

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

## **Reference TR010008**

### Summary of Written Representation

Unique reference no: 10015136

This is a personal submission by Alan James in objection to the application by Lancashire County Council (LCC) to complete the Heysham-M6 Link (HM6L). It primarily covers the inadequate assessment of alternatives to HM6L, but with a separate section on the reliability of current scheme cost estimates, and an important Appendix 1 on the destruction of bat roosts (this was intended to be part of the TSLM submission on Ecology, but there have been last minute practical problems: and it is relevant to the comparison of northern and western routes, as explained in the main submission).

There are three related strands on alternatives:

1. The 2007 inquiry Inspector's report and recommendation should not be regarded as having definitively established the need for the scheme or that it should be on the northern route. There were in my view three issues surrounding the Inspector's conclusions: firstly that there was no reference to the failure to follow WebTAG guidance in identification and refining of options down to a preferred option; secondly, that the acceptance that a western route was 'unbuildable' and would be 'unlawful' was questionable and is now even more so; thirdly that the onus was on objectors to come up with non-road options when LCC failed to do so.
2. The elimination of the western route was based on a flawed appraisal of impacts on the Morecambe Bay SAC/ SPA, which means that the confirmation of a northern route as the only possible road solution is unsound. The appraisal of impacts on the Morecambe Bay SAC and SPA failed to do what is asked for under Article 6 of the 1992 European Habitats Directive, by not doing (or not completing) an appropriate assessment, using the best available scientific evidence, of the significance of impact of a western route on the integrity of the SAC in relation to its conservation objectives. The Consultant's report, on which the legal opinion was based which led to the western route being described as unbuildable and unlawful, did little more than compile a scoping list of impacts that could potentially occur, then invoke the precautionary principle that since there was an alternative northern route this should be adopted to obviate the possibility of any of these impacts happening. This is not acceptable in terms of the assessment procedures for a SAC, and is still more unacceptable given the range of environmental impacts of the northern route that were unleashed by this conclusion.

3. The possibility of a solution not involving major road construction has never been meaningfully assessed, because LCC has had an unwavering policy ambition to build a link road since at least 1949, and did not present any meaningful non-road options in the MSBC in 2005. It was in my view unreasonable to put the onus on objectors at the 2007 inquiry to fill the vacuum by coming up with non-road options. There should have been an audit trail of rejected options, including non-road options, with reasons for rejection, and objectors could have tested the validity of LCC's reasoning. As it was, it appears that it was up to objectors to devise, promote, and defend their alternatives, starting from a blank sheet. LCC commissioned a report from Faber Maunsell, completed in 2008, to outline demand management measures that could be adopted as 'complementary' measures to the link road. A report by me to TSLM in 2010 argues that elements of the Faber Maunsell package could be assembled as a standalone LTP Major Scheme costing about £30 million at 2008 prices. There is no need for them to be regarded as purely complementary to the link road, and LCC have not produced evidence to support the assertions either that these measures need the link road to free up roadspace on the existing network or that the measures on their own would not achieve enough. The relevant section of my report is appended to this Written Representation as Appendix 2.

The reliability of current scheme costings is understood to have been accepted by the Examining Authority at the Preliminary Meeting on 3 April 2012 as a valid subject for the Examination. The cost savings claimed for the scheme changes in 2010 (as part of the Comprehensive Spending Review), are questioned with reference to the raising of the road profile at Shefferlands Roundabout. The explanation of how the savings came about is contradictory, and the items now established to have yielded the greatest savings against the 2010 cost estimates were not even mentioned in LCC's Best and Final Bid in January 2011, on the basis of which the scheme was confirmed as having supported pool status.

A further serious problem with the costings is that the Best and Final Bid states that the outturn cost of £123.25 million is based on June 2010 prices with a 2.7% inflation allowance for a construction period from autumn 2012 to early 2015. In fact the cost base is November 2008: and the construction start date is now summer 2013. It is calculated, using the format of LCC's spreadsheet for inflation calculations and using the same assumptions of 2.7% inflation, that the changes needed for the inflation allowance could add £13 million to the outturn scheme cost, all of which would have to be borne by Lancashire CC.

I wish to make clear, in particular with reference to point 2 above, that I do not support any new major road link scheme. My view is that a solution to such access problems as exist for the Morecambe/ Heysham peninsula can be found in sustainable transport measures which reduce traffic demand, at most supported by minor improvements to the local road network. This view is reinforced by recent evidence that traffic volumes on the local road network have declined in recent years, and the forecast journey time savings with the link road in place reduced by at least 40% between the 2005 and 2009/10 modelling.

Alan James  
8 May 2012