

- 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

Councillor C Darcel

Response from Lincolnshire County Council to letter/proof of evidence from Councillor Christopher Darcel

1 Issues raised by Cllr Darcel

1. Inquiry should not be based on technical merits and should be about proper road access to Lincoln.
2. Both bridge options work and cost similar amounts of money.
3. Why is horse bridge a legal requirement but a road bridge is not. Cllr Darcel has seen no evidence of horses on Hawthorn Road in 10 years.
4. Current and 1000's of new residents in future require easy access to Lincoln.
5. Inquiry is about local politics.
6. Purpose of inquiry is to divert attention away from a record of non per performance and knee jerk reactions
7. LCC took too long to design dual carriageway scheme, lost funding and then cut corners.
8. LCC refusing to admit design is wrong.
9. LCC would rather spend £1M on Inquiries rather than listening to views of people.
10. Cost of changing design would have been negligible, original plans are still available.
11. A380 Newton Abbot bypass in Devon is a similar project with similar costs and long term history. Experienced hiccup in 2010 and was financially timed in 2011. Why can schemes proceed in Devon but not Lincolnshire.
12. Why was there a gap from LEB planning application in April 2005 to revised application in October 2010.
13. Not clear why OBJ CJD 6 is included?
14. Under Central Lincs Growth Plan the Lincoln Urban Area house numbers could increase by 45,000 dwellings. This plan would have been known of in 2011 and the stopping off of HR will cause congestion on Kennel Lane and A158 and larger queues at Hawthorn Road\Bunkers Hill junction, the A158 and Outer Circle traffic lights and the approaches to Wickes roundabouts.
15. LCC has a record of missing out on financing or not delivering on time, including incinerator (£100M more than necessary), Sutton Bridge marina and dual carriageway LEB (loss of £60M). Also includes loss of £53M of CIL.
16. Loss of CIL particularly serious for WLDC which has pension deficit of £26M+. Parishes will not get their percentage of CIL as outlined in NPPF.
17. Loss of CIL will lead to loss of ability to provide public open space and recreational areas that are given so much importance in NPPF. Also loss of other essential infrastructure. £11M contribution by WLDC to LEB will be a further burden to existing residents.
18. Residents across county will be affected by these local government failings, not just those in Cherry Willingham. Eg closures of libraries, special needs day centres and other £4M of cuts planned for 2015. All because of money being wasted.
19. Secrecy - little public knowledge of stopping up of HR or alternatives offered.
20. Several more foot and cycle crossings planned for the likely increase in population.
21. Alternative routes unsatisfactory, potentially dangerous and contrary to good practice for sustainability. Alternative routes will add to fuel consumption and motoring costs.

22. Increase in carbon footprint for the area.
23. Increase in congestion on A158 and at Wicke's roundabout.
24. Incomplete and possibly incorrect road use and accident figures used at Hawthorn Road meeting and 2014 Inquiry. Crashmap UK figures show frequent accidents on the A158 between Wragby Road roundabout and Kennel Lane, contrary to statements made by LCC.
25. 300+ children travelling to school West to East daily have been ignored.
26. Reduction in traffic on Hawthorn Road will put children at risk by promoting peer bullying and adult grooming.
27. Complete lack of comprehension of the likely impact of new dwellings already in the pipeline.
28. Population of Cherry Willingham Ward could double to 12000 in next few years.
29. Recent increase in planning applications to bypass CIL obligations, including recent one for 500 at Greetwell, 200 proposed in Fiskerton and 100 in Langworth. This will result in £2.8M loss from CIL contributions.
30. LCC highways expert's prediction of 0.5% annual traffic growth for 17 years does not agree with DOT expectations or objector's logic.
31. Landtake of 100ha is excessive for 5 miles of dual carriageway. Averages at 140m wide.
32. Statement at 2014 PI that WLDC voted to close Hawthorn Road is incorrect. Neither a footbridge or horse bridge had been proposed at that time. Stopping off of Hawthorn Road was not discussed at WLDC meeting.
33. WLDC not supportive of Cherry Willingham residents once made aware of Hawthorn Road proposals.
34. Cost of Inquiry could pay for road bridge.
35. Objectors do not have same resources as LCC when presenting their case.
36. Would like to see roadbridge, roundabout or underpass on Hawthorn Road.
37. Alternatives of Kennel Lane and Wickes roundabout routes are unsatisfactory.
38. LCC and some members of WLDC were aware of Hawthorn Road proposals but local district members or local parish councils did not. Lack of open democracy.
39. Hawthorn Road closure not mentioned in WLDC elections in 2011 or LCC elections in 2012. Funding issues however highlighted by Richard Wills in his email dated 11\8\11. (Copy not provided despite it being referenced).
40. Chair of LCC Planning Committee is also LCC member for Cherry Willingham area. Committee is responsible for stopping off of Hawthorn Road, despite representations from some residents.
41. Some members and officers WLDC fully aware of proposals as committed to £34M CIL contribution to LEB. Assumption is that WLDC will contribute 1\3 of CIL total ie £11.5M. This was not transmitted to all WLDC members.
42. WLDC members told in Spring 2015 by LCC that horse bridge has to be built or scheme will lose funding. This was the same message given in February 2014. This was not the case as two local MP's have noted the funding is safe until 2019.
43. Rhetoric of stop the road bridge campaign is similar to LCC views regarding loss of funding. Objector understands why some residents of Hawthorn Road and Carlton Boulevard might see closure of Hawthorn Road as a benefit but funding issue is no longer valid.
44. Local government should have same awareness of money and urgency as exists in competitive private enterprise.

