

- 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 Document Submitted 18th August 2015

Mr Alex Lake

OBJ/472/10

Introduction

The following is the LCC reply to the further issues raised by Mr Lake in relation to the LCC responses to of his proof of evidence and questions (documents LCC3i, LCC3i.1, LCC3i.2, LCC3i.3 and LCC3i.4) detailed in his response to LCC Rebuttal submitted on the 18th of August 2015.

Comments Raised by Mr Lake

1.0 AL Introduction Seventh para: *‘The purpose of my proof is simply to show that ‘it can be done’. Matters of planning and funding are matters for LCC to resolve should the Inspector consider that the alternative routes being offered within the SRO fail to meet the tests of being reasonably convenient’.*

Response From LCC:

1.1 Matters of planning and funding if not adequately dealt with would be an impediment to the scheme and are therefore fundamental to the Inquiry. It is not open to Mr Lake to dismiss this matter in this way.

1.2 AL 1.1.1 response.

Response From LCC:

1.3 Noted.

1.4 AL 1.1.2 response: *I refer you to the evidence supplied by Mr Tim Walton as part of this inquiry. The alternative routes are demonstrably less safe than the existing Hawthorn Road. In the consideration of reasonably convenient alternative routes, the test above applied by LCC is insufficient as it fails to address all forms of accident and route reliability.*

Response From LCC:

1.5 Based on the analysis presented by Dr Billington, which follows the process recommended by DfT, the County Council maintains 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. “

The evidence presented by Mr Walton does not demonstrate that the alternative routes are less safe than the existing Hawthorn Road, since his analysis mainly considers accident numbers, rather than rates, and is based on routes to and from St Barnabas Hospice, rather than a more representative destination (or destinations).

The analysis reported by Dr Billington includes all personal injury accidents (pias) in line with DfT recommendations. This is because other damage only collisions and incidents are not reported to the police and so there is no consistent basis for comparing these on alternative routes. In any case, with the Scheme in place, there will be a number of alternative routes which will be available as diversion routes when incidents occur on the network.

Further, Mr Walton's work does not suggest that the alternative routes are unreliable given that many of the incidents he relies on could occur on any part of a journey.

1.6 AL 1.2.1 Response: *'Unfortunately the LCC response to my proof simply restates the same mistake. I am referring to journeys made between the two communities linked by Hawthorn Road. I believe we will have to agree to disagree on this point'*

Response From LCC:

1.7 Mr Lake's original point was, *"Comparing routes say with large portions of the route to the west of the proposed LEB is of little benefit as such portions of those routes will clearly benefit from traffic reductions within the city road network of Lincoln and will mask the actual journey time dis-benefits of routes more local to the LEB and the east villages themselves. The city centre benefits will remain whether the alternative options described within this report are adopted or not"*. In this statement Mr Lake does not refer to "journeys made between the two communities linked by Hawthorn Road" and the County Council's response was valid based on Mr Lake's original wording. It is therefore not correct to state that "the LCC response to my proof simply restates the same mistake"

The County Council maintains that in order to present a balanced view of the impact on locally based journeys, it is appropriate to consider a range of movements to a variety of destinations, rather than only those between the communities immediately either side of the line of LEB.

Details of the benefits and dis-benefits accruing to movements to, from and between the villages of Cherry Willingham, Reepham and the Carlton Estate resulting from the LEB are shown in the table below. This information was prepared pursuant to a request by Mr Walton to show the purely local effects of the scheme. These benefits and dis-benefits have been separated out from the total TUBA analysis for the LEB, presented in Mr Smith's proof of evidence and are accrued over a 60 year evaluation period and discounted in line with DfT advice. They represent two way movements between the areas identified, and also movements between Cherry Willingham, Reepham and the Carlton Estate and all other areas included in the Scheme evaluation area.

