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City Council



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Date: 4th October 2018

FAO: Robert Ranger

Dear Sir/Madam,

Planning Act 2008 (as amended) – Section 55

Application by Highways England for an Order Granting Development Consent for the A63 Castle Street Improvement Scheme

Response to Adequacy of Consultation Request

I write in response to your written request of 20th September 2018 for Hull City Council's consideration, as local authority consultee under Section 55 of the Planning Act 2008 (as amended), as to the adequacy of pre-application consultation undertaken by Highways England in connection with the above proposals, in light of the provisions set out within Sections 42, 47, and 48 of the aforementioned Act.

Section 42 – Duty to consult

I consider that Highways England have complied with the requirements of Section 42, as demonstrated within the submitted consultation report and accompanying annexes through consultation with:

- appropriate prescribed consultees as befitting the circumstances of the case
- the Marine Management Organisation given the potential for effects on the marine environment
- the relevant local authorities



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The history of consultation between Highways England and Hull City Council over the A63 Castle Street Improvement Scheme is an extensive one, with meetings over emerging options and issue and location specific matters having taken place dating back to at least 2008.

Most recently, commencing around June 2017, as updated design solutions and related statutory and non-statutory consultation have advanced, regular progress meetings have been held between Highways England and Hull City Council on the scheme, covering a variety of matters including relationship with Local Plan allocations and policies, and regeneration programmes, traffic management and modelling, non-motorised user routing during construction, construction compound locations, maintenance liabilities, provision of public open space, treatment of affected heritage assets, the relocation of the Spurn Light Ship, footbridge design, tender appraisals for footbridge construction, land assembly associated with the footbridge, and the programming and design of stakeholder engagement meetings.

In addition, Highways England have attended and presented to Hull City Council Committee meetings including the Council's relevant Scrutiny Committee and local Area Committee, as well as to the Council's Corporate Strategy Team.

Having reviewed the submitted Consultation Report, I am in agreement with Highways England's list of identified relevant local authorities, alongside the list of prescribed consultees as set out in Appendix G1.1 to the report.

Both statutory and non-statutory consultation undertaken since the identification of potential options in 2009, through preferred options in both 2013 and updated for 2017, with mop-up consultation in 2018, and various targeted consultations along the way are considered to have been both appropriately comprehensive in approach and extensive in reach. Prescribed statutory timeframes for submission of consultation responses were afforded to potential respondents.

Section 47 – Duty to consult the local community

I am of the view that Highways England have complied with the requirements of Section 47, as demonstrated within the submitted consultation report and accompanying annexes through:

- the provision of a statement setting out how the developer intends to consult with the local community over the development proposals
- consultation with both Hull City Council and East Riding of Yorkshire Council on the content of the statement prior to undertaking the programme of local community consultation, affording 28 days beginning with the day following receipt of notification for a response
- giving regard to responses received from both local authorities

- making the Statement of Community Consultation document available for public inspection in a way reasonably convenient to the local community, and advertising such availability through a notice in the local newspaper
- Carrying out the consultation as set out within the Statement of Community Consultation

Hull City Council's response on the 2013 draft Statement of Community Consultation drew attention to guidance in the Council's own Statement of Community Involvement, and recommended wider direct notification to properties south of the proposed road scheme, an increase in the number of consultation events proposed, and additional locations for the deposit of consultation materials for public review. I am satisfied that due regard was given to the matters raised within the City Council's consultation response, and appropriate action taken thereafter.

Following receipt of consultation on the draft Statement of Community Consultation for the 2017 programme, Hull City Council responded raising issues around the physical extent and range of media for consultation, including pricing for hard copies; the inclusion of the Environment Agency and Humber Nature Partnership in particular; engagement with Council Committees and Neighbourhood Forums; the potential use of related signage advertisements; the length of consultation period; and the provision of a publicly available report on responses and their consideration. Having reviewed the submitted Consultation Report I am satisfied that due regard has been given to the City Council's written response, with appropriate action taken thereafter, once more.

It is recognised that Highways England also consulted the East Riding of Yorkshire Council as a local authority for the purposes of S.47 of the Act with the regard to the revised scheme and associated 2017 consultation, and that the resultant response was fully supportive of the approach outlined in the draft Statement of Community Consultation.

The spread of locations selected by Highways England for the public inspection of the Statement of Community Consultation are considered to have been appropriate both in terms of convenience to the vicinity of the site, and accessibility for the wider local population, whilst the Hull Daily Mail represents an appropriate local newspaper, being the mostly widely circulated local newspaper in the vicinity of the site.

Both statutory and non-statutory consultation undertaken since the identification of potential options in 2009, through preferred options in both 2013 and updated for 2017, with mop-up consultation in 2018, and various targeted consultations along the way are considered to have been both appropriately comprehensive in approach and extensive in reach. Potential respondents were afforded the prescribed statutory timeframes for submission of consultation responses.

Section 48 – Duty to publicise

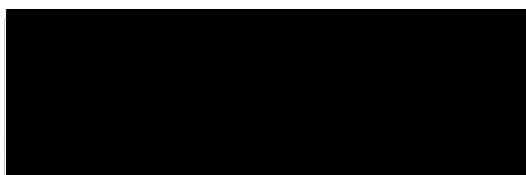
Highways England have, in my opinion, complied with the requirements of Section 48, as demonstrated within the submitted consultation report and accompanying annexes through:

- Publicising the application in a local newspaper for two consecutive weeks
- Publicising the application in a national newspaper and in the London gazette for a period of one week

The Hull Daily Mail is the pre-eminent local news publication in Hull and the areas of the East Riding of Yorkshire directly affected, and most indirectly affected by the proposed scheme, with a significant sub-regional circulation.

During the development of the scheme, Highways England have engaged thoroughly with many Council departments, and the Council consider that sufficient consultation has been undertaken prior to the submission of the scheme.

Yours faithfully,



Alex Codd
City Planning Manager