

SUPPLEMENT 2 TO THE AGENDA FOR

General Overview & Scrutiny Committee

Tuesday 2 December 2014

2.00 pm

**The Council Chamber, Shire Hall, St. Peter's Square, Hereford,
HR1 2HX**

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QUESTIONS FROM THE PUBLIC ON THE CALL-IN OF THE CABINET DECISION ON THE SOUTH WYE TRANSPORT PACKAGE

The following questions have been received and responses provided by officers.

*Those questions that are not relevant to call in notice will all receive a written response.

Questions from Carole Protherough, Clehonger		Is question relevant to call in notice?*
Question 1	Did Parsons Brinckerhoff conduct any traffic studies to and from A465 to B4349 area?	Yes
	If so, please advise where these studies can be found?	
Response 1	Traffic surveys were undertaken at the A465 / B4349 junction on 16 th May 2012. These were used in the development of the Saturn model. Additional Automated Traffic Count surveys were undertaken from 28 th April to 6 th May 2014 to verify the flows in the traffic model. The A465 to B4349 forms part of the study area and traffic model. There will be further information regarding traffic flows submitted as part of any future planning application.	
Question 2	Could the General Overview and Scrutiny Committee investigate how this SC2 route extension can be funded if it is not in the Marches LEP SWTP scheme, nor mentioned as a scheme in LTP2?	Yes
Response 2	The new section of highway from the Southern Link Road to the B4349 Clehonger Road forms part of the scheme. The cost estimate within the cabinet report includes costs for the construction of this section of highway. These costs can be contained within the grant from the LEP for the scheme.	

Questions from Philip Jeffree, Old Clehonger		Is question relevant to call in notice?
Question 3	Who took the decision not to inform, by letter, residents near the route extension A465 to B4349 of the July 2014 consultation regarding this extension, which is not in the Council's Local Transport Plan 2, nor in the Strategic Outline Business Case for the Marches LEP SWTP scheme. Invitations were sent to a preview event for 30 June 2014 to residents in the SLR A49 to A465 area, but not, apparently, to anyone from Clehonger or Dunan?	Yes
Response 3	During the development of the scheme local stakeholders asked for consideration to be given to providing a link from a route for the Southern Link Road (SLR) to the B4349. Options for this link were developed and set out at recent public exhibitions to obtain	

	<p>feedback. The preview evening held before these exhibitions was held to enable those most directly affected by a new road to view proposals and impact on their land / property. Residents within approximately 600m of the SLR corridor and the link to Clehonger were invited to this event. The following public exhibitions then allowed the wider public to view proposals.</p>	
<p>Question 4</p>	<p>If the Cabinet fails to run a new consultation process on the SLR proposal as a stand-alone road building proposal, and proceeds to seek planning permission for this SLR Route SC2, and the proposal is taken to Judicial Review, who pays the costs of this Judicial Review action – Parsons Brinckerhoff, or Herefordshire Council?.</p>	Yes
<p>Response 4</p>	<p>As the decision on which route to explore further is a Herefordshire Council decision, any Judicial Review would be against the council. In the event of such a challenge being made, the losing party is likely to be ordered to pay the other side's legal costs.</p>	

Questions from Mrs E Morawiecka, Breinton		Is question relevant to call in notice?
<p>Question 5</p>	<p>Many young people would like a future in farming and in the past Herefordshire Council have enabled access via their small holdings. With the future of small holdings currently awaiting a separate cabinet decision, possibly for disposal approximately 6 months after the scheduled planning application for the Southern Link Road, would Herefordshire Council please confirm:-</p> <p>a) How many small holdings, including their acreage, lie within 1km of the Southern Link Road "corridor"?</p> <p>b) Whether any options for development on small holdings included in (a) above have been sold or are currently under negotiation?</p>	<p>a) No</p> <p>b) No</p>
<p>Response 5</p>	<p>Written Response:</p> <p>a) Two</p> <p style="padding-left: 40px;">Ashley Farm 85 acres</p> <p style="padding-left: 40px;">Veddoes Farm 76 acres</p> <p>b) No</p>	
<p>Question 6</p>	<p>The Treasury states that transport spending has to be prioritised not on projects with "high" BCRs, (benefit cost ratios) but with the "highest." According to the rules, announced in 2007, transport spending had to be "focused on the projects with the highest</p>	

	<p>returns." There is no reference in either the consultation or the report to Cabinet what the Benefit Cost Ratio is of the various road and sustainable transport options. Please provide the Benefit Cost ratios of:-</p> <ul style="list-style-type: none"> a) Each element of the Sustainable Max option; b) for each of the Southern Link Road options; c) the full South Wye package including road and sustainable transport elements. <p>Please provide the basis on which these BCRs were calculated.</p>	<ul style="list-style-type: none"> a) Yes b) Yes c) Yes
Response 6	<p>A Benefit to Cost Ratio of 3.55 for the South Wye Transport Package was reported in the Strategic Outline Business Case submitted to the LEP. Separate BCRs have not been calculated for a, b or c above.</p>	
Question 7	<p>The Marches LEP Transport Assurance Framework Feb 20214 states at para 4.1 "Scheme business cases should therefore demonstrate high value for money and contribution to economic growth, reducing carbon emissions, reducing social exclusion, improving safety and promoting health / well being". The Parsons Brinkerhoff report to Cabinet on the Southern Link road options clearly states that "all scheme options will have a slight adverse impact on greenhouse gases due to vehicles travelling greater distances and at higher speeds"; "All route variations will have an adverse impact on walking and cycling levels in the rural area, discouraging these activities by increasing severance on existing routes and loss of rural amenity through the introduction of traffic noise and proximity to traffic"; "The four SLR options are assessed to have a moderate adverse impact on physical activity." As this report shows the road scheme fails to meet the Marches LEP Transport Assurance Framework so what is the risk assessment regarding funding not being made available for this road scheme from the Marches LEP?</p>	Yes
Response 7	<p>The Assurance Framework does not set thresholds for each appraisal criteria so the issue of 'failing to meet the framework' does not arise. Rather the Assurance Framework sets out which impacts should be assessed and what analytical approach should be followed to establish the scale of the impact. This approach enables an overall 'value for money' of the package to be established taking into account a range of effects.</p> <p>The Strategic Outline Business Case for South Wye Transport Package was reviewed by the Independent Technical Evaluator (ITE) and they were satisfied it does meet with the Assurance Framework. Funding has been allocated for the scheme by DfT and the LEP.</p>	
Question 8	<p>Please provide evidence to demonstrate that the road provides high value for money vs other options available to improving</p>	No

