

Responses from the Halton Resident's Group Unique ref no [REDACTED] to Submissions by Lancashire County Council, Lancaster City Council and the Environment Agency.

## **Section 1. Impact on Safety at Halton**

Church Brow and High Road.

Lancashire County Council (4.4.2) state that the scheme will remove a “rat-run” using Denny Beck and Foundry Lane and claim that the scheme will “improve safety” on two roads. The reduction in traffic here would “improve the safety of pedestrians and cyclists” in Halton. But the consequent significant increase in danger for all road users on the two roads, Church Brow and High Road, which form the centre of village life and have many more houses, is not addressed.

Only to state that the Low Road and Foundry Lane will be safer and to present this as an overall improvement for Halton without openly dealing with the consequences for the village elsewhere—and where it would be most affected--is deceptively unbalanced. The implication that Halton would be safer is contrary to common sense.

This way of presenting the scheme leaves residents with a clear understanding that their safety is being

sacrificed by an applicant who claims to be stopping a rat-run only to replace it designedly with another in a more sensitive, dangerous and populous area.

For the village of Halton the “improvement “ is no such thing but rather serves to mask the planned shift of traffic volumes from a trunk road (the A683 to the M6, junction 34) on to a narrow and twisting class “C” road which runs through the conservation area of an historic village.

The pressing fear that assails residents is that, as a direct consequence of the scheme, accidents will surely occur. The responsibility would be borne by those who failed to provide a proper, independent and professional Road Safety Audit. An application that lacks this essential element lacks a sense of full responsibility.

### St Wilfrid’s Parish Church – Dangers to the People and Structures

We are very greatly concerned that Lancashire CC has not addressed the issue of traffic damage (from collision and vibration) to the village Conservation Area walls and gate piers, to St Wilfrid’s Parish Church (grade 2 listed), and to pedestrians, cyclists and car users.

The fact that regular services such as weddings and funerals attract large numbers of people, many of whom are unaware even of the present dangers, should have

been specifically included in an adequate Road Safety Audit.

The levels of danger that the scheme would add for people using Church Brow and for Church visitors is obvious and yet has been totally ignored.

Lancaster City Council.

Where the Lancaster City Council's submission mentions Halton (Section 9) it simply repeats the wholly unsubstantiated and generally contested claim that Halton residents, 10 years ago, asked for a link. This crucial claim remains spurious. Even if valid—as it is not-- the 74% increase in traffic was then unknown by any party and would self-evidently have influenced people's views had it ever been discussed.

The City Council states that residents in Halton will “notice a significant change”. This is an unhelpful understatement. It not only refuses to examine the risks for families that live here but shows that it does not consider the fact that the increased risk will be for all, for every road and pavement user wherever they live.

It is our shared and firm conviction that this part of Halton will become virtually uninhabitable by young families, and most probably by car-owners attempting to join the traffic.

For the Council this “significant change” has “other benefits”. This is a high-handed judgement to make where people’s safety, well-being and even lives are at risk. It is a cavalier approach made all the more reprehensible when the other benefits listed are only 1. “reduced journey times” (these have now been greatly lessened in current estimates) 2.” removing traffic volumes from narrow lanes” (it is the narrowness and twists of Church Brow that make it so dangerous,) and 3. “reducing wear and tear on historic bridges” (this would in no way be affected by the removal of a link to Halton which causes the increased dangers).

LCC find the scheme acceptable “providing the County Council adequately mitigates these new impacts of this part of the network at Halton”. The real problem however is that the impacts on safety on Church Brow can never be adequately mitigated. The physical characteristics of the road rule this out. The problem cannot be solved by any traffic control measures.

The fact that the only mitigation offered by the County is a change from a 20 mph advisory limit to a mandatory one is demonstration of this reality. A change in the type of 20mph speed limit would be nugatory given the shape of the road and its walls. Had the County Council been able to offer any “adequate mitigation” it would certainly have so by this stage in the process.

The City Council document states (9.8) “The increase in traffic movements on Church Brow appear to come from a radical new opportunity for Halton residents”.