45. Closing of Hawthorn Road should have been debated before May 2012 LCC elections.
46. Non performance and missed reporting dates should be more openly reported.
47. Why has LEB taken twice as long as scheme in Devon.
48. Lack of transparency and understanding of localism. Failure of project and financial management.
49. WLDC should leave Joint Planning Unit.
50. LCC should have listened to Cherry Willingham residents and Sir Edward Leigh.
51. Why did business case submission to DfT take so long after planning consent in 2005.
52. Why did LCC take so long to gain planning consent from its own Planning Committee.

- 1.1.1 Cllr Darcel's evidence contains a significant number of issues. To try to simplify the response to Cllr Darcel, these have where possible been grouped in to categories.

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 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 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."

2.1.6 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.

2.2 Purpose of Public Inquiry

2.2.1 Councillor Darcel argues that the Inquiry should not be based on technical merits of one option when compared to another, as these arguments are in his view irrelevant. In the Notes of the Pre-Inquiry Meeting held on 18th May 2015, the Inspector noted in paragraph 26:

"The essential test in looking at the SRO is whether the power given by s.14 of the Highways Act 1980 to deal with roads crossing the classified road or s.125 dealing with private means of access to premises have been dealt with appropriately. In respect of s.14 the order stopping up the highway cannot be made unless "the Minister is satisfied that another reasonably convenient route is available or will be provided before the highway is stopped up" and in respect of s.125 the order can only be made if no access is reasonably required or another reasonably convenient access is available or will be available. They are therefore the tests to be applied in seeking to make objections to the SRO."

2.2.2 The test of whether an alternative route is reasonably convenient can only be based on a technical assessment of the alternative route being proposed. As noted above Dr Billington notes in his evidence "... *my evidence has shown that there are currently safe and reasonably convenient alternative routes available for movements to and from Cherry Willingham and Reepham...*"

2.2.3 Councillor Darcel also noted '*The Inquiry is about local politics*' and that '*The purpose is to divert attention away from a record of non per performance and knee jerk reactions*'. The purpose of the Inquiry has been clearly defined by the Inspector. When again referring to the Notes of the Pre-Inquiry Meeting held on 18th May 2015, the Inspector noted in paragraph 16:

"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. The planning permission that was granted in June 2013, remains extant and relates to the main line of the Scheme. This was subsequently revised via a Section 73 permission granted in October 2014. As such it is a stand-alone inquiry, which will need to examine all matters relevant to the issues linked to the SRO and CPO Orders. The revisions granted by the Section S73 permission were considered to constitute 'minor material amendments' and do not substantially change the Scheme. A more recent grant of consent for the Non-Motorised User Bridge to replace the stopped up Hawthorn Road was given in October 2014."

- 2.2.4 As such the Inquiry is into the Compulsory Purchase Orders and Side Roads Orders. Any issues connected to the history or performance of other schemes (either in Lincolnshire or elsewhere) is outside the scope of the Inquiry.

