

- 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

**Cherry Willingham Parish Council and Cherry Willingham
Neighbourhood Plan Steering Group**

Response from Lincolnshire County Council to letter/proof of evidence from Cherry Willingham Parish Council and Cherry Willingham Neighbourhood Plan Steering Group

1 Issues Raised by Cherry Willingham Parish Council and Cherry Willingham Neighbourhood Plan Steering Group

- **Lack of suitable, convenient or reasonable alternative routes**
- **Economic and social impacts**
- **Fuel Costs and Carbon Emissions**
- **Safety**
- **Existing and future development**

2 Response from LCC

2.1 Reasonable Convenient Alternative Routes

- 2.1.1 The proof of evidence of the Parish Council suggests that the proposed partial closure of Hawthorn Road *“will significantly inconvenience residents and no suitable, convenient or reasonable alternative route is enabled as a consequence of the Lincoln Eastern Bypass.”*
- 2.1.2 The County Council maintains that suitable, convenient and reasonable alternative routes will be available following the partial closure of Hawthorn Road and the availability of these routes was identified at the time the decision was made to remove the Hawthorn Road overbridge.
- 2.1.3 The ‘Lincoln Eastern Bypass Design Considerations’ (document reference 1030171-MEMFBF Design Considerations v1.0) of August 2011 stated: *“The dual carriageway design proposed an over bridge carrying Hawthorn Road over the bypass, however this is not considered to be required as alternative routes are available to those travelling east-west on this road which make construction of the bridge not cost effective”.*
- 2.1.4 For pedestrians, cyclists and equestrians the proposed non-motorised user bridge on Hawthorn Road will provide a direct route from Cherry Willingham and Reepham to areas to the west of the line of LEB.
- 2.1.5 For vehicles, depending on the origin and destination of the trip, alternative routes will include, in varying combinations, continuing to use Hawthorn Road up to the junction with LEB, LEB, Kennel Lane, Wragby Road, Croft Lane, Church Lane, Fiskerton Road and Greetwell Road.
- 2.1.6 These reasonably convenient alternative routes are discussed in detail in the proofs of evidence Mr Chetwynd and Dr Billington.
- 2.1.7 The Inspector at the 2014 public inquiry into orders for this scheme concluded *“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.” Furthermore, the Inspector later concluded that *“On balance, I conclude that for people travelling by motor vehicle reasonably convenient routes will be available or will be provided to compensate for the proposed stopping up of Hawthorn Road.”* The inspector’s conclusion that the lack of reasonably convenient routes, and the reason for the SRO (and as a result the CPO) not being confirmed, solely related to Non-Motorised Users and specifically in relation to the location of a Non-Motorised User crossing of Hawthorn Road. The issues raised by the Inspector at the previous inquiry have been resolved by the amended design for the NMU bridge and the extension further east of the NMU route along the northern side of Hawthorn Road.

2.2 Economic and social impact

2.2.1 The Parish Council states that the partial closure of Hawthorn Road will have an economic and social impact on residents of the villages to the east of the LEB and those in the area close to the Carlton Centre. In particular, the Parish Council highlights that more difficult and time consuming journeys will lead to:

- Reduced access to retail facilities for village residents
- Reduced access to village schools for Carlton Centre area residents which will discourage parental choice from favouring village schools, will affect broader educational needs of the village population, will reduce pupil numbers and harm village shops and sports facilities.

2.3 Retail facilities

2.3.1 The County Council agrees that with the Scheme in place, some journey at certain times of the day will be longer and will take more time, however other journeys will be shorter and quicker.

2.3.2 For some local trips it can be seen that journey times are expected to increase at certain times of the day, with the greatest increase of five minutes expected to be between Cherry Willingham and the Carlton estate in the morning peak. However, for some trips slightly further afield, for example to and from the city centre and the railway station, there will be improvements in journey times, resulting in improved access to the wider range of retail facilities available in Lincoln and further afield.