	growth and reducing social exclusion?	
Response 8	The Strategic Outline Business Case identified that the scheme would have a strong BCR of 3.55 which demonstrates high value for money. The next stage of funding approval will require an updated BCR to be provided as part of the Outline Business Case.	
Question 9	The Local Development Order for the Hereford Enterprise Zone relates to minimising the growth of traffic on the A49 (part of the Strategic Network). However, the Parsons Brinkerhoff report route assessment states for each of the road options "Increased traffic along the A49 but level of delay at the A49/A465 junction proposed to remain at existing levels". PB also says that "Southern Link Road provides direct connection to the Hereford Enterprise Zone (HEZ) from the A465. Improves the supply of employment land by allowing the planning conditions that presently limit development at the HEZ to be extinguished, therefore removing substantial barriers to inward investment". Parsons Brinkerhoff described this as a "major beneficial" for Regeneration. Would PB explain how increased traffic on the A49 will allow the planning conditions at the Enterprise Zone to be extinguished?	Yes
Response 9	Refer to call in response Reason 3	
Question 10	The PB South Wye Transport Package Preferred Option report is only about choosing a route for a Southern Link Road. However, Para 14.1.1 of the states "PB has been commissioned by BBLP on behalf of HC to identify a package of measures that would address the transport problems within the South Wye area of Hereford. The SWTP has identified a number of possible improvements, covering different transportation modes, strategies and interventions." Where is the PB SWTP report that preceded the Preferred Option Report and why was this not a background report to the cabinet decision on the South Wye Transport Package and why has this report not been published on the HC website?	Yes
Response 10	Refer to call in response Reason 6.	
Question 11	The Cabinet report stated that there had been 404 responses when in fact PB report states that there were only 255 responses to the consultation. Route SC2 was supported with just 71 responses out of 203 whilst the "No Road" option supported by 53 out of 203 responses. Please detail how many responses were included in these total responses after the deadline of the 8th August; which option they preferred and who decided to extend the deadline for responses and how this was publicised.	Yes
Response 11	The reference to 404 responses in the Cabinet Report and Preferred Option Report (paragraph 11.1.6) is a typographical error and should read 203 responses. There were 255 responses to the non-statutory public consultation, of these 231 were	

<p>questionnaires and 24 by other formats.</p> <p>Twelve questionnaire responses were received between the 8th and 15th August and were included in the consultation. Of these 12 responses, 10 respondents answered Question 5 and their answers were as follows:</p> <p>a) SC2 (3)</p> <p>b) SC2A (1)</p> <p>c) SC5 (1)</p> <p>d) SC7 (1)</p> <p>e) No road (4)</p>	

Questions from Dr. Nichola Geeson, Hereford		Is question relevant to call in notice?
Question 12	<p>The recently "approved" route SC2 would pass through the middle of Grafton Wood which is ancient woodland. How can this be acceptable? Routes through Newton Coppice and Hayleaslow Wood were rightly rejected because these are ancient woodland, so why would Grafton Wood be different?</p> <p>See the extent of ancient woodland around Hereford on Natural England's MAGIC maps</p> <p>http://www.natureonthemap.naturalengland.org.uk/MagicMap.aspx?chosenLayers=baplcgrassIndex,bapldacidgrassIndex,baplowmeadIndex,bapundertergrassIndex,bapucgrassIndex,bapuhmeadIndex,baplowheathIndex,bapupheathIndex,limestonepavIndex,dunesIndex,duneswallIndex,cvslIndex,bapcgmarsIndex,mcsIndex,mudflatIndex,smarshwallIndex,lagoonIndex,lagoonwallIndex,sgrasswallIndex,impmarwallIndex,substresIndex,substrwallIndex,bapbbogIndex,bapfensIndex,baplrbogIndex,bapreedbedIndex,bappmg_rushpastIndex,ancwoodIndex,orchardPIndex,orchardIndex,fclegbIndex,bapdecIndex,niwtIndex,bapwoodIndex,backdropIndex,backdropIndex.europelIndex.vmlBWIndex.25kBWIndex.50kBWIndex.250kBWIndex.miniscalBWIndex.baseIndex&box=343007:235481:354236:240950&useDefaultbackgroundMapping=false</p> <p>The key to the map can be found on the left side of the web page. See Habitats and Species: Habitats: Woodland: Ancient woodland. Ancient and semi-natural woodland is green vertical stripes. Ancient replanted woodland is brown horizontal stripes.</p> <p>I hope you will find this one of a number of reasons why this Cabinet decision was seriously flawed.</p>	Yes
Response 12	Refer to response to call in Reason 2	

Questions from Richard Stow, Rowlestone		Is question relevant to call in notice?
<p>Questions on the SWTP public consultation</p> <p>The SWTP public consultation ran from 1st July to 8th August 2014. One of the aims of this consultation was to evaluate the contribution that sustainable transport (such as walking, cycling and public transport) could make to the South Wye area. Several</p>		

	<p>questions in the survey were about the adequacy and importance of cycling and walking infrastructure. This area is relatively flat, and there are large numbers of short trips made by car, so the potential contribution of sustainable transport to encourage physical activity, and to reduce congestion, emissions, traffic noise and accidents, is very high.</p> <p>The South Wye area is already relatively well served by traffic free & traffic calmed cycle and pedestrian paths, which run across the river and into the city centre on both the west and the east, but the "sustainable transport" exhibition panel (panel 9 on the Council website, which is reproduced on page 6 of the SWTP glossy brochure) completely failed to show this existing infrastructure.</p> <p>The exhibition panel 9 and page 6 of the SWTP brochure:</p> <ul style="list-style-type: none"> - failed to show that the traffic free Great Western Way crosses the river and provides easy access to Sainsbury supermarket, the Courtyard arts centre and the OLM (Debenhams, Waitrose etc) - failed to show the connecting traffic free path along the southern river bank which continues right round Bishops Meadow with simple access to Holme Lacy Road via traffic calmed streets in Putson, and then into the EZ - failed to show the new traffic free Sustrans Connect 2 bridge and the cycle path from Rotherwas/EZ to High Town 	
Question 13	Given the expressed purpose of this consultation, why was so much of existing cycling/walking infrastructure (including both traffic free river crossings) missing from the consultation information?	Yes
Response 13	The purpose of Panel 9 of the Public Consultation and Page 6 of the SWTP Brochures was to identify the additional measures that the SWTP could provide. There is good existing infrastructure in the South Wye area and there are behaviour change programmes in place to encourage sustainable travel using this infrastructure. Most of this was shown on the exhibition panels with only some elements of existing network were not shown. Their omission has not impacted on the level of support for sustainable measures expressed in consultation feedback.	
Question 14	How can people give a meaningful response to questions about the importance or adequacy of cycling and walking infrastructure, or comment on proposed cycle ways, if they are not properly informed of what exists already?	Yes
Response 14	The SWTP considers the opportunities to complement the existing infrastructure with additional road space allocated to modes other than the private motor vehicle. The package also identifies areas where the existing infrastructure could be improved and the response to exhibition received indicated strong support for additional measures. A strong level of support for sustainable measures was expressed in consultation feedback.	
Question 15	How can the Council properly evaluate the potential contribution of	Yes

Response 15	<p>sustainable transport in S Wye, when critical information was omitted from the public consultation materials, which completely undermined the expressed purpose?</p> <p>A strong level of support for sustainable measures was expressed in consultation feedback. The errors, whilst regrettable, were not material and did not detract from either the robustness of the overall consultation process or the value of the responses received. The process was therefore not undermined.</p>	
Question 16	<p>Will the Council now re-run a proper and valid consultation on sustainable transport for South Wye, with full information on existing cycle and pedestrian paths, and covering a key issue for cycling and walking in this area: how to increase awareness and usage of the infrastructure that already exists?</p>	Yes
Response 16	<p>For the reasons given above, It is not considered necessary to rerun the consultation.</p>	