2.3 The Non-Motorised User (NMU) Bridge

- 2.3.1 The Bypass provides for a Non-Motorised User (NMU) Route on its western side for the full length of the scheme. As outlined in the evidence of Mr Chetwynd at paragraph 6.1, NMUs are defined in national standards as 'pedestrians, cyclists and equestrians'. It is not correct to state that a horse bridge is a legal requirement but a road bridge is not, it is the case however that NMU provision needs to consider equestrian use as well as use by pedestrians and cyclists.

- 2.3.2 As part of the consultation with Parish Councils and other stakeholders regarding the potential relocation options for the NMU bridge at Hawthorn Road, the Parish Councils consulted the British Horse Society (BHS) regarding the options. A number of comments were made by the BHS and these comments were where possible incorporated in the scheme that was granted planning permission in October 2014.

- 2.3.3 It is for this reason that the bridge is designed to be used by equestrians as well as pedestrians and cyclists.

- 2.3.4 Although very few equestrians may use Hawthorn Road at present, the incorporation of the NMU Route and Bridge may promote equestrian use of the scheme in a similar manner to the promotion of walking and cycling outlined by Mr Chetwynd in paragraph 6.5 of his evidence. Mr Chetwynd notes:

"6.5 The design of the Proposed Scheme incorporates continuity of the existing routes where possible and provides suitable diversions of other routes as described above. The design will also lend itself readily to any future expansion of the NMU network. This would encourage people to at least maintain the existing level of walking and cycling in the region with the longer term aim of promoting these activities."

- 2.3.5 As noted previously the cost of the NMU bridge is estimated to be in the region of £500,000. Although closer to the value of the roadbridge estimate of approximately £1,000,000 it is still only 50% of the value.

2.4 Scheme History

- 2.4.1 Councillor Darcel states that the County Council have taken too long to process this scheme through the statutory procedures and as a result have lost funding for the dual carriageway scheme.
- 2.4.2 Mr Willis' evidence outlines in Section 3 the scheme history in planning terms. This indicates that since planning permission for a scheme was granted in April 2005 a number of external factors including additional growth requirements for Greater Lincoln and a reduction in central government funding streams have resulted in a number of iterations to the scheme.
- 2.4.3 A further planning application was submitted in October 2009 and in parallel a funding bid was made to central government in November 2009. Both of these submissions were overtaken by the change of government in May 2010 and the subsequent requirement to descope the scheme to remain within the new government's spending plans. Although planning permission for the scheme was granted in October 2010, the funding bid was not taken to a conclusion.

2.5 Funding

- 2.5.1 Councillor Darcel questions statements made by LCC on the availability of central government funding.
- 2.5.2 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 descope from a dual carriageway and a number of other changes were made to fit within the new government's spending plans. This risk continued to exist until the outcome of the general election.
- 2.5.3 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.
- 2.5.4 This statement was not unreliable as noted by Councillor Darcel, the risk that the Council had noted at the time has not however occurred following the General Election.

2.6 Community Infrastructure Levy

- 2.6.1 Cllr Darcel's Appendix Document OBJ: CJD 12 regarding the Community Infrastructure Levy (CIL) notes that *'The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities'*. It goes on to note *'Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed'*. As such the CIL funding allocated for LEB will form part of an overall package of funding for infrastructure as a whole. The level of CIL funding for any specific development is linked to the viability of development as evidenced at the time CIL is set.

- 2.6.2 WLDC will not therefore experience a 'loss of CIL' as outlined by Cllr Darcel, both they and the Parish Councils will however need to balance the infrastructure needs of each specific site, including the provision of open space and recreational areas.
- 2.6.3 It is not intended that CIL is used to balance the WLDC pension deficit mentioned by Councillor Darcel. Indeed, the Regulations would not permit its use in this way.
- 2.6.4 Councillor Darcel states that any applications consented in advance of the finalisation of the CIL process will result in a loss of funding.
- 2.6.5 Planning applications such as the one mentioned by Councillor Darcel at Greetwell for 500 houses (Phase 1 of NEQ) will be required to fund a package of improvements through the Section 106 process. NEQ Phase 1 for example has a total agreed Section 106 package of just over £2.2m, including a contribution to the construction of LEB. This is as outlined in the correspondence between the developer and the City of Lincoln Council attached at Appendix A. It is not correct to say therefore that schemes submitted in the short term will not provide a contribution to infrastructure required as a result of the application.
- 2.6.6 Councillor Darcel states that WLDC will be required to fund 1\3 of the CIL contribution allocated to LEB by the District Councils. This is not correct as any CIL funding is entirely dependent on where and when development occurs in the Central Lincolnshire area.