The “appearance” referred to here is not real. This is because the great majority of people who commute from Halton do so towards the south, i.e. towards Lancaster’s universities and hospital and towards Preston and Manchester. These commuters will not choose to negotiate the three sets of traffic lights and the queues of commercial vehicles that using a Halton link would involve. It is now understood that they will continue as now to use Denny Beck Lane.

The “radical new opportunity” is a chimera.

Halton residents know that this scheme is not, as claimed by the two levels of local government, a benefit to their village but instead a great and unnecessary danger that cannot be mitigated.

## **Section 2. Impact on the Protected Species Lutra Lutra (Eurasian Otter).**

Lancashire CC claims to have carried out a “wide range of surveys for habitats and species”, and states that this is “an on-going process with annual monitoring of key species”. These statements are nowhere

supported by any evidence that such work has been carried out. If a survey of otters has been carried out and added to annually we ask that the Examiner be given sight of the reports and that they be posted on the NID website so that they can be evaluated in the light of the McMinn-Woods otter survey of this stretch of the River Lune.

The Impact Report only states that otters are known to be present “in the region” and that there is “no evidence of holts within the vicinity of the works”. This statement is a clear indication that an otter survey either has not been completed or that its quality and methodology are seriously flawed.

The above judgement is not simply a statement without evidence. The McMinn-Woods survey and the captioned photographs appended by Mr. John Wilding indicate a holt and resting places along the river bank in the woodland in precisely the area outlined for a new bridge. It should be noted that where the LCC only refers to holts the Countryside and Wildlife Act equates holts and resting places. This is because otters need many resting places in which they can dry out their fur and avoid hypothermia.

That a local resident has had to commission an independent professional otter survey in the absence of one from the LCC is an indictment of the way this application has been presented and demonstrates that it lacks integrity.

The LCC offer mitigation without any solid understanding of the status of otters within and around the proposed site. The effectiveness of the mitigation must therefore be questioned.

This point is now crucial since residents' surveillance of otters is on-going and the two authors of the above survey have identified at least five mature female otters on the CCTV footage which continues to be recorded at the Boat House.

One of these females is at present lactating and has a holt close by.

The offer of one artificial holt, where prime habitat is to lose its river-side woodland, is wholly insufficient to mitigate the effects of the construction on the lives of these animals. Any artificial holt built in this area will not be used by otters because they only make resting places and natal holts where they feel safe and undisturbed. With five mature females in the area one artificial holt—or indeed more-- even in a safe place would be wholly inadequate.

The LCC have not understood what damage they are hoping to mitigate for or how to avoid it.

The provisions of the above act only allow disturbance to otters when mitigation is adequate and there is no alternative. Neither of these provisions is here met and the woodland between the M6 and the Sewage Works must be left intact or the effect on these otters will be

unacceptable.

Re-plantation of trees, promised in this Impact Assessment will not replace or offset the effect of so reducing this particular stretch of woodland. This is, in part, due to the need for otters to move safely away from rising river levels and for the making of holts and resting places in higher woodland not in danger of flooding.

The Lancashire CC view that “disturbance to the otters is unlikely during construction...” is merely a careless and an unsubstantiated view based on inadequate information of this habitat, compared with knowledge that is now available and it can, therefore, in no way be relied on.

Comment by the Environment Agency on the Landscape and Ecology Management Plan.

Amy Heys writing for the E.A. (1.16) states “We suggest that the monitoring of otter activity during and post construction is included within the LEMP.’

A suggestion can, by definition, be ignored. There is



no request for a proper survey before construction is allowed or for the necessary licence to be issued. Such advice can only have been given based on a belief that the LCC 's negative findings were valid. They are not.

Will the Examiner please invite both the EA and Natural England to examine the evidence provided by Mr. John Wilding and to restate their positions with regard to disturbance to this protected species?

The very serious omission of any informed and responsible survey of these otters is only one representative instance of invalid claims having been made for a serious ecological survey. Land-owners and residents are aware of only fleeting visits made on nonce occasions to areas where wild life is locally known to be present. We can have no confidence that a thorough and responsible consideration has been paid by the authorities to what was foreseen would be a major obstacle to the present plan if properly investigated. The otters demonstrate that it has not.

Presented on behalf of the Halton Resident's Group and with their detailed cooperation by Michael Jacob, Halton and dated 29<sup>th</sup> May 2012.