

AQUIND interconnector - Hampshire County Council's Written Summary of Oral Submissions

Issue Specific Hearing 5 -Environmental Matters and Highways held on Thursday 18 February 2021

HCC Attendees: Richard Turney (RT), Holly Drury (HD), Tim Guymer (TG), Ian Ackerman (IA), Chris Hirst (CH)

Agenda Item	Agenda Item	HCC Comment
7. Highways and Transportation		
7.1	Have any conclusions been drawn by the parties in relation to the use of the Lambeth method to establish a maximum 200m walking distance to reach cars displaced from street parking outside residential properties? Can the Applicant advise whether 200m or 400m is considered a reasonable walking distance for retrieving displaced cars, provide a rationale for this and describe if and how this influences any of the ES assessments and documents. Where this is the case, please provide updates.	<p>RT – HCC has no particular comment on 200m vs 400m but its Deadline 7 submissions address mitigation measures within Appendix 1 of the FTMS. An updated version of this document is required ASAP to review. RT passed to HD to comment.</p> <p>HD – HCC support PCC in comments. It is worth noting that from HCC perspective, it needs to understand how 400m affects parking. But the expanded definition of vulnerable persons minimises the impact of residents and is welcomed. Increased notice period for residents so they will be aware the night before the works take place also helps to mitigate the impact.</p> <p>Regarding Anmore Road, this is picked up under Deadline 7c response and the displacement of parking will only be as a result of abnormal load movements. Whilst HCC are keen to support and explore further options for access, they are broadly happy that access can be provided.</p> <p>Chris Williams (CW) on behalf of the applicant – Comments received to-date have been incorporated into documents which applicant intends to share in draft ASAP. To note, Anmore Road displaced parking is a daytime parking suspension and can be accommodated.</p>
7.2	Could the Applicant briefly set out the outcomes of the Road Safety Audit	RT – No further comments to make.

	<p>shared with Hampshire County Council. Are there any remaining differences between the parties or concerns regarding this?</p>	
7.3	<p>What is the status of negotiations with the bus companies? Are any further mitigation measures being considered, and are outstanding objections likely at the end of this Examination?</p>	<p>Martyn Jarvis (MJ) on behalf of the applicant – Meeting held 11/02 to discuss impacts and bus mitigation. Applicant has agreed in principle to provide a mitigation fund for delay impacts and marketing in the future. Detailed note put together for monitoring and funding.</p> <p>RT – Difficult topic which was raised at ISH2 and only in January was a meeting was held with all parties after HCC instigated discussions. The proposed mitigation is now welcomed and an important step, but it is late in the day. Now HCC need urgent progress from the applicant. This leaves HCC with a couple of weeks for the matter to be resolved. The applicant’s response should be provided to HCC and the bus operators by the end of this week and resolved satisfactorily a few days after that now that the scope to negotiate has been narrowed substantially. If agreement can’t be reached, the County Council will have little option but to recommend refusal of the DCO on the basis of the failure to mitigate the impact on the bus services.</p> <p>Edward Hodgson (EH) for Stagecoach – Punctuality and reliability are fundamental to customers. It is essential that mitigation is provided to minimise any impacts on the bus services. The fund would respond to delays by providing additional buses to maintain the existing frequency. There will still be longer journey times across these areas but they need to be able to put this extra resource in place to mitigate. Looking to be flexible with the funds but additional resource will need to be deployed if required and removed when no longer required. Minimum of a week at a time for these extra buses.</p> <p>Marc Reddy (MR) for First Group – Echo EH’s view on punctuality. There has already been £35m investment into bus priority along the A3 corridor to address congestion in the area. Fundamental that a mitigation fund can be accessed in collaboration with local authorities to offset the delay. Some passengers will choose to use other forms of transport but they will need to be encouraged back to use buses again post completion of</p>