2.7 *Benefit of LEB to West Lindsey District Council (WLDC)*

- 2.7.1 It should be noted that the recent planning application for 500 houses that forms part of the North East Quadrant development falls within the boundary of WLDC. Although not yet granted planning permission, this scheme is proposing to only construct the first 150 houses before LEB opens, the remaining 350 will not be commenced until LEB is in place. A significant proportion of the NEQ development as a whole also falls within the WLDC boundary.
- 2.7.2 As noted in the evidence of Dr Billington the Lincoln Integrated Transport Strategy (endorsed by WLDC) highlights the benefits of LEB to the Greater Lincoln area. Lincoln will provide employment and retail opportunities to those who live in the WLDC area which the LEB will assist in growing.
- 2.7.3 It is not therefore correct to say that LEB has no benefits for WLDC or Cherry Willingham.

2.8 *Congestion at Wickes Roundabout*

- 2.8.1 Cllr Darcel alludes to congestion at Wickes Roundabout. This has been assessed in response to Mr Moore's Proof of Evidence. Modelling of the Alternative Option 1, with an overbridge at Hawthorn Road, shows that there is forecast to be a similar increase in traffic on this section of Greetwell Road. Notwithstanding this, this junction is recognised by LCC as already being a sensitive junction. It is accepted that LCC has statutory undertaking to ensure the junction operates at an acceptable level regardless of the construction of the LEB. As a result an assessment of limited proposals to improve the capacity of the eastern approach to the Greetwell

Road\Allenby Road element of the junction has also been assessed which indicates that when implemented the junction will operate within capacity. Proposals for future development in the area will be required to assess the impact on junctions in this area and provide appropriate mitigation measures where issues are identified. This issue is addressed in further detail in Section 2.5 of the response issued to Mr Moore (which will be circulated upon completion).

2.9 Excessive Landtake in Orders

2.9.1 Although Cllr Darcel is correct in quoting approximately 100 hectares as being required for the scheme, the simplistic calculation of width by dividing this area by the length of the scheme is not correct.

2.9.2 As well as the surfaced carriageway, the permanent scheme is made up of a number of other areas including balancing ponds for drainage and areas of landscaping to mitigate the impact of the scheme.

2.9.3 In addition and as outlined in the Statement of Reasons the Orders also include a number of areas of temporary land which are required for site compounds, working areas and the temporary storage of construction materials.

2.9.4 The scheme cannot therefore be considered as being of constant width along its length.

2.9.5 All of the land identified in the Orders is required for the Scheme. In the County Council's Statement of Reasons at paragraphs 4.5 and 4.6 it was noted

"4.5. The Inspector in respect of the previous compulsory purchase order considered the question of whether the acquisition of the land specified in that compulsory purchase order before that Inquiry was justified and met the various tests set out in the relevant guidance. Concluding at paragraph 8.96 of the Inspectors Report the following view was reached:-

"Examination of the Schedule and plans accompanying the Order produces no evidence of any proposal to purchase land or rights other than those necessary to implement the Scheme. There have been no assertions to the contrary other than those that I have considered and reported on. I am satisfied that the Order addresses no more land than is necessary and that the acquiring authority, LCC, has a clear idea of how it intends to use the land".

4.6. The proposal for the LEB remains exactly the same, and no major change is therefore required to the planning permission which exists for the proposal although some small changes are intended pursuant to the section 73 application and the application for the revised NMU bridge (both granted consent on 6th October 2014), but for the alteration required to accommodate the revised NMU bridge and the additional access provision. Similarly the land required to allow it to proceed is unchanged. The same conclusion should therefore be reached."