Questions from Victoria Wegg-Prosser, Breinton		Is question relevant to call in notice?
Question 17	<p>As the Marches LEP's Local Transport Board has an Assurance Framework (version 3.0, Feb 2014) which requires that the Council, as the promoter of the SWTP, must assess all scheme options using high level evaluation and comparison criteria, why was the No Road SusTMax scheme option not subject to the same level of evaluation as the Road routes?</p>	Yes
Response 17	<p>Refer to response to call in Reason 5</p>	
Question 18	<p>Why did the 'Legal Implications' [see Cl. 52 on p. 65 of the 13 11 14 Report to Cabinet] fail to point out that the Supreme Court case regarding public consultations (R v London Borough of Haringey) ruled that 'meaningful public participation ... requires that the consultees should be provided with an outline of the realistic alternatives... [where deemed that] 'the provision of such information is necessary in order for the consultees to express meaningful views on the proposal' ? [See https://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0116_Judgment.pdf Cl. 39 and 40, p. 19/20]</p>	No
Response 18	<p>The legal requirements as to what is required to constitute 'fair' consultation have been established since 1985 and the decision in <i>R v. Brent London Borough Council, ex parte Gunning</i>. The 'Gunning Principles' are that consultation:</p>	

	<p>(i) it must take place when the proposal is still at a formative stage;</p> <p>(ii) sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;</p> <p>(iii) adequate time must be given for consideration and response; and</p> <p>(iv) the product of consultation must be conscientiously taken into account by the decision-maker.</p> <p>Those 4 principles have not been changed by the <u>Haringey</u> decision referred to in the question, and the SLR consultation process meets all those requirements.'</p>	
Question 19	Who took the decision (and when was it taken) to de-couple the Southern Link Road from the sustainable transport measures in the South Wye Transport Package, so that the Southern Link Road no longer forms part of a 'Package', but is a stand-alone road building proposal?	Yes
Response 19	Refer to response to call in Reason 5	

Questions from Mr & Mrs AJ Priddle		Is question relevant to call in notice?
Question 20	<p>Area of call-in qualification: 4.5.16.5 part (a) section (b) the decision of the Cabinet has failed to "consult properly and have regard to the professional advice from its officers"</p> <p>a) Why weren't relevant planning officers consulted on heritage issues, so that PB were properly informed about local conservation priorities?</p> <p>b) Additionally, were the relevant landscape and environmental officers consulted on landscape and environmental (light and noise pollution) issues, so that PB were properly informed about local priorities?</p> <p>c) If Council Officers were consulted only after the presentation to the public on 30 June 2014, or after recommending SC2 to Cabinet, it appears that the research is following a predetermined route selection and does not follow the proper, logical process to ensure that good balanced design is</p>	<p>a) Yes</p> <p>b) Yes</p> <p>c) Yes</p>

	<p>generated.</p> <p>How can the design choice have been informed and based on proper robust research, if research follows, instead of preceding, route option choice?</p>	
Response 20	<p>a), b), c) The project team is a multi-disciplinary team drawn from officers of Herefordshire Council, Parsons Brinckerhoff and Balfour Beatty Living Places. Representatives from the Highways, Transportation and Planning teams were involved in the development of the scheme and have reviewed the reports produced by Parsons Brinckerhoff, as outlined in the report to Cabinet.</p> <p>a), b), c) Local priorities are informed by the Local Plan (currently the adopted Unitary Development Plan) which is subsequently informed by national policies which have been reviewed by Herefordshire Council and its consultants. Local priorities have been considered appropriately in the Stage 1 and the appropriate environmental receptors potentially affected by the route options identified and the correct value of for environmental receptors used.</p>	
Question 21	<p>Area of call-in qualification: Part c: this decision appears to be contrary to /outside Policy Framework</p> <p>a) Why were Core Strategy and UDP policies ignored in the design process and narrowing of route options?</p> <p>Specifically:-</p> <p>Emerging Core Strategy:</p> <p>Policy LD1 – “Landscape and Townscape”</p> <p>Policy LD4 – “Historic environment and heritage assets”, Objective 1</p> <p>UDP Part 1 Policy S7 - “Natural and Historic Heritage (section 3)</p> <p>b) Why has there been no modelling (visual, noise, light etc) to identify the impact of different routes prior to route selection?</p>	<p>a) No</p> <p>b) No</p>
Response 21	<p>a) The development of a South Wye Transport package is consistent with the Core Strategy and UDP. The planning authority would consider the planning application for the Southern Link Road in line with policies referred to in the questions at the planning stage.</p> <p>b) The appraisal of options considered these factors amongst other appraisal criteria.</p>	
Question 22	<p>Area of call-in qualification: The option appraisal process etc is contrary to Highways Agency advice and contrary to Dept of Transport WebTAG guidance</p> <p>a) Since expert advice is that typically an Environmental Impact</p>	<p>a) No</p>

	<p>Assessment takes from 6 to 12 months to complete, particularly in order to assess environmental impacts in both summer and winter, when did PB start their EIA work?</p> <p>b) Will PB be able to convince a higher authority that the haste with which this EIA will have been conducted allows for the robustness & high standards required by the EU for the protection of the environment? (see EU Directive on EIAs (rev April 2014), which state that “under no circumstances must the time-frame compromise the achievement of high standards for the protection of the environment”</p> <p>c) Since two representatives from PB have suggested that they have been put under programme constraints (one of which was minuted by PB), were the consultants, PB, put under pressure by their clients, Hereford Council, to submit a planning application in December.</p>	<p>b) No</p> <p>c) No</p>
Response 22	Written response will be provided.	
Question 23	<p>Area of call-in qualification: WebTAG guidance 2.2.6</p> <p>a) How can PB claim that there has been “on-going engagement” with English Heritage (a key stakeholder), throughout Stage 1 of the process, as required by WebTAG Option Guidance, when their first contact with English Heritage was a letter received from EH to PB dated 13th October?</p> <p>b) Why did Parsons fail to respond in detail to our representations date 14 August 2014 and particularly to our Appendix VIII “extended appraisal criteria analysis chart”? This was a detailed and careful appraisal of the merits of the original 8 routes, comparing PB’s scoring with our assessments (checked by two independent professionals). The conclusion was that SC2 was an exceptionally poor selection.</p>	<p>a) Yes</p> <p>b) Yes</p>
Response 23	<p>a) Refer to response to Call-in reason 4.</p> <p>b) The representation made on 14th August was considered but we maintain that the assessment work undertaken by Parsons Brinckerhoff was still correct.</p>	
Question 24	<p>Area of call-in qualification: WebTAG guidance 2.9.6</p> <p>We have repeatedly asked PB for an explanation of their selection criteria without success. Where is there a clear explanation of the criteria or thresholds for determining which options “pass” or “fail” in Stage 1 of the process?</p>	No
Response 24	Written response will be provided.	
Question 25	Area of call-in qualification: WebTAG Guidance 2.9.5	No