		<p>the works. Work with local authorities with digital media and customer database emailing, emphasising the green credentials as part of the marketing campaign.</p> <p>MJ – Applicant spoke with both bus companies at an early stage and position put forward was based on those discussions. Doesn't agree that it is the applicant's responsibility that no mitigation has been previously proposed. Intention now is that mitigation is secured through a S106 with HCC, with baselines set and comparator routes used to examine when delays occur. Funding will be based on the number of weeks traffic management measures are needed along the routes, taken from the yearly costs provided and pro-rata'd to a weekly cost. Need for marketing also understood and further discussion required.</p> <p>HD – HCC are working with MJ to resolve. HCC are the regulatory buffer to ensure that the triggers are met and can be assessed and reviewed as necessary.</p>
7.4	Does the Joint Bay Feasibility Report [REP7-073] replace parts or supersede in full the Joint Bay Technical Note [REP6-070]? Should it be appended to a management plan?	No further comments from HCC.
7.5	The Supplementary Transport Assessment at paragraph 2.5.12 [REP7-065] lists 17 joint bays that it is said will be taken forward. A number of joint bays are within the carriageway (including bus lanes) or within the highway limits, requiring single lane closures for cable drum deliveries. For all, if maintenance is required at a joint bay location, what are the implications for traffic management (type of closure, nature of closure, type of vehicles attending, nature of traffic	<p>RT – Regarding joint bays, the documents provide indicative locations but don't actually confirm the locations. The appraisal is therefore limited to-date, and the impacts therefore cannot be fully understood. HCC accepts that the joint bays will not require further sub soil acquisition. Also agree that there has not been any assessment on the impact of joint bay maintenance. Clarification was given on the need for a highway permit for urgent works – these are still required but can be granted retrospectively if necessary. More generally on joint bays, further details have been requested in the DAS which has been agreed in principal but needs to be reflected in the document.</p> <p>MJ – Agree with the use of the permit scheme for urgent works.</p>

	<p>management etc)? Have the effects of this been taken into account in the ES? Will joint bays in the highway require acquisition of highway subsoil?</p>	<p>CW – Not aware on the latest position but aware of discussions on the topic. Not able to add anything further.</p> <p>RT – The required changes to the DAS are in the HCC’s deadline 7c response. This was also foreshadowed in the deadline 7 response.</p> <p>MJ – Amendments to the design principles are agreed in the DAS which have been outlined and agreed with HCC on Feb 12.</p>
7.6	<p>Has work progressed on the s278 Agreement to secure the facilitation of passing bays on Day Lane? Is Hampshire County Council content with the traffic management measures on Day Lane? If not, why not?</p>	<p>RT – Regarding the S278, the draft is in progress so will hopefully be resolved soon. A few points are left over on the management but parties are pretty close to resolving these outstanding matters.</p> <p>HD – General principle of the works now agreed. The use of the Hulbert Road layby requires a parking suspension. Parking enforcement remains a question as to whether Havant Borough Council officers will undertake this function and where the funding comes from. The layby currently has capacity, but Dunsbury Park is being built out and the layby may be under higher demand as the project builds out. The layby was constructed to provide for existing provisions removed for the Dunsbury Park access works and is currently not being fully utilised.</p> <p>MJ – Looking into parking enforcement issue.</p> <p>HD – Day Lane Management Strategy stated that the strategy would only be in place during peak construction.</p> <p>CW – Confirmed that the strategy would be updated to confirm that it would also be in place outside of peak construction.</p> <p>CW –Existing vehicular access at Broadway Farm will be used to bring plant into site. Otherwise, vehicles would have to stop on the carriageway to drop the materials off. Use of the access not picked up in assessment.</p>

