Inspector noted

*"Mr Nixon confirms that the forthcoming inquiry is not an investigation into the planning permission which has already been granted for the Scheme and neither will it examine the historical events which led to the permission being granted."*

Mr Willis' evidence does however cover this background and history but this is for the benefit of the Inspector.

2.10.3 The paragraphs cited relate more directly to the consultation principles and approaches to be adopted in the plan making process whereas section 8 of the SCI (ref: CD87) relates to that adopted for handling planning applications. Section 4 of Mr Willis' proof (ref: LCC10) already sets out in detail what consultation and publicity was undertaken when the planning applications relating to the Scheme were considered. When these are compared against those set out in section 8 of the SCI it is clear that the planning applications were processed in accordance with the correct procedures, statutory requirements and SCI standards. If the Parish Council or members of the public considered this to not have been the case then they could have sought to challenge the validity of those permissions via the Judicial Review process. No such challenge has ever been made and given that the legal requirements for such action to be taken quickly and within six weeks of such decisions being made in any event the time has long since passed for making any such claim. The permission is therefore extant, it is lawful and it is beyond question. That is in effect the same position as was accepted by the previous Inspector even though the October 2014 permission came after the previous Inspector reported. Whilst the concerns of the Parish Council are therefore noted LCC maintains the opinion that the planning applications were handled correctly and that lawful consents exist.