Movement	TUBA Benefits (£000's)
Trips between Cherry Willingham / Reepham and Carlton Estate	-1,520
Trips between Cherry Willingham / Reepham and all other zones	49,072
Trips between Carlton Estate and all other zones	11,326
Total Cherry Willingham, Reepham and Carlton Estate Trips	58,878

It can be seen that for two way movements between Cherry Willingham/Reepham and the Carlton Estate it is expected that there will be a dis-benefit of approximately £1.5m. However, for movements between Cherry Willingham/Reepham and all other areas in the evaluation area, there will be benefits of £49m, and for movements between the Carlton estate and all other areas in the evaluation area, there will be benefits of £11m.

These benefits are inclusive of all time benefits and carbon benefits, but exclude accident benefits, which are assessed outside TUBA.

These benefits and dis-benefits reflect the evidence presented by Dr Billington which showed that while some movements between origins and destinations close to the line of the LEB will be longer and take more time as a result of the Scheme, for other movements there will be reductions in travel times and distances.

1.8 AL 1.2.2 Response: *'I refer LCC to the proofs of evidence supplied by Mr Tim Walton, Mr Paul Moore and Ms Sally Lidbury where there is ample evidence to the contrary – the alternative routes are certainly not considered to be reasonably convenient'*.

Response From LCC:

1.9 The County Council does not accept that any of the evidence presented by Mr Walton, Mr Moore and Mrs Lidbury demonstrates that the alternative routes are not reasonably convenient. Responses to these objectors have been prepared by the County Council and submitted to the Inquiry.

1.10 AL 1.3.1 Response: *'LCC are incorrect. The Hawthorn Road Action Group has consulted directly with the emergency services and solicited its own reassurances as at the previous inquiry records of the materials presented to the emergency services by LCC were not available and on behalf of residents the HRAG consultation was purely a proactive step. If necessary, documentary evidence of this can be supplied. Subsequently HRAG has made it quite clear to local residents that the emergency services 'response times will not be negatively affected by the Project Scheme. This is somewhat reliant however on the robustness of the junction designs and any propensity for queuing and delay, potentially obstructing the progress of the emergency services'*.

Response From LCC:

1.11 LCC accepts that HRAG has consulted directly with the emergency services and has been reassured that response times will not be negatively affected by the Scheme. LCC is content that Mr Lake and HRAG now accept the position on emergency services which Dr Billington has reported to both the Inquiry in 2014 and to the current Inquiry.

2.0 AL 2.1.1 Response: Consideration of a 40mph speed limit.

Response From LCC:

2.1 In his response Mr Lake refers to DfT Circular 01/2013. The County Council would reiterate that irrespective of this guidance the design of the scheme must still meet the

applicable design guidance and standards. Moreover specifically in relation to the criteria within the Circular guidance LCC would comment as follows:

As stated in para 2.1 of the response to Mr Lake's proof, the proposal to adopt a 40 mph speed limit at this location would not be supported by the Highway Authority or the Lincolnshire Road Safety Partnership as it would not meet the standard criteria for justification as defined in DfT Circular 01/2013 and quoted below:

Key points

- 1 The Highways Agency is responsible for determining speed limits on the trunk road network. Local traffic authorities are responsible for determining speed limits on the local road network.
- 2 It is important that traffic authorities and police forces work closely together in determining, or considering, any changes to speed limits.
- 3 The full range of speed management measures should always be considered before a new speed limit is introduced.

The underlying aim should be to achieve a 'safe' distribution of speeds. The key factors that should be taken into account in any decisions on local speed limits are:

- ***history of collisions;***
- ***road geometry and engineering;***
- ***road function;***
- ***Composition of road users (including existing and potential levels of vulnerable road users);***
- ***existing traffic speeds; and***
- ***road environment.***

While these factors need to be considered for all road types, they may be weighted differently in urban or rural areas. The impact on community and environmental outcomes should also be considered.

The minimum length of a speed limit should generally be not less than 600 metres to avoid too many changes of speed limit along the route.

Speed limits should not be used to attempt to solve the problem of isolated hazards, such as a single road junction or reduced forward visibility, e.g. at a bend.