		<p>MJ – Currently reviewing how many vehicles will be forecast to use this access. Proposed that this will be controlled through a CTMP which needs to be approved for the site access works (2BB). This would set the limit on how many vehicles can use the access and how marshalls shall control the use of the access.</p> <p>RT – Serious issue which has been overlooked. HCC’s position is that the Broadway Farm access hasn’t been assessed and HCC is concerned regarding its suitability. CTMP identifies (6.2.2) that the road is unsuitable in its current form. But the fundamental issue of highway safety has not been addressed. Currently a private access (which is also a PRow). No identification of existing and proposed use and that the access can safely accommodate HGV movements e.g. visibility splays. Currently can’t advise the access is safe. Assessment either needs to be done now or access removed from the proposals/subject it to a 3.5 tonne weight restriction.</p> <p>David Wallis (DW) – Would the use of the access need to be address under the Road Safety Audit (RSA)?</p> <p>HD – Depends on whether the junction form changing or not (a key requirement for an RSA).</p> <p>DW – Would a refusal be valid here along with the bus services?</p> <p>RT – Refusal on this issue alone would not be a necessary step on these facts because the access could be prohibited or controlled in the DCO. The applicant would have to accept that it cannot use that access/alternative measures for construction access. Simple resolution would be to exclude it from the access in the order. Alternatively, it may be expedient to limit use of the access to vehicles of no greater weight than 3.5 tonne as a ‘Grampian Requirement’ which would help to remedy HCC concerns.</p> <p>MJ – Details will be confirmed shortly and appreciates that a review will need to be undertaken.</p>
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		<p>CW – Farm used by tractors to deliver grain. Also used regularly by agricultural machinery. Similarly, management strategy to be employed (traffic marshals, escort vehicle).</p> <p>RT – Raise that there is an issue with the Day Lane/Broadway Lane junction too. Timing point too – County Council have spent a lot of time reviewing and a note will need to be provided ASAP.</p> <p>CW to issue FTMS that evening (Thursday 18 Feb)</p>
7.7	<p>What evidence is before the Examination that the passing bays on Day Lane can be delivered without causing significant effects on biodiversity, landscape and views? What root area protection measures would be required to ensure tree and hedgerow integrity, and how would these be secured through any DCO?</p>	<p>HD – HCC will discuss this issue with the National Park to understand their views. It is a minor carriageway widening which would be more troublesome for the surfacing than removing it. Happy to have the chat and confirm for D8.</p> <p>HCC has prepared a post hearing note on this matter which is set out at the end of this transcript</p>
7.8	<p>Could Hampshire County Council expand on its concerns [REP7-085] in relation to the proposed traffic management measures on Anmore Road and the potential for residents' parking displacement on that highway during construction works.</p>	<p>HD – Updated position set out in HCC's Deadline 7c response. Clarity from the applicant on the number of HGV movements now provided and accepted. Restrictions in the CTMP to the maximum number of movements including restrictions on the school drop off and pick-up times are accepted. Wider question regarding access needs from Anmore Road and Mill Road and why a vehicular access cannot be secured from the converter station site.</p>
7.9	<p>Could the Applicant respond to the Deadline 7 submission from James Bunbury [REP7-122], with particular reference to Abnormal Indivisible Load (AIL) deliveries to joint bay 1. In addition</p>	<p>RT – 2 more issues which have been flagged. 1 relates to reinstatement and the second to out of hours working.</p> <p>Reinstatement – HCC's Deadline 7 submission sets out ongoing concerns regarding reinstatement. HCC are seeking new parameters to be confirmed by the applicant in the FTMS to ensure that half/full carriageway reinstatement is provided for roads <5 years</p>