	Where is the “robust evidence” that PB did any research/ongoing consultation into ancient woodland or heritage matters at the sifting stage, to back up their decision to summarily eliminate routes SC1, SC3, SC4 & SC6, as it appears that they are now trying to bring evidence to bear to back up their earlier rushed decisions/flawed process?	
Response 25	Written response will be provided.	
Question 26	Area of call-in qualification: WebTAG guidance 2.2.11 Why have PB not substantiated their assessment of cost and the return on investment by supplying stakeholders with the detailed costings, which were requested continually over a period of 4 months, or have they been deliberately obstructive during the consultation process, because costings have not been carried out to the required level of accuracy?	No
Response 26	Written response will be provided.	
Question 27	Area of call-in qualification: Route SC2, selected by the decision, passes through designated Ancient Woodland (Grafton Wood), a factor which had earlier ruled out options How can Cabinet allow three viable routes (SC3, SC4 and SC6), which are all in Amey’s figures markedly less expensive than the chosen SC2. SC2 also has other damaging characteristics (adverse impact on heritage and landscape assets, plus noise and light pollution)?	Yes
Response 27	Refer to response to call in Reason 2	
Question 28	Area of call-in qualification: English Heritage was not consulted. How could PB design a road without consultation with the country’s leading consultees on such matters? Due process was not followed and surely the route selection process is irreparably flawed?	Yes
Response 28	Refer to response to call in Reason 4	

Questions from Hugh Bryant, Grafton and Merryhill Road Action Group		Is question relevant to call in notice?
Question 29	In relation to agenda item 5.2 Part c Why has the fact that English Heritage was not consulted by Parsons Brinckerhoff been regarded as a significant reason to call in the Cabinet decision to adopt route SC2 when Parsons Brinckerhoff have already undertaken a fair and balanced	Yes

<p>assessment of heritage issues?</p> <p>In advocating SC2 as the route to be selected, the Parsons Brinckerhoff Assessment supported route SC2 which is approximately equidistant from the listed properties of Merryhill Farm and Merryhill Barns and listed properties at Haywood Lodge. Also SC2 does not cut through the site of the medieval motte at Grafton.</p> <p>Both SC5 and SC7 would be approximately half the distance from Merryhill Farm and Merryhill Barns than SC2 would be to Haywood Lodge.</p> <p>Therefore it can be seen that heritage issues have already been fairly and carefully considered in the Assessment.</p> <p>Response 29 Refer to response to call in Reason 4</p>	
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Questions from John Harrington and The Hereford Transport Forum	Is question relevant to call in notice?
<p>Question 30 The Hereford Transport Forum submitted a proposal to Cabinet in early 2014 for a trial of traffic control/light removal on the A49 Central Corridor as it travels through the city, to include the removal of signal control at the junction of the A49 (T) and A465 at the Belmont (Asda) junction. This junction was formerly an uncontrolled roundabout but has 16 sets of lights at present. Trials and implementation of signal control removal at Poynton, Cheshire (28,000 vehicle movements a day on a single carriageway) and Portishead (Cab Stands Junction) near Bristol have been hugely successful in reducing traffic waiting times, air pollution and accidents. The team members responsible for these highly successful schemes (Ben Hamilton-Baillie of Hamilton-Baillie Associates and Keith Firth of SKM Transport) strongly believe the same approach could be successfully implemented on Hereford's A49 (T) Central Corridor through the city. As Cabinet did not reply to our proposal, which included an offer by the Highways Agency to fund the trial, for over 4 weeks (until Olwyn Barnett interceded on our behalf) and then summarily dismissed our approach it is arguable that alternatives to new road building to achieve the objectives of removing barriers to growth were not fully explored in this particular instance. Further to this the cost of a trial of traffic signal removal and traffic signal removal far surpasses the value for money benefit of the SLR. In view of the government's guidance on the application process for Growth Deals applied for through the LEPs, can the Cabinet demonstrate:-</p> <ul style="list-style-type: none"> i) that the value for money case for the interventions (quantified and unquantified costs and benefits of the strategy as a whole) was satisfactorily examined? ii) Can the Cabinet explain where they have properly and fully considered the removal of lights at the Asda/Belmont Roundabout as part of the SWTP, to help reduce congestion; greenhouse gases; improve the environment for cyclists and 	<ul style="list-style-type: none"> i) No ii) No

	<p>pedestrians in line with the objectives of Local Transport Plan and the Marches LEP and the Highways Agency?</p> <p>iii) Please provide evidence to the answer to 1(ii) above e.g. names of any personnel and records (minutes, notes, e-mails) relating to any discussions of the issue I have raised in this question (traffic signal removal)? N.B. Please note Cllr Price's later statement that the Highways Agency expressed the view that this approach was a 'non starter' has been categorically and strenuously refuted on record by the HA and in particular the manager alleged to have expressed this view to Phillip Price.</p>	iii) No
Response 30	Written response will be provided.	
Question 31	<p>When considering the case for the Southern Link Road (and SWTP in general) did the Cabinet or their agents look at the options for increased investment in public transport and did they cost the benefits of investment in new buses (council owned or subsidised private operators) versus the construction of a new road. If so, where is this evidence detail (bearing in mind, once again, the government's heavy emphasis, as part of the application process, on transparency and statistical research). In particular did they look at the potentially enormous benefits of school buses and local 'hoppers' to run regularly (say every 15mins or so during peak hours) and the effect that this increased and reliable form of transport would have on reducing cars on the road (a single bus roughly equally 30 cars removed from the road network).</p>	No
Response 31	Written response will be provided.	
Question 32	<p>Did the Cabinet or their agents consider a case for utilising the existing (disused and now pedestrianised) railway bridge and its course (Great Western Way) as a tram thoroughfare which could link the populations of Belmont, Hunderton, The Oval, Redhill and Putson to the top of Holmer Road? I believe this could be arguably considered as a requirement by the Cabinet under the government's requirement that they must confirm they are making 'the most of existing resources' when applying for funding.</p>	No
Response 32	Written response will be provided.	
Question 33	<p>Did the Cabinet or their agents consider a case for utilising the existing (disused and now pedestrianised) railway bridge and its course (Great Western Way) as a tram thoroughfare which could link the populations of Belmont, Hunderton, The Oval, Redhill and Putson to the top of Holmer Road? I believe this could be arguably considered as a requirement by the Cabinet under the government's requirement that they must confirm they are making 'the most of existing resources' when applying for funding.</p>	No
Response 33	Written response will be provided.	

Question 34	As required by central government, when applying for the funding via the LEPs, can the Cabinet give evidence of the investment matching by the local authority and by local or national business partners? I am particularly keen to hear of matching investment from the private section. Where are the details of this investment?	No
Response 34	Written response will be provided.	

Questions from Amanda Martin		Is question relevant to call in notice?
Question 35	How has the scheme appraisal process for the SLR dealt with the acknowledged phenomenon* of traffic induction caused by new roads in and around urban areas? * Standing Advisory Committee on Trunk Road Assessment report "Trunk Roads and the Generation of Traffic" December 1994 at 11.23	No
Response 35	Written response will be provided.	
Question 36	How is the SLR consistent with Key Objective 1.1 of the Council's Local Transport Plan (2013/14 and 2014/15) ("the LTP") to reduce congestion in Hereford City and increase accessibility by "less polluting and healthier forms of transport than the private car"?	No
Response 36	Written response will be provided.	
Question 37	How is the SLR consistent with the Council's commitment stated in the LTP to promoting alternatives to the private car for short to medium length journeys to and from the city?	No
Response 37	Written response will be provided.	
Question 38	How does the SLR contribute to fulfilling Key Objective 1.1 of the LTP to "maintain access for rural residents and people without access to a car"?	No
Response 38	Written response will be provided.	
Question 39	How is the SLR consistent with Key Objective of the LTP to "Provide alternatives for longer distance commuters so that they	No

	can also reduce their car use and adopt healthier lifestyles"?	
Response 39	Written response will be provided.	
Question 40	What is the NPV of the SLA and which model and appraisal process were used?	No
Response 40	Written response will be provided.	

