

# Application for Development Consent to complete the Heysham to M6 Link Road

## Reference TR010008

Unique reference no: XXXX

### Response to Highways Agency Statement May 2012

The Highways Agency (HA) Statement of May 2012 has some omissions of fact, and makes assertions which are at variance with statements made to the North West Transport Roundtable (NW TAR) in response to questions raised over the past few months. These responses have been submitted as Appendix 1 and 2 to the Written Representation of NW TAR: references and quotes below are to the response in Appendix 2 (April 2012). Most seriously, the statement reveals that the revised slip road layouts at J34 are departures from standard, whereas it was stated previously that reduced traffic volumes required only a lesser standard of slip road design. The main comments are as follows:

1. HA 2.1 states that the HA was formally consulted in the Heysham M6 Link (HM6L) in 2006, and directed (2.2) that should the application be approved it would require agreed highway improvement works at J34. The MSBC in July 2005, which includes an upgrade of J34 broadly similar to the current proposal, states (eg D 4.1) that meetings had taken place with the HA, that verbal support had been given and written confirmation was awaited, and (E1) that a funding contribution had been requested from the HA. Whether or not the meetings prior to July 2005 were formal consultation, it is surprising that they are not even mentioned, and the clear implication of the meetings and support is that the 2005 layout was acceptable to the HA at the time.
2. The HA statement fails to mention that what happened in 2006/07 was a direction by the HA to amend the previous layout, increasing the cost of J34 works by £3.5 million. The main change lengthened the southbound on-slip requiring the Grimeshaw Lane M6 overbridge to be demolished and rebuilt. The HA response to NW TAR explains that *"The original design of slip roads, as submitted as part of the planning application in 2005, complied with DMRB design standards current at that time. However, in 2006 a new design standard was issued, namely TD 22/06."* This affirms that the 2005 scheme would have been acceptable to the HA, but the changed standard led to the demand to change the layout.
3. HA 3.7 contains the rather odd statement that departures from design standards can be made where a case can be made that safety is not compromised. If safety is not compromised by departure from a standard (which is one step further than a relaxation), it is questionable why the standard is as it is. The following sentence in HA 3.7 gives a more reasonable explanation for departures, *"be they historical or **due to environmental/economical** (sic) **constraints that outweigh any adverse effects on safety**"* (my emphasis: historical often means that the layout conformed with the standards of the time at the forecast traffic levels, but could be due to previously granted departures).

4. HA 6.3 states that 'Departures from Standard' are sought for each of the four slip roads in the current layout. This is not what the HA response to NW TAR in April 2012 says:

*"Traffic forecasts from the previous traffic model, when set against the new DMRB design standard TD 22/06, necessitated provision of a 'Type H' ghost island merge layout complete with auxiliary lane for both the northbound and southbound merges. They also necessitated a 'Type B' parallel diverge layout, again complete with auxiliary lane, for the southbound diverge. Junction 34 traffic forecasts from a new traffic model (see answer to Qu.4), however, are significantly lower and only necessitate provision of a 'Type C' ghost island merge layout, without auxiliary lane, for the northbound and southbound merges and a 'Type A' taper diverge layout (no auxiliary lane) for the southbound diverge."*

In other words, the reduction in forecast traffic volumes necessitates a lesser standard of layout than was required for the previous forecast traffic volumes, even under the (presumably) more stringent standards of TD 22/06. What we are now being told is that the lesser standard is in fact a departure from the standards in TD 22/06.

5. Whilst the parameters for the various layouts are set out in TD 22/06, it is not easy to discern in what way the forecast traffic volumes for J34 crossed a threshold between the 2005 and 2009/10 forecasts, such as to justify adoption of the lesser standards. The HA has used the argument, but not provided the data to corroborate. If the layouts are indeed departures, then of course no thresholds need have been crossed.
6. The layout changes to J34 in 2010 were part of the cost saving exercise demanded by government for the scheme to gain supported pool status. The changes saved £1.78 million on the southbound slip roads (BAFB: plus approx £120,000 savings on northbound on-slip included in Shefferlands savings, mostly due to level changes), which is 1.3% of the 2008 scheme cost. It now appears that these savings have been achieved, not through a change justified by reduced traffic volumes, but by a change requiring a departure from standard.

In summary:

- The 2005 J34 layout was to an acceptable standard at the time
- The standard changed in 2006, and the HA insisted on a higher standard of slip road layout at significantly increased cost to the scheme
- A lesser standard similar to the 2005 layout was proposed in 2010, to save costs, and is the J34 layout now before the Examination
- The justification to date for the reversion to the lesser standard has been that lower traffic volumes only necessitated a lower standard
- It now appears that there is no justification as such for adoption of the lesser standard, rather that it is a formal departure from standard
- By definition, a departure from standard compromises safety, and even if a risk assessment concludes that the degree of compromise is 'acceptable' in the circumstances, the fact remains that safety is being compromised to save a relatively small amount of money

It is in my view difficult to argue that the relatively minor economic benefit outweighs the safety harm, when done as part of an overt cost-saving exercise. Up until that point, the decision had been that the extra costs imposed by the new standards in TD 22/06 had to be and would be borne, so why should that principle suddenly be abandoned?

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19 May 2012