	<p>to the issues raised by Mr Bunbury, are there any consequential noise or vibration effects of AILs accessing this joint bay that are not reported in the Environmental Statement?</p>	<p>old. Also, if the surface is in good condition but the trench falls within the wheel track area. Position also set out in relation to the bus lanes and the red lane surfacing, this will need to be reinstated to a suitable standard.</p> <p>Out of hours working – sufficient progress hasn't been made with the applicant on this matter. The HA are keen to ensure that out of hours working can be directed as with any other highway project in the county. AQUIND would be the only scheme limited to conventional construction hours and HCC could not direct any further working outside of those hours. Residential Amenity concerns can be addressed, as per day to day working.</p> <p>A balance needs to be struck with slightly extended working hours to ensure that the traffic management is out of the carriageway quickly to help mitigate the traffic impacts. Whilst there will be an impact on residents in noise terms, it is wrong to say this as a one-way street because they will benefit from overall reduced length of works. Regarding the ES position, HCC can't require works which cause new significant effects but this can be managed through discussion with the EHO's. Provision in the ESSO pipeline DCO on this very matter.</p> <p>MJ – Reinstatement in accordance with NRSWA. Out of hours working would give rise to significant adverse impacts beyond those assessed.</p> <p>IA – On any road, such as the A3 (which is a tactical diversion route for the A3(M)), HCC would ordinarily expect works to be undertaken into the evening. Consultation with the relevant EH team and any concerns arising would be accounted for. There will be impacts but the trade off between out of hours working and highway impacts is weighed up on each occasion.</p> <p>RT – Understands what is said but doesn't believe that it is the impediment MJ states. Acknowledges that applicant has to stay within the environmental envelope of the scheme.</p>
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		HCC has prepared a post hearing note on this matter which is set out at the end of this transcript.
9. Any Other Relevant Issues		
9.2	Any items the Examining Authority considers necessary and relevant to raise before the close of the Hearing.	RT – Bus S106 issue. Can it be confirmed that response to proposition made to applicant will be with HCC and bus operators by the end of the week. MJ will have this information with us by the end of the week.
10. Close of Hearing		

Post hearing note on agenda item 7.7 – passing bays on Day Lane

This matter was discussed with the SDNPA and EHDC following ISH5 and the following form of wording was agreed as a post hearing note:

The applicant has recently proposed the introduction of passing bays at Day Lane to accommodate HGV traffic during construction. Hampshire County Council (HCC), as Highway Authority, support this measure as it is required to ensure highway safety during construction.

The South Downs National Park Authority (SDNPA) note that Day Lane is outside of, but adjoins, the National Park and that these passing bays will result in a moderate erosion of the rural character of Day Lane. To be taken into account with this landscape impact, HCC consider that the permanent retention of the passing bays would have a moderate benefit for pedestrian safety by providing areas of pedestrian refuge.

HCC, SDNPA and East Hampshire District Council (EHDC), as Local Planning Authority, have agreed that:

1. Whether to retain the passing bays on a permanent basis will be assessed based on actual experience and any relevant data after the completion of construction works for the Aquind scheme.
2. After construction works have completed HCC will consult with both SDNPA and EHDC (as Local Planning Authority) to determine whether the passing bays should be retained on a permanent basis or not.
3. The Section 278 agreement is being drafted with a clause within it that requires Day Lane to be returned to its pre-development state (i.e. the passing bays are removed) if this is determined through the consultation with SDNPA and EHDC to be necessary or desirable.

The contents of this note have been agreed between EHDC, HCC and SDNPA. It is understood that the applicant is content with this proposal. The draft S278 agreement will be submitted to the Examining Authority by the applicant appended to the agreed form of the S106.

Post hearing note on agenda item 7.9 – out-of-hours working

HCC remains concerned about the potential impact on traffic as a result of not being able to expedite works by working additional hours or by working alternative hours to avoid times of heavy traffic.

Across all highways in Hampshire the County Council has always worked closely with local Environmental Health teams when considering the need to undertake works outside of normal working hours. Local, site by site assessments are made and both the disruption to traffic and the potential disruption to residents are considered. Out of hours working is only ever directed if the local Environmental Health team are content that the works will be short term, and the disruption to residents will be minimal. Furthermore, if subsequent complaints are received then the situation is revisited and the out of hours direction is withdrawn if necessary.

When traffic management is left up with no works going on, for example, over weekends, it results in avoidable congestion and, typically generates complaints. Section 66 of the New Roads and Street Works Act requires an undertaker to expedite their works. The ability for the Highway Authority to direct additional hours in the evening and on weekends would facilitate this requirement and would have the advantage of getting the works done quicker. Working alternative hours avoids the peak traffic times, reduces complaints about traffic and reduces traffic congestion. As is clear from the assessment below, there would be ongoing impacts from traffic management being left in place over weekends without work being carried out.