Questions from Mr Donald I Kitchener, Grafton Lane, Hereford		Is question relevant to call in notice?
Question 41	As you want to put the road (SC2) as tight to The Green (my home) is it to have more building land to build more houses on Ashley Farm and Veddoes Farm? Are you looking to build houses on the Council Land both sides of The Green?	No
Response 41	Written response will be provided.	
Question 42	Why couldn't the road be put where the road by the wood where it was when we bought our house?	No
Response 42	Written response will be provided.	

Questions from Paige Mitchell, Hereford	Is question relevant to call in notice?
<p>Congestion creating a barrier to the development of the HEZ and the inadequacy of Sustainable Transport Measures to address that congestion</p> <p><u>Congestion</u></p> <p>The sole criteria on which the 'Sustainable Transport Max' option failed to meet objectives, either fully or partially was 'unlocking the barrier of further development' at the Hereford Enterprise Zone (HEZ) (see South Wye Transport Package, exhibition panel 8).</p> <p>The 'barrier to further development' at HEZ is identified in the Strategic Outline Case Pro-forma as congestion on the A49. Parsons Brinckerhof identify 'low network capacity [caused by] a limited number of crossing of the River Wye, resulting in significant levels of congestion along the A465 and A49.' (South Wye Transport Package Preferred Option Report, para 2.3)</p> <p>The South Wye Transport Package Report to Cabinet 13 November</p>	

2014 states the following reason for dismissing a No Road Option, specifying that '*congestion could not be reduced*' (para 1):

'No Road Option: If a route is not selected and a road scheme is not approved / route selected, the transport objectives within the South Wye area cannot be achieved. Economic growth at the Hereford Enterprise Zone would be impacted and congestion could not be reduced.'

Nationally Recognised Guidance

The Written Statement of a Key Decision Cabinet (South Wye Transport Package) states that 'nationally recognised guidance' was used 'in order to carry out a robust appraisal (para 6.). The South Wye Transport Package Report specifically refers to WebTAG (para 2) and points out that 'WebTag requires appraisal of how costs and benefits of a scheme accrue to different groups in society' (para 41).

Transport Analysis Guidance An Overview of Transport Appraisal explains the way in which Treasury Green Book Principles are applied to transport appraisal (para 1.3.1)

'The Green Book recommends the cost-benefit analysis approach to appraisal. Applying this to the transport context, transport appraisal draws together information on a wide range of impacts – it does not just consider the direct impacts on the transport users and service providers affected by the intervention, but also the impacts of the intervention on the environment, wider society and government. Analysts should seek to place a monetary value on as many of the impacts as possible to allow a direct comparison between the costs and benefits of the intervention. WebTAG provides guidance to enable option development and analysis; and the appraisal of impacts (costs and benefits) produced by each option.'

WebTAG Transport Appraisal Process specifies:

- 'There should be an auditable and documented process which identifies the best performing options to be taken forward for further appraisal.' (para 1.1.5)
- national and local policies should be taken into account early in 'Option Development Stage 1' (Fig 1)
- * 'as wide a range of options as possible should be considered, including all modes, infrastructure, regulation, pricing and other ways of influencing behaviour. Options should include measures that reduce or influence the need to travel, as well as those that involve capital spend. Revenue options are likely to be of particular relevance in bringing about behavioural change and meeting the Government's climate change goal.' (para 2.8.2)
- 2.8.3 Studies should not start from an assertion about a preferred modal solution, or indeed that infrastructure provision is the only answer. Following the Eddington Transport Study², Sponsoring Organisations will be looking to encourage the better use of existing infrastructure and avoiding "solutions in search of problems". In this context, it is recognised that small schemes can represent high value for money.

	<ul style="list-style-type: none"> 2.8.9 Options should represent reasonably discrete interventions, such as light rail versus guided bus. In contrast, the difference between alignments of a possible road might best be thought of as variants around an option, unless there are clear differences in costs and / or benefits for different alignments. <p><u>Transition to sustainable transport modes as thrust of Local Transport Plan</u></p> <p>Local Transport Plan Policy 'has two main focuses' of which the first applies to Hereford City</p> <p>'Reducing congestion in Hereford City and increasing accessibility by less polluting and healthier forms of transport than the private car. We aim to:</p> <ul style="list-style-type: none"> 'Reduce short distance car based trips transferring as many as possible to less polluting and healthier modes such as walking and cycling' <p>The LTP states that 'that 'Cycling offers an alternative for short trips of up to five miles' and that one benefit of encouraging cycling is:</p> <ul style="list-style-type: none"> 'Reduced congestion, particularly if focused on peak hour trips. At peak times along radial routes in many urban areas, cycling will typically be faster than using a car or bus.' (p29) <p>The Council has stated:</p> <p>'Most of the traffic in our towns and city is for short local journeys – there are about 10,000 journeys made by car each morning and evening in Hereford by people travelling within the city. If we can help just 20% of those people to walk, cycle or use the bus instead of cars the road network will be like it is in the school holidays all year round.' (Herefordshire Council (2012) Local Transport Plan (2012-2015) Consultation – Autumn 2012, p6. Unusually, the Council has removed all traces of this document from its website)</p> <p>Given the above, please answer the following questions:</p>	
Question 43	At what stage was the barrier to development at HEZ established and by whom?	No
Response 43	Written Response will be provided	
Question 44	What data on the origin and destination of traffic on the congested A49 and A465 was considered in developing and evaluating the options for the South Wye Transport Package?	No
Response 44	Written response will be provided	
Question 45	What national policy, particularly on sustainable development and the new sustainable development indicators, was used to guide option development as indicated by WebTAG?	No
Response 45	Written response will be provided	

Question 46	Given that the Southern Link Road is considered as the first phase of the Hereford Relief Road (Parsons Brincherhof Spira 2.2.1) what consideration was given to the National Planning Policy Framework NPPF para 177 which states that 'infrastructure and development policies should be planned at the same time, in the Local Plan.'	No
Response 46	Written Response will be provided	
Question 47	Where is the monetised cost and benefit appraisal for the Sustainable Transport Max option as required by WebTAG? Why was this not presented to the public to put the evaluation of the effectiveness of each Option into the context of overall costs? What cost comparisons between the three options were put to the public?	No
Response 47	Written Response will be provided	
Question 48	How were the potential contributions of sustainable travel modes to achieving policy objectives modelled?	No
Response 48	Written Response will be provided	
Question 49	Where is the Appraisal Summary Table for the 'Sustainable Transport Max' option?	No
Response 49	Written Response will be provided	
Question 50	How does this process conform to the Constitution's Decision-Making principle f: explain what options were considered and give the reasons for the decision.	No
Response 50	Written Response will be provided.	

MEETING:	GENERAL OVERVIEW AND SCRUTINY
MEETING DATE:	2 DECEMBER 2014
TITLE OF REPORT:	RESPONSE TO SOUTH WYE TRANSPORT PACKAGE CALL IN
REPORT BY:	Assistant Director Place Based Commissioning.