2.3.3 When considering more local retail journeys, it is important to take account of the difference types of trip by time of day. For example, although the travel time from Cherry Willingham to Tesco on Wragby Road is expected to increase in the AM peak, the majority of shopping trips to supermarkets such as this are made in the inter-peak and evening peak periods when much smaller changes of less than three minutes are expected.

2.3.4 Cherry Willingham has a range of local shops and services including doctors’ surgery, library, post office, two pubs, hair salons, pharmacy, newsagent, hot food outlets, butcher and a small supermarket. In addition, Reepham has a post office and pub. Access to these will not be affected by the Scheme, and potential growth in housing in the area, which will be facilitated by LEB, may generate additional

demand for existing facilities in the villages, and also may provide new facilities, improving access to shops and services locally

2.4 Education

2.4.1 A full response on the impacts of LEB on schools is provided in the response to Mrs Lidbury and this is included in Appendix A

2.5 Social Exclusion

2.5.1 The Parish Council suggests that the *“Closure of Hawthorn Road may lead to issues of social exclusion for the elderly who will not feel comfortable taking the required longer, busier, and slower alternative routes to reach facilities in Lincoln and at the Carlton Centre.”*

2.5.2 The County Council does not accept that the Scheme will lead to greater social exclusion.

2.5.3 As described above, whilst journey times to some local facilities may increase at certain times of the day, these impacts will be greatest during the morning peak and at other times of the day the increases will be less or significant. In addition, journey times to Lincoln City Centre and to the railway station are likely to be reduced, thereby contributing to social inclusion.

2.5.4 The following table is taken from Dr Billington’s evidence and his evidence states *“For some local trips it can be seen that journey times are expected to increase at certain times of the day, with the greatest increase of five minutes expected to be between Cherry Willingham and the Carlton estate in the morning peak. However, for some trips slightly further afield, for example to and from the city centre and the railway station, there will be improvements in journey times.”*

Table 1 – Journey Times between Pairs of Trip Origins and Destinations

Origin	Destination	Change in Journey Time (Minutes) in Scheme Opening Year		
		AM Peak	Inter-peak	PM Peak
Cherry Willingham	Railway Station	-02:03	-05:53	-08:02
Cherry Willingham	Wragby Road Tesco	+02:28	+00:22	-00:27
Cherry Willingham	Carlton Estate	+05:00	+02:57	+02:44
Cherry Willingham	City Centre	-01:58	-00:31	-02:21
Cherry Willingham	Fire and Rescue Station	-03:37	-07:28	-09:30
Cherry Willingham	Lincoln County Hospital	+02:20	+00:36	+00:05
Railway Station	Cherry Willingham	-05:05	-02:14	+01:00
Wragby Road Tesco	Cherry Willingham	-00:05	-00:06	+00:18
Carlton Estate	Cherry Willingham	+01:20	+01:33	+01:30
City Centre	Cherry Willingham	-02:40	-00:23	-03:52
Fire and Rescue Station	Cherry Willingham	-06:22	-03:07	-00:51
Lincoln County Hospital	Cherry Willingham	+00:04	+00:22	-00:08

Reepham	Railway Station	-04:01	-06:30	-06:36
Reepham	Wragby Road Tesco	+00:50	+00:33	+00:03
Reepham	Carlton Estate	+01:05	+03:12	+03:12
Reepham	City Centre	-04:19	-01:50	-02:43
Reepham	Fire and Rescue Station	-05:50	-08:06	-08:04
Reepham	Lincoln County Hospital	+01:08	+00:03	-00:16
Railway Station	Reepham	-03:42	-01:33	+01:21
Wragby Road Tesco	Reepham	-00:02	-00:05	-00:16
Carlton Estate	Reepham	+01:23	+01:34	+01:30
City Centre	Reepham	-03:01	+00:04	-03:14
Fire and Rescue Station	Reepham	-05:17	-02:26	-00:34
Lincoln County Hospital	Reepham	+00:11	+00:24	-01:28

2.5.5 As noted in Dr Billington's evidence, the County Council has consulted with all the local bus operators who have confirmed that changes to local bus services will be minimal.