The A3 London Road, the main route used for the cable laying in Hampshire, is a strategic route, linking Havant with Portsmouth and the M27 and is also a tactical diversion route used when the A3M is closed. On weekdays traffic flows increase to approximately 1300 movements per hour at 07:00 and remain at similar hourly levels until 17:00 when they jump to 1800 movements per hour. Traffic then only tails off at about 20:00. Weekend traffic levels are a constant 1200 vehicles per hour from 10:00 to 17:00. Any intrusive traffic management on this route will have a severe impact on traffic flow and it is therefore imperative that all options to negate avoidable congestion must be considered, including out of hours working.

A further assessment of the impact on the A3, London Road is provided at the end of this note.

HCC recognises the limitations of the Applicant's Environmental Statement, but does not consider that this justifies the blanket approach to out of hours working being proposed. If appropriate controls are put in place, occasional out of hours working would not result in any significant environmental effects. It is only significant effects which need to be assessed through the EIA process.

The ESSO Southampton to London Pipeline DCO contained the following measures in respect of out of hours working:

Construction hours

14.—(1) *Subject to sub-paragraphs (2), (3) and (4), construction works must only take place between 0800 and 1800 on weekdays (except Public and Bank Holidays) and Saturdays, except in the event of an emergency...*

(4) *Nothing in sub-paragraph (1) precludes—*

(a) the receipt of oversize deliveries to site and the undertaking of non-intrusive activities;

(b) start-up and shut-down activities up to an hour either side of the core working hours and undertaken in compliance with the CEMP; and

(c) works on a traffic sensitive street where so directed by the relevant highway authority pursuant to a permit granted under the permit schemes and following consultation by the relevant highway authority with the relevant planning authority under the terms of such scheme.

HCC considers that a similar provision should be inserted into this dDCO. If necessary, the exception could be expanded to state:

“works on a traffic sensitive street where so directed by the relevant highway authority pursuant to a permit granted under the permit schemes and following consultation by the relevant highway authority with the relevant planning authority under the terms of such scheme, and where the relevant planning authority is satisfied that there will be no new significant effects beyond those assessed in the Environmental Statement”.

This wording is considered by HCC to address the Applicant’s concern in full, whilst giving flexibility to the Highway Authority in consultation with the relevant planning authority to permit out of hours working.

Works on the A3, London Road. – Assessing the Traffic Impact

In order to assess the likely impact on traffic from the reduction of carriageway due to works the Code of Practice for the Coordination of Street Works and Works for Road Purposes and Related Matters (CoP) presents an algorithm in Appendix G. The algorithm produces an indicative score that should be used to determine whether additional steps may be needed to minimise the impact of works.

In order to use the algorithm, the following data was used.

Traffic count data. (average hourly count) = P

Data was taken from Weds, Oct 2nd 2019. An average hourly vehicle count was determined from the traffic counts at the peak times (07:00-09:00 and 16:00-18:00). The average was calculated to be: 1537. The actual formula requires counts to be factored up to take account of the additional impact of heavy vehicles. In this case we used actual vehicle numbers instead – this will necessarily provide a ‘best case scenario’ for the outcome.

A3 carriageway width. = W

This was taken to be 6.7m taken from a point just north of the junction with Ladybridge Road.

Works Space = S

This was estimated to be 3m. ie the removal of one lane. This seemed reasonable given that most of the traffic management described is temporary traffic lights.

The algorithm is as follows;

Disruption Effect Score (DES) = $[(P \times 100) / (1600 \times (W - S) / 3.65)]$

Accordingly the DES for works at peak times is 95. Using the charts in appendix G of the CoP confirms this to be “severe” impact for both buses and general traffic. “Severe” is the highest level of impact.

Using the same algorithm, but using traffic peak traffic counts from Sundays (10:00 to 17:00) confirms a DES of 67 which is a moderate impact on buses and general traffic.

Using the same algorithm, but using traffic counts from night works (22:00 and 05:00) confirms a DES of 23 which equates to a nil impact on traffic.

It can clearly be evidenced that even leaving temporary TM up on a Sunday on the A3 will have a moderate impact on traffic and it is therefore unacceptable to leave the TM without any works going on. It can also be seen that clearly the best time, traffic-wise to undertake works is at night.