Introduction

1. The South Wye Transport Package was considered by Cabinet at its meeting on 13 November 2014.
2. Cabinet considered a detailed report on the subject. This considered the consultation responses received and sought confirmation of a preferred package for a new link road from the A49 to the A465.
3. At the meeting, Cabinet resolved that:
 - (a) **Route SC2 is selected as the preferred route for the Southern Link Road (SLR);**
 - (b) **Authority is delegated to Assistant Director Place Based Commissioning to prepare and submit a planning application for a scheme along route SC2; and,**
 - (c) **Subject to planning consent being obtained authority is delegated to the Assistant Director Place Based Commissioning to continue detailed design of the scheme and develop proposals for land acquisition. A further report will be prepared for cabinet outlining land and property acquisition plans and draft orders in due course.**
4. Subsequent to the meeting, the decision (Ref: 2014-15.Cab.022.Key) was called in under the relevant provisions of the Council's Constitution.

Background

5. As outlined in the report to Cabinet, the aim of the South Wye Transport Package is to promote economic growth within Hereford, while tackling specific problems in the South Wye area. The provision of transport infrastructure and improvements will achieve this by unlocking the barriers for both housing and economic growth, including land at the Hereford Enterprise Zone (HEZ).

The aims of the South Wye Transport Package (SWTP) are:

Economic:

- Reduce congestion and delay
- Enable access, particularly to developments such as the HEZ

Environmental:

- Reduce the growth in emissions such as CO₂, NO_x and PM₁₀s
- Reduce traffic noise

Health:

- Encourage physical activity
- Reduce accidents

6. The South Wye Transport Package has been developed to bring forward transport improvements in accordance with the Council's Local Transport Plan strategy for Hereford. It is also consistent with the adopted Unitary Development Plan, emerging Local Development Framework and the Strategic Economic Plan for the Marches Local Enterprise Partnership.
7. The report and recommendations to Cabinet were based upon considerable technical appraisal work carried out by a multi-disciplinary professional project team. This team brings together expertise from the relevant departments of the Council and our service delivery partners Balfour Beatty Living Places and consultants Parsons Brinckerhoff. The remainder of this report provides a response to each of the reasons identified within the Notification of Call-In. Representatives from Balfour Beatty Living Places and Parsons Brinckerhoff will be in attendance to explain these responses to the Committee and respond to questions. They are:
 - a. Andy Williams BSc DMS CEng MICE– Contract Director (Balfour Beatty Living Places)
 - b. Martyn Brooks BSc MSc MCIHT MCILT– Director of Local Government Services (Parsons Brinckerhoff) – Project Review Lead / Transport
 - c. Ben Pritchard MSc BA (Hons) CILT – Regional Director, Highways & Transportation (Parsons Brinckerhoff) – Project Director
 - d. Marc Thomas, BSc (Hons) MSc AEMA – Associate (Parsons Brinckerhoff) – Environmental Impact Assessment Lead
 - e. Phil Davidson, BSc (Hons) CEnv MCIEEM - Principal Ecologist (Parsons Brinckerhoff) – Ecology Lead
 - f. Jason Collins, BSc (Hons) MSc (Eng) TPP MCIHT PRINCE2 Practitioner - Regional Associate (Parsons Brinckerhoff) – Transport Lead
 - g. Gary Dymond, BEng (Hons) CEng MICE MCIHT -, Regional Associate (Parsons Brinckerhoff) – Highways Lead

Key Considerations

8. The following table identifies each of the reasons identified in the Notification of Call-In and provides the response from the project team.

	<p>Reason 1:</p> <p><i>“The option appraisal process, and thus the consequent decision, is contrary to the Local Transport Plan Network Capacity management hierarchy (LTP 2013/14-2014/15 Policy: p3 and Policy LTP HN2), contrary to Highways Agency advice and contrary to Department for Transport WebTAG guidance. [ref part c above]”</i></p>
	<p>Response to reason 1:</p>
	<p>1.1 The South Wye Transport Package which comprises a new Southern Link Road and complementary package of sustainable transport measures within the South Wye area is entirely consistent with the council’s current Local Transport Plan. The Local Transport Plan comprises two main documents entitled:</p> <ul style="list-style-type: none"> • Local Transport Plan Strategy and Delivery 2013-2015; and • Local Transport Plan Policy 2013-2015 <p>1.2 In understanding the policy context it is important to read the two documents together. The Local Transport Plan Strategy and Delivery document sets out an overall transport strategy for supporting economic growth. Whilst this document now covers the period to 2015/16, it does set out the context for the development of a longer term strategy on page 12. This highlights that the Council is committed to working with the LEP to bring forward infrastructure projects. It states that the Council will seek to “secure funding for schemes which will help us deliver our growth and regeneration proposals focused on Hereford and the Rotherwas Enterprise Zone.” Specific mention is also made to developing “the Belmont Transport Package,” which was the earlier name for the South Wye Transport Package (prior to the scope being widened to cover the whole South Wye area).</p> <p>1.3 The Local Transport Plan Policy document is consistent with the approach outlined in the strategy document. Regarding the specific points highlighted in this reason for call-in, the following matters are relevant.</p> <p>1.4 Firstly, the Network Capacity Management Hierarchy in the Local Transport Plan (Policy LTP HN1, page 24) refers to the approach the council will take to deal with recurring congestion issues. The option assessment approach adopted for this project has been entirely consistent with this policy.</p> <p>1.5 As outlined in the Cabinet report, three initial scenarios were developed, fully in accordance with Policy HN1 and HN2 (which cross refers to step 2 of the Network Capacity Management Hierarchy):</p> <ul style="list-style-type: none"> • ‘Sustainable Max’ which represented step 1 - demand management; • ‘Traffic Max’ which collectively represented steps 2 to 4 – network management, targeted engineering improvements and road widening; and

	<ul style="list-style-type: none"> • ‘Southern Link’ which represented step 5 – new road building. <p>1.6 In addition, the sequential test requirements of policy HN1 were further re-enforced with an additional step to ensure the selected option would best address the identified problems and deliver our transport policies, particularly in respect of environment and health. This was done by adding the components of the sustainability max option to the southern link option. This combined option then became the recommended preferred option. This approach is also consistent with the Option Assessment (OA) process contained in WebTAG which helps scheme promoters identify an option to take into an outline business case. (WebTAG – the Transport Appraisal Process guidance published by the Department for Transport)</p> <p>1.7 Following on from Policy HN2 on page 25 of the Local Transport Plan Policy document, the approach to Highway Network Expansion is outlined and states “To deliver growth identified for Hereford, in line with our Network Capacity Management Hierarchy, new highway infrastructure is required”</p> <p>1.8 The principle of the preferred option was tested by the Local Enterprise Partnership (LEP) when it prioritised the South Wye Transport Package strategic outline business case against their adopted Assurance Framework (which is based on WebTAG case criteria) which includes local and national policy in the strategic case element of the business case. The outcomes of that test and the award of funding is evidence that the LEP has accepted the merits of the scheme and that they are well founded.</p> <p>1.9 The Highways Agency has accepted work undertaken to date as appropriate. This is confirmed in their written response to our recent public consultation. The project has complied with their recommended option assessment process. The Highways Agency has been engaged throughout the development of the scheme and will continue to be involved as the scheme progresses.</p> <p>1.10 WebTAG is guidance issued by the Department for Transport for option development and scheme appraisal. The approach adopted is consistent with WebTAG and this is explained through the following responses to detailed points within the appraisal.</p> <p>1.11 It is clear from the funding award made by government and the LEP, that both are satisfied with the approach that has been taken in developing the scheme to date.</p>
	<p>Reason 2:</p> <p><i>“Route SC2, selected by the decision, passes through 2014 designated Ancient Woodland (Grafton Wood), a factor which had earlier ruled out four other route options in Parsons Brinckerhoff’s (PB) appraisal. [ref part a (b) and (e) above]”</i></p>
	<p>Response to reason 2:</p>
	<p>2.1 In accordance with Highways Agency advice, and in order to meet scheme objectives, the new link road design must be compliant with national highway standards and should connect with the A49 at the existing roundabout junction of the A49 with the Rotherwas Access Road.</p>