2.5.6 In respect of the comments about social inclusion the Council is aware of its duties and responsibilities in that respect. In the Committee to Executive on 7 October 2014 which sought authority to republish Orders (Document CD50), the Council's Legal department noted in Section 10:

"10 Other Legal Considerations

Equality Act 2010

10.1 The Council's duty under the Equality Act 2010 needs to be taken into account by the Executive when coming to a decision.

10.2 The Council must, in the exercise of its functions, have due regard to the need to:

- *Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;*
- *Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- *Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7).*

10.3 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- *Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
- *Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*

- *Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.*
- *The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
- *Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.*
- *Compliance with the duties in this section may involve treating some persons more favourably than others.*

10.4 A reference to conduct that is prohibited by or under this Act includes a reference to:

(a) A breach of an equality clause or rule

(b) A breach of a non-discrimination rule

10.5 It is important that the Executive is aware of the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Executive. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.

10.6 To discharge the statutory duty the Executive must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

10.7 An impact analysis has not been undertaken specifically in relation to the making of a Compulsory Purchase Order and Side Roads Orders. These relate ultimately to land transactions and are considered neutral in their impact on persons with a protected characteristic.

10.8 In terms of the scheme itself, all design complies with national design standards including the relevant requirements and guidance in relation to accessibility. This includes the proposed bridge over Hawthorn Avenue. Potential impacts at the level of the scheme itself therefore have been mitigated through the design.

Child Poverty Strategy

10.9 The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.

10.10 In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.

10.11 The Strategy has been taken into account in this instance and while there are no direct impacts, the scheme, for the reasons set out in the Report and Statement of Reasons is expected to have a beneficial impact on the economy of Lincoln and the wider county and will therefore contribute to addressing economic poverty generally and therefore that of children.

Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS)

10.12 The Council in exercising its functions must have regard to both the JSNA and the JHWS.

10.13 Consideration has been given to the JSNA and the JHWS and as can be seen from the Objectives of the scheme set out in paragraph 5.11 above, especially Objectives 2 and 3, the scheme has significant benefits for both the health and wellbeing of people in Lincoln."

2.6 Fuel Costs and Carbon emissions

2.6.1 The Parish's proof of evidence suggests that the loss of the connection provided by Hawthorn Road will increase fuel costs due to longer journey length and delays. It also suggests that this will result in increased CO₂ emissions in the order of 80 tonnes.

2.6.2 The County Council agrees that with the Scheme in place, depending on the specific origin and destination, some journeys will be longer in duration and distance; however others will be shorter and quicker.

2.6.3 It is not clear how the figure of 80 tonnes of additional CO₂ emissions has been derived, since it is attributed to "others".

2.6.4 The analysis of the impacts of the scheme undertaken using the Greater Lincoln Traffic Model and the DfT analysis programme TUBA indicate significant time, fuel cost and emissions savings resulting from the scheme as shown in Table 3 below

2.6.5 The DfT assessment program TUBA has also been used to assess the overall impact of the Scheme on vehicle costs and Carbon emissions for all traffic movements in the study area and Table 1 below shows the results of this analysis.

Table 1 – Overall Value of Benefits of LEB

Benefits	Value of benefits
Vehicle Cost Savings	£89,486,000
Carbon	£11,740,000

(NB values are discounted over 60 year evaluation period)

2.6.6 It can be seen that the Scheme will result in significant savings in vehicle costs (including fuel and other operating costs) in the order of £89 million and savings in carbon emissions in the order of £12 million across the whole study area.

2.6.7 In summary, although it is agreed that fuel costs and emissions will increase for a small number of trips as a result of the Scheme, overall there will be significant benefits.