2.10 Impact of LEB on Schools and Schoolchildren

2.10.1 Dr Billington discusses in some detail in his evidence the impact of the scheme on local schools. In paragraphs 4.2.14 to 4.2.17 Dr Billington notes:

"4.2.14 The responses from all of the schools consulted were focused on the impact of the proposals on parental choice of school and hence individual schools' viability and future budgets. It is apparent that there is considerable overlap of catchment areas for these schools with a degree of competition for pupils.

4.2.15 Consequently, the responses from individual schools are influenced by the perception of how the Scheme will affect their accessibility relative to other schools, rather than in absolute terms.

4.2.16 However, these individual responses should be seen in the context of the positive view of the effect of the Scheme on parental choice and sustainable travel expressed by the School Services Manager, in particular his enthusiasm for aspects of the Scheme which would encourage walking and cycling to school.

4.2.17 In the conclusions of her report following the 2014 Inquiry (Document Reference: CD1), the Inspector noted: 'In all probability the choice of a school would take account of and balance a range of factors, not only distance and ease of journey. The concern over the impact on school rolls was based on perceived considerably longer car journeys. The technical evidence indicates local schools would not be at such a disadvantage, whilst there would be benefits over the wider school catchment area as a result of the LEB. These factors suggest that the risk of potential closure of schools would be minimal'."

2.10.2 The County Council does not accept that 300+ children travelling to school West to East daily have been ignored.

2.10.3 Analysis by Lincolnshire County Council's Children's Services Department of current school children potentially affected by the scheme is shown in Table 1 below. This table and map below show the number of children attending schools in Cherry Willingham and Reepham in each of four zones identified in the North East of Lincoln.

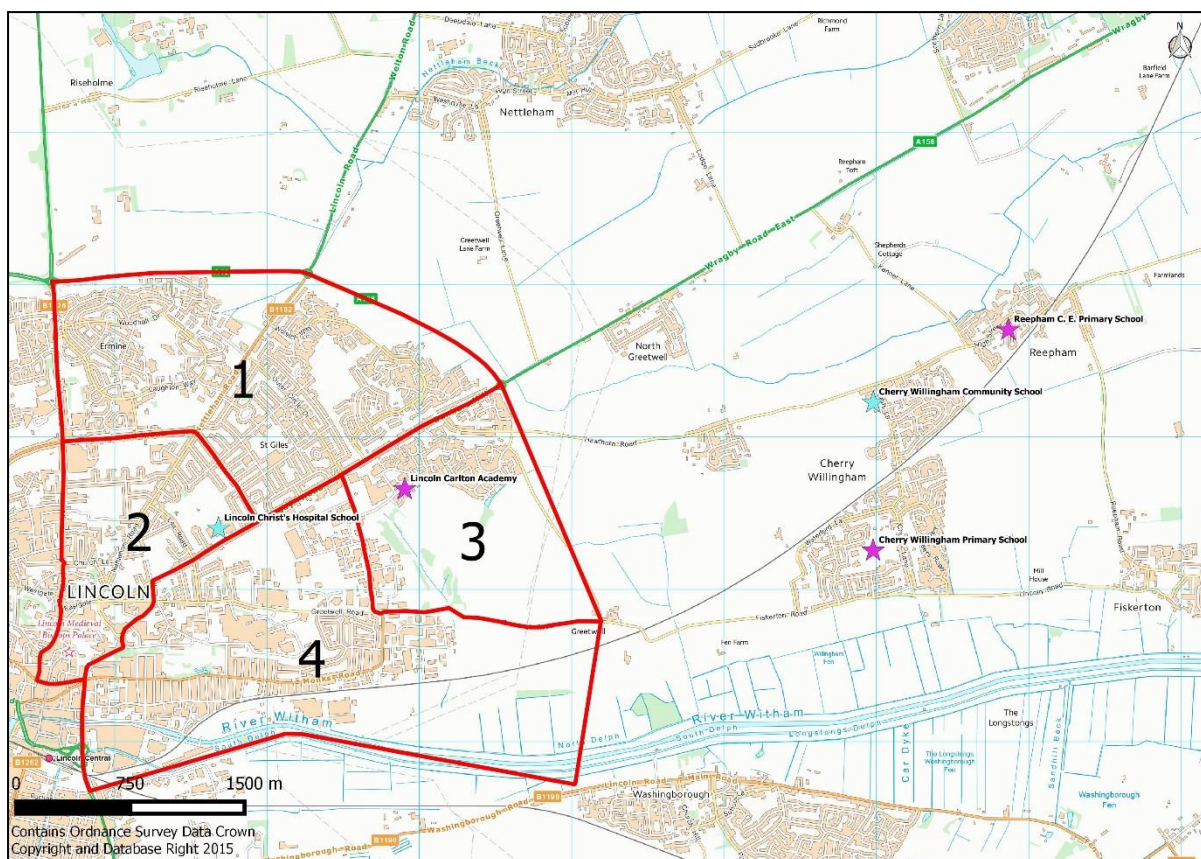
Table 1 – Analysis of Home Addresses of Pupils at Schools in Cherry Willingham and Reepham