	<p>2.2 Detailed botanical survey work was undertaken in 2014 as part of the appraisal. Ancient woodland formed part of the overall biodiversity resource assessed during the WebTAG AST work. Wherever possible the project has sought to avoid woodland within the corridor area.</p> <p>2.3 As a result, four routes which impacted directly on the ancient woodland of Hayleasow Wood /Newton Coppice were discounted, three of which also impacted on Grafton Wood and the fourth which would not comply with highway design standards. This was possible as other route options which would comply with highway design standards were available which meant that this area could be avoided whilst still meeting scheme objectives.</p> <p>2.4 The area of Grafton Wood cannot be avoided by any of the remaining routes which comply with Highways Agency requirements to deliver a scheme to national highway standards and which will join the A49 at existing roundabout with the Rotherwas Access Road.</p> <p>2.5 The route proposed through Grafton Wood will be designed to minimise impact and ensure that any remaining impact is mitigated. Residual impacts will be mitigated and compensation provided in the form of replacement and supplementary planting, with detailed proposals to be presented in the Project Environmental Statement which will form part of the planning application for the scheme.</p> <p>2.6 The approach outlined above is in accordance with the environmental impact hierarchy of avoidance-minimisation-mitigation-compensation, as set out in the National Planning Policy Framework Guidance.</p> <p>2.7 All five ‘woodland’ blocks within the ecological study area have been surveyed. Grafton Wood was surveyed by two experienced Parsons Brinckerhoff Ecologists on 8 April 2014, during an Extended Phase 1 Habitat Survey. The ecological characteristics of Grafton Wood, as assessed via that survey, gave no indication that the habitats present might constitute ancient woodland. Targeted botanical surveys of all woodlands within the study area were completed. This survey work identified that Grafton Wood contains substantially fewer ancient woodland indicator species, and fewer botanical species overall, than the other four woodlands. The habitats present are, indeed, not best classified as woodland. Out of the five woodlands surveyed, Grafton Wood has the fewest features that are characteristic of ancient woodland.</p> <p>2.8. Grafton Wood was included on the local AWI on the basis of historical mapping, i.e. mapping dating from 1885 and subsequently was used to infer the ancient status(or otherwise) of woodlands. Some sites were also subject to field survey, although this did not include Grafton Wood. Documentation from the Local AWI work recognises that assigning ‘semi-naturalness’ to sites via historical mapping analysis is not a fully robust approach. It identifies that field survey is required to confirm whether a wood can be classified as semi-natural.</p> <p>2.9 The following photographs provide the committee with aerial and ground level views of Grafton Wood and Hayleasow Wood /Newton Coppice which highlights the points made above.</p>
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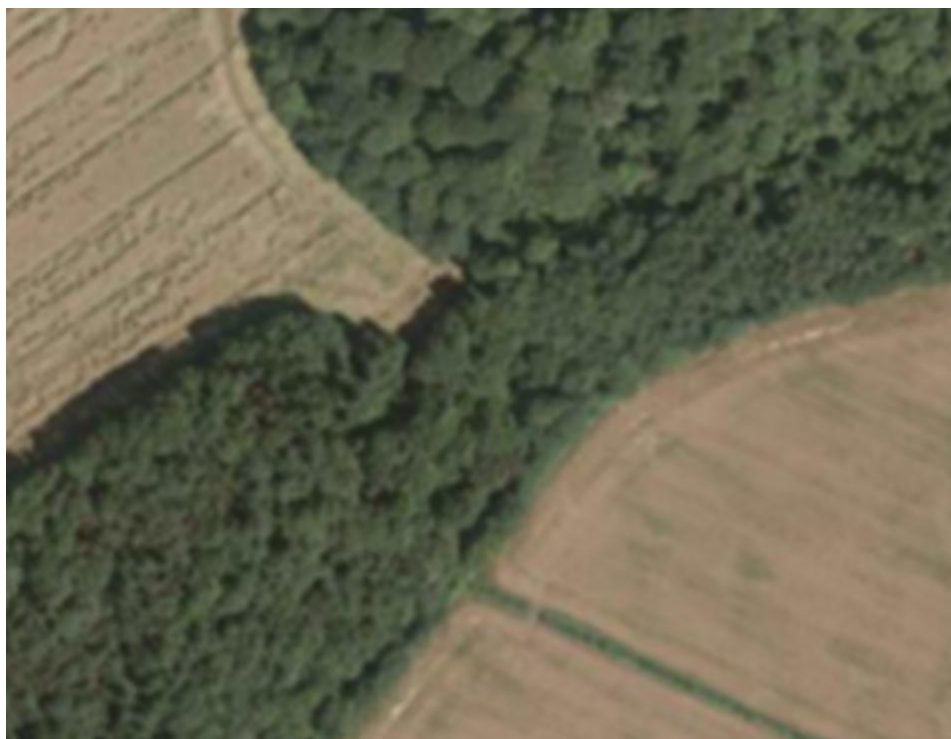
Aerial Photo of Grafton Wood with SC2 route outline:



Ground View of Grafton Wood:



Aerial Photo of Hayleasow Wood /Newton Coppice



Ground View of Hayleasow Wood /Newton Coppice



	<p>Reason 3:</p> <p><i>“PB’s Appraisal Summary Tables (Appendix 1) shows 10 benefits, 8 of which are graded “Slight”. The only “Major” benefit identified is to ‘Regeneration’, citing “planning conditions that presently limit development at the Enterprise Zone to be extinguished”. These limits have been specified to Council and the LEP as capacity constraints on the A49; yet PB’s Report states (7.5.2 and 7.6.2) that, once the SLR is built, there will be “an increase in traffic along the A49”.”</i></p>
	<p>Response to reason 3:</p>
	<p>3.1 It is important to clarify the relevant sections of the Preferred Option Report and correctly identify the benefits when responding to this reason for call-in described above. The Appraisal Summary Tables referred to are contained within the South Wye Transport Package Preferred Option Report which formed Appendix 1 of the report to Cabinet.</p> <p>3.2 Appendix A of the Preferred Option Report shows the Appraisal Summary tables for the different SLR options <u>without</u> any of the complementary sustainable transport measures in place. Route SC2 is shown to have 11 benefits. Seven are graded ‘slight’, three are graded ‘moderate,’ and one is graded ‘major’.</p> <p>3.3 However, the cabinet decision was based on the overall benefits of the South Wye Package. Appendix B of the Preferred Option Report shows that SC2, plus the complementary sustainable transport measures, generates 13 benefits. Of these, six are graded ‘slight’, six are ‘moderate,’ and one is ‘major’. This is greater than that quoted in the reason for call-in and clearly illustrates the additional benefits which the wider SWTP provides.</p> <p>3.4 The increase in traffic referred to in paragraphs 7.5.2 and 7.6.2 of the Preferred Option Report takes place over short sections of the A49, focused on the approaches to the proposed junction with the Rotherwas Access Road. This reflects traffic choosing to travel via this section of road to access the new SLR. For most of the A49, and more generally within the local area, there is a reduction in traffic flow. This is shown by reference to figures 16 and 17 of the Preferred Option Report which have been extracted and follow at the end of this report. The detailed results shown on these diagrams will be explained by the project team at the meeting.</p> <p>3.5 The traffic model shows that the SLR is fulfilling its intended purpose. It has created spare capacity on the A49 and surrounding area by traffic diverting to the new route, and in the modelling carried out this has been partially filled by new development, some of which is traffic from the Enterprise Zone. That is, the appraisal shows that the SLR will fulfil its dual economic function of both reducing congestion and delay, and allowing development in the area to proceed.</p> <p>3.6 Whilst there are isolated links in the traffic model which show a small increase in traffic with the SLR in place, in either the AM or PM peak periods, this merely serves to illustrate the balance required between creating traffic relief through construction of the SLR and then allowing development to proceed to meet the aspirations of the Enterprise Zone. The precise</p>