2.7 Safety

- 2.7.1 The Parish Council proof of evidence states that there will be no safe crossing of Hawthorn Road for pedestrians and cyclists travelling on the NMU route on the eastern side on the LEB from the A158. The design for the Scheme now has an at-grade crossing on Hawthorn Road which is further to the east than previously proposed and over 100m from the junction with the LEB. This change to the design was made to satisfy the issues raised by the Inspector to the previous Inquiry.
- 2.7.2 The Parish Council also notes that the existing NMU route on the southern side of Hawthorn Road is well used, particularly by children. As indicated in Dr Billington's proof of evidence, the partial closure of Hawthorn Road will reduce traffic on Hawthorn Road, making the use of the NMU route safer and more pleasant.

2.7.3 Existing and future development

- 2.7.4 The proof of evidence states that the traffic surveys undertaken by LCC that informed the planning application for the LEB are considered to be outdated. In addition there are concerns regarding the additional development and traffic growth in the area and whether this has been taken account of in the modelling.
- 2.7.5 The latest modelling work included updates to the traffic growth and committed developments based on the latest available information. Full details are provided in the Forecasting and Economics Update Note.
- 2.7.6 The list of committed developments to be considered was provided by the Central Lincolnshire Joint Planning Unit (CLJPU) and taken from the Strategic Housing Land Allocation Assessment (SHLAA) database (June 2012) supplemented with recent (April 2015) data from Lincoln City Council and West Lindsey regarding developments since 2006.
- 2.7.7 It was agreed with the CLJPU to filter the SHLAA database to include developments that are inside the study area and to only include housing developments above 50 two-way trips in any modelled time period. The local impact of the smaller developments is considered negligible and the overall additional traffic associated with these developments will be accounted for by TEMPRO growth, the larger developments of which will be netted out of the background.
- 2.7.8 The employment data was given by total site area in hectares and where sufficient detail was not available development density factor of 0.35 was used to calculate the actual Gross Floor Area (GFA). The specific details relating to each development were collated from the respective Transport Assessment or from the technical knowledge of LCC's Transportation Group.
- 2.7.9 Additional traffic growth was extracted from the Trip End Model PROgram (TEMPRO) software. TEMPRO provides projections of growth over time for use in local and regional transport models.

2.8 Other Economic Considerations

- 2.8.1 It is assumed that the proof is making reference to the Alternative proposals promoted by Reepham Parish Council and supported by Mr Alex Lake. Alternative 1 is for an overbridge with the scheme left in left out junction removed and could be provided at a net cost of £4,844,000. The estimate includes the cost of the consequential junction improvements required at Bunkers Hill and Wragby Road at £1,721,000 and the cost of the scheme NMU Bridge and Left In Left Out junction deducted (£1,053,000). The individual responses to the alternatives contain further details.
- 2.8.2 Both of the alternatives as proposed are more costly solutions than the proposed scheme as they require the construction of an enlarged cutting through the Hawthorn Road Area that would in turn require the disposal of large quantities of unacceptable material, impact on the viability of the drainage of the scheme and necessitate consequential highway improvements to mitigate the additional traffic flows generated. The structures as proposed are more costly than the current proposal, requiring a central Pier with additional piling and a physical central reserve with Vehicle Restraint System. The spans of both alternatives are also longer than suggested due to the increase in the depth and therefore the width of the cutting. The designs on both plans submitted do not show the central reservation extending under the proposed overbridge and do not take account of the required headroom for the scheme as a High Load Route which would necessitate the LEB main carriageway being lowered by an additional metre over and above that suggested by Mr Lake.
- 2.8.3 Neither of the additional cost estimates provided by Mr Lake are robust as both schemes would require significant modification to comply with the required standards of the scheme and those set out in his proof. Furthermore the cost differentials stated in Table 1 of Mr Lake's evidence do not include details of the estimated costs of the consequential junction improvements as he suggests.

Appendix A – Response to Mrs Lidbury