School	Zone 1	Zone 2	Zone 3	Zone 4	Total
Cherry Willingham Primary School	34	0	61	18	113
Cherry Willingham Community School	31	<5	29	28	89-92
Reepham Primary School	<5	<5	16	<5	19-28
Total	66-69	2-8	106	47-50	221-233

Note that where there are between one and four children living in a zone, for data protection reasons, an exact number has not been provided.

Source: Lincolnshire County Council School Census October 2014

Figure 1 – Zones Used for Assessment of Home Addresses of Children Attending School in Cherry Willingham and Reepham



2.10.4 It can be seen that the total number of children attending schools in Cherry Willingham and Reepham from the west of the line of the Scheme areas is no more than 233.

2.10.5 For parents choosing to drive their children to and from school, especially younger children, there are and will continue to be, a number of route options available. The four zones identified on the map above cover a significant area of Lincoln and different route choices will be available to each. Broadly, there are currently three routes choices on the approaches to the villages from the west; Wragby Road/Kennel lane, Hawthorn Road and Greetwell Road. All three of these routes will remain available following the opening of LEB, however the Hawthorn Road route will include a diversion southbound onto LEB when travelling westbound towards Lincoln. Travelling towards the schools from Lincoln, LEB will alter the Hawthorn Road route with car journeys from the area of Zone 3 (the Carlton Estate and the surrounding area) immediately west of the LEB alignment needing to travel west on Hawthorn Road and onto Wragby Road. These journeys as well as other journeys that currently use Hawthorn Road or Wragby Road/Kennel Lane will be able to use the LEB and its junction with Hawthorn Road.

2.10.6 Much of the school population of the four zones would be expected to continue using Wragby Road or Greetwell Road to get to Cherry Willingham or Reepham. It is only residents of Zone 3 who would have a significantly longer car journey to Cherry Willingham or Reepham as a result of the closure of Hawthorn Road. This amounts to only 106 children. Table 3.3 in Dr Billington's proof of evidence shows that journey

times from the Carlton Estate, a proxy for Zone 3, to Cherry Willingham will increase by less than 1.5 minutes in the AM peak and less than three minutes in the opposite direction in the PM peak. However, journeys from Lincoln city centre (a proxy for Zone 2) to Cherry Willingham will be over 2.5 minutes shorter in the AM peak and over two minutes shorter in the opposite direction in the PM peak.

2.10.7 It is not unreasonable to expect many secondary school pupils to get to school independently (by bus, bicycle or on foot). The stopping up of Hawthorn Road will not affect such pupils. School buses are expected to continue to operate, with slight alterations to routes where applicable; and the provision of a NMU bridge over the LEB will enable walking and cycling journeys to continue as before (indeed, the partial stopping up of Hawthorn Road is likely to provide a more conducive environment to walking and cycling along this route).

2.10.8 However, many of the children in question are in the early years of education. The table below shows the numbers of children attending schools in Cherry Willingham and Reepham and resident in Zone 3 for each school year.

Table 2 – Analysis of Children from Zone 3 Attending Schools in Reepham and Cherry Willingham by School Year

Primary / Secondary	Year	Number of Pupils
Primary	Reception	9
	1	10
	2	11
	3	8
	4	14
	5	15
	6	10
	Total Primary	77
Secondary	7	5
	8	7
	9	8
	10	3
	11	6
	Total Secondary	29

Source: Lincolnshire County Council School Census October 2014

2.10.9 It can be seen from the table above that there are only 77 children currently attending primary school for who the stopping up of Hawthorn Road could potentially lead to longer journeys to school.