Furthermore, Paragraph 40 of the Circular states: *'Speed limits should not be used to attempt to solve the problem of isolated hazards, for example a single road junction or reduced forward visibility such as at a bend, since speed limits are difficult to enforce over such a short length'*.

The County Council would not support the reduction of speed limits as suggested by Mr Lake as it falls outside the guidance and is not necessary in that the Hawthorn Road alignment, visibility and surfacing are adequate for the national speed limit to apply.

2.2 AL 2.2.2 Response: *'It is unfortunate that throughout our discussions with LCC the introduction of the High Load Route criteria was not highlighted. This designation is a significant alteration in scheme parameters and is commented upon further within my Addendum 2 (OBJ/472/9). The clearance can still be achieved although it is less clear how LCC has dealt with this issue elsewhere on the LEB route'*.

Response From LCC:

2.3 The responses to Mr Lake's Addendum No.2 in paras 2.7 to 2.9 deal with the issue of achieving the required clearance.

2.4 AL 2.2.3 Response: Carriageway widths.

Response From LCC:

2.5 It is noted that this has been corrected in the Addendum No.2

2.6 AL 2.2.4 Response: LCC strategy for future dualling.

Response From LCC:

2.7 Stated in para 2.7 of Mr Chetwynd's Proof of Evidence.

2.8 AL 2.3.1 Response: *'Should the 50mph speed limit be adopted, whilst I would agree that the tapers would encroach further upon the bridge structure itself, this would not affect the overall feasibility of the alternative proposal as in such a location the slight increase in bridge width could be accommodated'*.

Response From LCC:

2.9 The LCC assessment of Mr Lake's proposals calculated that a revised deck width of 18.2 metres would be required to accommodate the Ghost Island Right Turn Lane of Alternative 2. Although technically feasible this would add costs to the scheme.

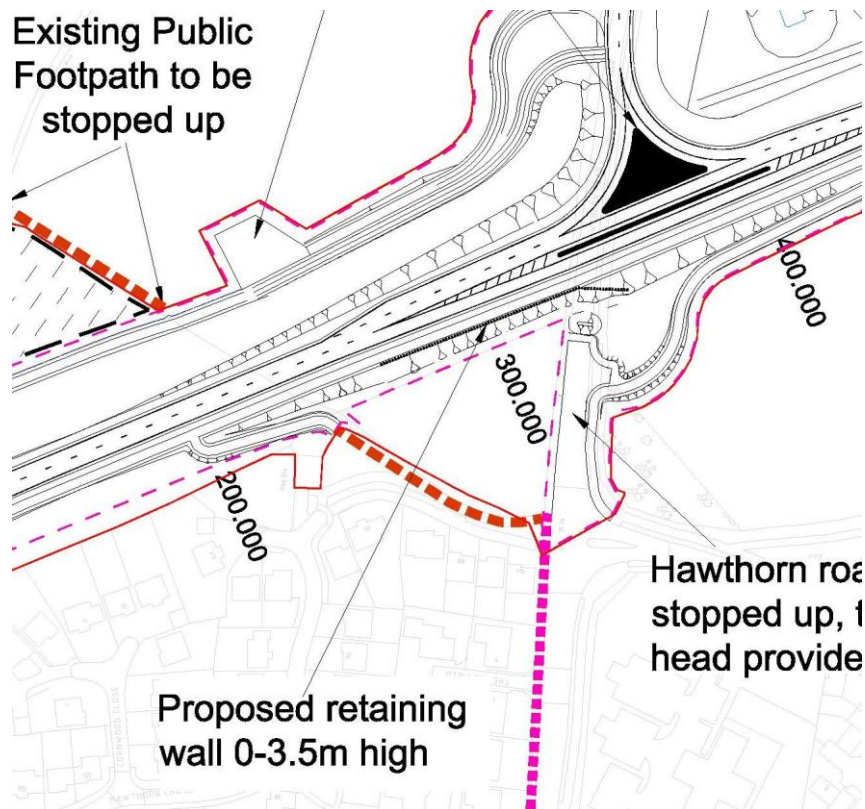
2.10 Further more the cost estimates detailed in Mr Lake's Addendum do not take account of the additional costs associated with the increased deck width as the cost for bridge works contained within Appendix D are the same for Alternative 1 and Alternative 2 despite the acknowledgement that Alternative 2 would have to be wider to accommodate the extended taper.