	amount of development permitted will need to be agreed with the Highways Agency in accordance with the Local Development Order.
	<p>Reason 4:</p> <p><i>“English Heritage and Sustrans were not consulted. The summer 2014 consultation was on the SWTP, but the SLR has been de-coupled from the Package for separate appraisal and decision, without the package of sustainable transport measures (Sustainable Transport Max) thus rendering the consultation responses un-sound as evidence – whether in support or otherwise – of the SLR alone. [ref part a (b) above]”</i></p>
	<p>Response to reason 4:</p> <p>4.1 English Heritage and Sustrans were consulted as part of the project. The consultation carried out over the summer 2014 was advertised through Herefordshire Council website, advertised on local radio, Facebook, Twitter, Hereford Times, in local communities by way of posters and display stands. There were 37 sites across Herefordshire with in excess of 1250 brochures made available to the public and monitored weekly. At the 4 day public exhibition 199 people signed the attendance register and there were 255 consultation responses received.</p> <p>4.2 Consultation responses were not directly requested from English Heritage or Sustrans in the 2014 consultation. Our appraisal work was presented at the public consultation, taking into account heritage features and the cycle network amongst many other factors. This appraisal information was freely available to all through the wide range of media identified above.</p> <p>4.3 Although Sustrans did not provide a response as part of this consultation, we are in regular discussion with them about a number of cycle infrastructure projects across the county. We have a good working relationship with them and have delivered a number of projects in partnership (including Connect 2 project). As part of these ongoing discussions we are working with Sustrans regarding the detailed design for locations where the National Cycle Network will cross the southern link road and to take forward the wider package of sustainable transport measures.</p> <p>4.4 Herefordshire Council and its consultants consulted with English Heritage, Sustrans and other statutory and non-statutory consultees early in the Stage 1 process in 2012 as part of the Corridor Assessment study and as part of the Belmont Transportation Study in late 2012. Comments raised by English Heritage were considered in the Stage 2 Environmental Assessment Report which formed the basis of the environmental Appraisal Summary Tables (ASTs) in the Preferred Options Report.</p> <p>4.5 Although there was no legal requirement to separately consult again with English Heritage, Herefordshire Council advised English Heritage by email on 1st August 2014, during the consultation period, that the appraisal process had taken account of heritage features and that the Council would be in contact regarding statutory consultation as part of any future planning application. A letter was received from English Heritage dated 13th October 2014 and this was included in the Consultation Report.</p>

	<p>4.6 It is not correct to assert that “the SLR has been de-coupled from the Package for separate appraisal and decision”. The Preferred Option Report presents results for both ‘without package’ (Appendix A) and ‘with package’ (Appendix B). The report to Cabinet made it very clear that the decision was to be based on both the SLR and the wider package of sustainable transport measures (e.g. paras 18 and 35).</p> <p>4.7 The reason the Cabinet report recommendation states “route SC2 is selected as the preferred route for the Southern Link Road” is due to the SLR requiring a planning application to proceed. In contrast, the sustainable transport measures can be implemented within the existing highway boundary by the council using Traffic Regulation Orders and its other powers as Highway Authority.</p>
	<p>Reason 5:</p> <p><i>“Further routes identified post-consultation as SC8, 8a and 9 “were given the same intensity of appraisal as other routes”. Yet the ‘No Road’ option, favoured by the second largest percentage of respondents, has not been given any detailed or intensive appraisal. [ref part a (b) above]”</i></p>
	<p>Response to reason 5:</p>
	<p>5.1 The consultation results show considerable support for the provision of a road and it is important to be clear on the responses received. The consultation questionnaire asked respondents : “For the Southern Link Road, which option on the brochure map do you prefer if a new road were part of the solution?” The responses were:</p> <ul style="list-style-type: none"> - SC2 - 35% - SC2A - 23% - SC5 - 8% - SC7 - 8% - No road - 26% <p>5.2 It can be seen from the above that 74% of respondents preferred one of the road options.</p> <p>5.3 The No Road option was first assessed as part of the sequential tests requirements as represented by the Sustainable Max and Traffic Max options. The level of assessment undertaken at that stage was consistent across all options and commensurate with that stage in the process, as advised by WebTAG.</p> <p>5.4 It is incorrect to assert that the No Road option has not been given the same intensity of appraisal as the ‘with road’ options. The Preferred Option Report compares each ‘Do Something’ with the ‘Do Minimum’. Each Do Something includes a version of the SLR and the Do Minimum excludes it. That is, the Do Minimum, against which all road options are compared, is the same as the No Road option. WebTAG requires us to undertake the same level of appraisal for both the Do Something and Do Minimum, and this has been achieved.</p> <p>5.5 We will continue to follow this approach for subsequent stages of project development to</p>

	make sure that the projected benefits of the Package remain achievable.
	<p>Reason 6:</p> <p><i>“The SWTP ‘Package Assembly Report’, cited in 1.1.3 and 10.6.1 of PB Preferred Option Report was not available as part of the papers to Cabinet. [ref part a (b) and (e) above]”</i></p>
	<p>Response to reason 6:</p>
	<p>6.1 The reference to the Package Assembly Report (PAR) within the Preferred Option Report was an error. The Council has commissioned Parsons Brinckerhoff to produce the PAR, which will provide details of the sustainable package of transport measures. However, that work is not yet completed and therefore there is not yet a PAR in existence. It only becomes desirable to have a PAR in place as part of the planning application process.</p> <p>As appropriate for this stage of the overall process, an outline of the sustainable package of measures has been developed. This was consulted on in our Summer SWTP exhibitions. As indicated, Parsons Brinckerhoff has been commissioned and are progressing development of the detail of these measures. The PAR will be finalised and will form part of a set of documents which would be submitted as part of a planning application for the southern link road element of the South Wye Transport Package.</p> <p>The package of measures was referred to within the cabinet report, but it does not influence the route selection for the SLR. As the PAR is not yet finalised, it was neither referred to in the Cabinet report, not relied upon by the report author in preparing that report. As it is not finalised, it was not relied upon by Parsons Brinckerhoff in preparing their report. Accordingly, it is therefore not a background paper.</p>

Supplementary information in relation to Response to reason 3

Extract:

South Wye Transport Package Preferred Option Report – 2017 Traffic Flow diagrams figures 16 and 17