2.10.10 However, this situation will not remain static and the recent opening of a new primary school on Carlton Boulevard, Lincoln Carlton Academy, should be considered when assessing the impact of LEB on access to education. This school opened to reception children in September 2013, and a new cohort of pupils is starting each year. From September 2019 onwards, it will accept children for all seven years of primary school. In future, this is likely to be a much more convenient choice for parents living in the Carlton Estate and the surrounding area than sending their children to schools in Cherry Willingham or Reepham. The County Council's consultation with local schools in May/June 2015 included discussions with the head of Lincoln Carlton Academy, Mrs. Malam. In her consultation response, she stated that:

“Lincoln Carlton Academy opened in September 2013 with a cohort of children from various areas of Lincoln including the Carlton Estate and villages to the east of the proposed bypass route. We are now up to our third year of admission and have found that as time goes on, more of the children we admit live in the Carlton Estate and Glebe Park areas and we expect this to remain the case in the coming years.”

2.10.11 The Lincoln Eastern Bypass is not expected to be open until 2018, therefore, those children who are currently in Year 3 and above are unlikely to be inconvenienced by the stopping up of Hawthorn Road, as they will be at secondary school by that time and more likely to be travelling independently. It is notable in the table above that there is a sharp drop-off in numbers of pupils at Year 7, showing that many children from this area who attend primary schools in Cherry Willingham and Reepham attend secondary schools elsewhere.

2.10.12 Therefore, it is those children who are currently in the first three years of education at schools in Reepham or Cherry Willingham (a total of 30 children) who are most likely to be inconvenienced by the stopping up of Hawthorn Road. This inconvenience will last until they reach secondary school age (that is, for between one and three years). After 2021, the cohort currently in reception will have reached secondary school age and Lincoln Carlton Academy provides a local choice for younger children yet to start school.

2.10.13 The County Council does not accept that a reduction in traffic on Hawthorn Road will put children at risk by promoting peer bullying and adult grooming. Cllr Darcel offers no evidence in support of this statement. In contrast, the forecast reduction in traffic flow on Hawthorn Road may encourage more healthy travel options to schools such as walking and cycling, which are encouraged in the school travel plans adopted by the schools concerned.

2.11 Incorrect Accident Statistics and Traffic Growth Predictions

2.11.1 Accident statistics used by the County Council are taken directly from police records and are therefore the most reliable source of information. As noted by Dr Billington in his evidence it is standard practice to use no more than 5 years of accident data when assessing schemes.

2.11.2 It is correct that over the five year period considered there have been more road traffic accidents resulting in personal injury accidents on the A158 Wragby Road than on Hawthorn Road and the County Council has always made this clear. However, in line with good practice recommended by DfT, when considering historic accident rates on routes it is essential to take into consideration the length of road considered and the level of traffic flow in order to present a true picture of the safety risk associated with each route.

2.11.3 Dr Billington’s evidence presents the results of analysis for the most recent five full years of accident data (2010-2014 inclusive), producing figures for accidents per million vehicle kilometres. The evidence presents this information for the currently available route along the Hawthorn Road between Cherry Willingham and Outer Circle Road as well as two alternative routes from Cherry Willingham and Outer Circle Road via Wragby Road and Greetwell Road. The findings of this analysis show that the accident rate for the five years analysed, is lowest on the Greetwell

Road route (0.440 accidents per million veh/km), with the Kennel Lane/Wragby Road route having a rate of 0.490 and the existing Hawthorn Road/Carlton Boulevard route having a rate of 0.492. There were no fatal and very few serious accidents on these routes over the five year period. In conclusion, 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.

2.11.4 This analysis is supported by the Lincolnshire Road Safety Partnership who have identified no sites of concern in the study area, and by the Inspector at the 2014 Inquiry who concluded *“Examination of the evidence leads me to conclude that several safe alternative routes exist or would be provided as a result of the Scheme”*.

2.11.5 Traffic modelling is carried out based on data collected from a variety of sources including traffic counts. It is then used to forecast traffic growth using national predictions of growth.