2.9 AL 2.4.1 Response: The key Boundary constraints have been met.

Response From LCC:

2.10 LCC maintain that Public Open Space would be required to construct the substructure to the west abutment of the bridge alternatives, for temporary working areas adjacent to the abutment and for the erection of the Vehicle Restraint System. Any requirement to use Public Open Space while not insurmountable would delay the scheme due to the need to meet the requirements of Section 19 of the Land Acquisition Act 1981.


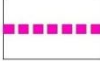




An extract from the Planning Permission drawing is shown below. It should be noted that the CPO boundary follows the dotted line indicating the highway boundary around the Public Open Space.



Extract from the Planning Permission Drawing: B/1030171/100/023

NOTES:

Key

	Existing Public Footpath
	Existing Cycleway
	Indicative location of site compound / construction area
	Indicative location of topsoil storage area
	Proposed Planning Boundary
	Proposed Highway Boundary

Key relating to the extract from the Planning Permission Drawing: B/1030171/100/023

2.11 AL 2.4.3 Response: Additional Land required outside the planning boundary to accommodate the proposed noise barrier and NMU route.

Response From LCC:

2.12 LCC have modelled the Alternative proposal and have concluded that the additional cut of circa 1.9 metres would impact on the land take on both sides of the scheme including to the east where land acquired to accommodate the future dualling provision, noise bund and proposed NMU route would be compromised.

2.13 AL 2.5.1 Response: Bridge Spans of alternatives.

Response From LCC:

2.14 The bridge spans quoted are a function of the cutting width which under the assessment of alternatives carried out by LCC would have to increase due to the lowering of the LEB main carriageway.

2.15 AL 2.5.2 Response: Cross sections

Response From LCC:

2.16 The response to Addendum 2 addresses this issue.

2.17 AL 2.5.3 Response: Future Dualling

Response From LCC:

2.18 The issue of future dualling is addressed above.

2.19 AL 2.8.1 Response: Drainage problems.

Response From LCC:

2.20 The response to Addendum 2 addresses this issue.

2.19 AL 2.10.3 Response: *'The aspect of traffic is dealt with in Mr Paul Moore's proofs of evidence. This aspect is of course contingent upon the project Scheme demonstrating that the alternative routes offered meet the tests of being reasonably convenient'.*

Response From LCC:

2.20 Mr Moore considers traffic but in respect of operational analysis, not safety. He does not refer to this issue in the most recent distillation of responses issued on 16th August (OBJ/489/7). In reality the increased diversion of traffic to LEB, facilitated by the connectivity associated with the preferred scheme, would enhance traffic safety in comparison to the Objectors Alternatives. The reasonably convenient alternative route element has already been demonstrated in Dr Billington's evidence.

4.0 AL 4.3.1 Response: *'The overall lowering of the LEB vertical alignment alongside the houses most likely to be affected by noise from the LEB would be circa 1.85m. This would provide benefits to a number of residences within the Carlton Estate.'*

Response From LCC:

4.1 While Mr Lake may be correct regarding property within the Carlton Estate, it is LCC's view that the increase in traffic on Hawthorn Road West would be a dis-benefit to the residents of Hawthorn Road.

5.0 AL 5.3 Responses: Regarding construction of piling works and Vehicle Restraint System within the Public Open Space. *'This is a matter of detail design that can be engineered to meet the constraints and does not affect feasibility of the alternatives.'*

Response From LCC:

5.1 Any requirement to use Public Open Space while not insurmountable would delay the scheme due to the need to meet the requirements of Section 19 of the Land Acquisition Act 1981.