2.12 Additional Queuing At Junctions As a Result Of the Scheme

2.12.1 Cllr Darcel has highlighted that the additional growth planned as part of the Central Lincolnshire Local Plan will contribute to congestion on Kennel Lane and queuing at the following junctions:

- Hawthorn Road\Bunkers Hill
- A158 and Outer Circle traffic lights (This is assumed to be Wragby Road\Outer Circle Road junction)
- Wickes Roundabout

2.12.2 Cllr Darcel notes that this growth was known in 2011 and the scheme should have considered it.

2.12.3 Growth is, of course, assumed in the model. The County Council have diligently researched and input likely individual developments over a certain threshold which are part of the Local Plan. Together with background traffic growth from recommended sources such as DfT and, where appropriate, dependent development assumptions, this has led to future travel demands in excess of base year. The growth varies by modelled time period considered. 2018 traffic in the model grows by up to 0.4% per annum. This is reflective of the relatively flat profile evident of traffic in Lincoln, with outturn growth between 2006 and 2018 reduced by the intervening recession. 2033 traffic grows by up to 0.8% per annum compared to base, including dependent development. This reflects a forecast upturn in housing development and economic growth over the 2018 to 2033 period. All growth figures quoted are linear.

2.13 Increased Carbon Footprint As a Result Of the Scheme

2.13.1 The County Council accepts that with the scheme in place, some journeys will be longer and take more time, but many more, including from Cherry Willingham and Reepham, will be shorter and quicker. Consequently, it is agreed that for a limited number of journeys, fuel costs and emissions will be higher but that for many more journeys they will be lower. The analysis of the impacts of the scheme undertaken

using DfT required procedures, shows that overall there will be significant reductions in emissions and fuel costs for existing traffic.

2.13.2 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

2.13.3 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 3 below shows the results of this analysis.

Table 3 – 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)

2.13.4 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.

2.13.5 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.

2.14 Incorrect Assessment of Impacts of Future Development on Scheme

2.14.1 Mr Smith has noted in Section 2.3 of his evidence

"Since the earlier inquiry the original Core Strategy approach to local development has been superseded by the Central Lincolnshire Local Plan which has a similar statutory remit. The model forecast procedure has been revised to ensure that updated background traffic growth rates have been included. The opportunity has been taken to include specific details of residential and employment developments generating in excess of 50 trips within any peak hour. Developments that have either been constructed since 2006, or that have been identified as being likely to be constructed by either the opening or design year, have been included. This specific detail complements the general background growth implicit within the DfT TEMPRO forecasts. The schedule of developments therefore represents focussed growth in specific localities...."

2.14.2 TEMPRO is an industry standard method for forecasting traffic growth and therefore the traffic modelling has allowed for any general development that has not been specifically included.

2.14.3 Future known development has therefore been specifically included in the traffic assessment of the scheme and any unallocated development sites have been catered for by the use of background growth using the TEMPRO software.

2.14.4 The approach adopted was accepted by central government in their granting of Programme Entry for the scheme in November 2011.

2.15 Endorsement of the Scheme by WLDC Planning Committee

2.15.1 It is not for LCC to dictate to WLDC councillors or officers how to manage their consultation process on major planning applications. Paragraph 2.3.1 of the Planning Statement submitted as part of the planning application made it very clear that the junction at Hawthorn Road had changed and that the road bridge had been removed. WLDC were given sufficient time to assess the impact of the revised scheme and respond to the planning application.

2.15.2 WLDC fully endorsed the scheme following the meeting of their planning committee held on 6 March 2013, as outlined in Cllr Darcel's Appendix Document OBJ: CJD 17.

2.16 Alternatives to Scheme

2.16.1 A number of alternatives to the scheme (including the ones proposed by Cllr Darcel) have been proposed by objectors and assessed by the County Council. These alternatives were advertised in the Lincolnshire Echo on 23 July 2015. The findings of the assessments are outlined in the individual responses to each Alternative.

2.17 Issues Outside of the Scope of the Orders

1. Issues connected to the granting of planning permission for the Scheme
2. A380 Newton Abbott Bypass
3. WLDC membership of Central Lincolnshire Joint Planning Unit
4. Issues debated during District and County Council elections
5. County Council Spending on other Schemes
6. Budgetary pressures on the County Council
7. Comparison of differing approaches between local government and private enterprise

Appendix A – Correspondence Between Developer of NEQ Phase 1 and City Of Lincoln Council Outlining Section 106 Contributions Proposed For NEQ Phase 1 Planning Application