

From: [Daniel Wimberley](#)
To: [A57 Link Roads](#)
Subject: A57 Link Roads TR010034
Date: 26 July 2021 11:55:06
Attachments: [letter to PINS 2021_07_26 AS SENT.doc](#)
[SUBMISSION MAIN DOC AS SENT Copy2.doc](#)
[letter 2021_01_05 re consultation AS SENT.doc](#)
[HE corresp. FULL UP TO 2021_05_25 Copy2.doc](#)
[letter 2021_06_15 preapp re consultation c.l. v7 AS SENT.doc](#)
[2021_07_09 Buffery letter re AoCR SENT AS EMAIL.docx](#)

Dear Planning Inspectors,

The letter below is an appeal to you to consider asking Highways England to carry out a fresh community consultation exercise into the above scheme.

I am also sending it as an attachment, in case that is more convenient, along with the other attachments.

Yours sincerely,

Daniel Wimberley

Dear Planning Inspectorate,

Re **TR010034: A57 Link Roads**

Summary

I write to you about the application by Highways England with respect to the above as someone who responded to the consultation.

What is at stake here for the people of the area and for people in the country as a whole, is that we end up with a sound investment with good outcomes.

But the consultation has been done in a way which works against achieving this goal. The Planning Inspectorate, and therefore the Secretary of State, have been deprived of an accurate view of what consultees might think of the wider issues and the insights they might have offered.

I am asking you to make the assessment that the community consultation run by Highways England with regard to this scheme was so flawed that it should be re-run.

Documents

I attach the following documents which I believe demonstrate that this is the case, in the order of their creation:

1 Response by Daniel Wimberley (i.e. myself) to the Public Consultation about the A57 Link Roads. *This is attached as <SUBMISSION MAIN DOC AS SENT Copy1.doc>*

Paragraphs 6, 7 and 8 of the “General Introduction” state the essence of my view of the consultation carried out by Highways England and the whole of Chapter 1 is a detailed critique of its comprehensive failings, together with a description of what the consultation

could and should have been.

2 Letter to the Planning Department of High Peak Borough Council (HPBC) dated and sent 5th January 2021 *This is attached as < letter 2021 01 05 re consultation AS SENT.doc>*

NOTE: A letter with the same content was sent to DCC

This letter made HPBC and DCC aware of my concerns over the consultation carried out by Highways England regarding this scheme, in line with the Planning Inspectorate Advice Note 8.1 paragraph 7.4. [\[i\]](#) With this letter I also sent document 1 above and a record of my correspondence with Highways England up to that date.

This, the record of my correspondence with HE is attached (in its up to date version) as < HE corresp. FULL UP TO 2021 05 25 Copy2>

3 Letter to the Planning Department of HPBC dated and sent 2nd July 2021

This is attached as < letter 2021 06 15 preapp re consultation c.l. v7 AS SENT.doc> [\[ii\]](#)

Appended to this letter was an update detailing my experiences of continuing after the consultation to try and obtain from HE the information which I had requested during the consultation. (In case you might be wondering, HE had informed me that this was acceptable to them.)

In the letter I asked the planning officer at HPBC responsible for work connected with the scheme to take into consideration when drafting the Council's AoCR the points made in 1 and 2 above and in the appended update.

4 Letter to the Planning Department of DCC dated and sent 9th July 2021

This is attached as <2021 07 09 Buffery letter re AoCR SENT AS EMAIL.docx >

In this letter I reminded Mr. Buffery of my previous letter and attachments (see 1 and 2 above) and asked him to what extent he had taken into consideration and included in his AoCR the points made in my letter to him of January 15th (the parallel letter to CC of the letter to HPBC – document 2 above).

The failings of the consultation

In the documents I showed that (*for precise locations, see the endnotes*):

1. **Key information was not available** to consultees [\[iii\]](#)
2. **The public was steered** towards matters of detail and design and away from fundamental issues. [\[iv\]](#)
3. **No evidence was offered that the scheme will achieve its aims**, on a clear aim-by-aim basis. Consultees had nothing to go on apart from assertions that “it will be so”. [\[v\]](#)
4. **No alternative ways of achieving the stated aims were set out**, and thus discussion was disabled [\[vi\]](#)

5. **Highways England's attitude to information generally** is below the standard we should expect from a public body. [\[vii\]](#)

Conclusion

So strategic thinking was disabled by HE's approach, choice was denied, evidence was missing, and absolutely fundamental information was withheld, not only in the published documents but when asked for.

A far better consultation is perfectly possible, and would help you at the Planning Inspectorate and the SoS to better assess where the public interest truly lies. [\[viii\]](#) A proper consultation can and should be carried out.

I look forward to your response, and am ready to provide any further input if you require it.

Yours sincerely,

Daniel Wimberley
Resident of Bamford

PS

You may ask – why do I not rely on the AoCR's of the two local authorities to represent my views?

There are several reasons:

1. I am not sure if it is fair to rely on Council officers to represent what are, in reality, my personal, deeply felt, and comprehensive views, especially given the time constraints under which, now more than ever, they must work.
2. The AoCR's of the two Councils are in the last analysis political documents and therefore subject to political constraints. There can be no guarantee therefore that my views will come out the other side expressed in full!
3. In reply to my July letter (document 3 above) the officer for HPBC told me he had "had regard" to my emails in drafting the Council's AOCR. However in reply to my parallel letter (document 4 above) the officer for DCC has not replied, nor did he reply to my January one. It follows that it would seem unwise to rely on the DCC including my views.

I trust that you will give full consideration to what I am saying to you.

Attachments:

<SUBMISSION MAIN DOC AS SENT Copy1.doc>

< letter 2021 01 05 re consultation AS SENT.doc>

< HE corresp. FULL UP TO 2021 05 25 Copy2>

< HE corresp. FULL UP TO 2021 05 25 Copy2>

document 3, **Update section 3 “My requests for information, in more detail” c) The cost of the scheme**

see document 1 **Chapter 1 – the consultation about the scheme, section i) in a nutshell** paragraphs 3-9

[iv] For overview, see

document 2 numbered points: 2, 3, 4

document 1 **General Introduction**, paragraphs 6, 7, 8

document 1 **Chapter 1 – the consultation about the scheme, section i) in a nutshell.**

for specifics of steering-towards-the-detail, see

document 1 **Chapter 1 – the consultation about the scheme, section iv) what the consultation exercise for this scheme actually did consist of** especially highlighted passages

[v] For overview, see

document 1 **Chapter 1 – the consultation about the scheme, section i) in a nutshell** paragraphs 4 and 5

for specifics

see document 1 **Chapter 1 – the consultation about the scheme, section ii) What a consultation exercise for a scheme such as this should consist of b) the aim(s) of the scheme** paragraphs 5 – 9

see document 1 **Chapter 1 – the consultation about the scheme, section iv) what the consultation exercise for this scheme actually did consist of** and search on the term “aims”

[vi] See document 2 numbered points: 2, 3,

see document 1 **Chapter 1 – the consultation about the scheme, section ii) What a consultation exercise for a scheme such as this should consist of b) the aim(s) of the scheme** last seven paragraphs

[vii] HE have not been open and transparent with what is after all, essential data. This is certainly not behaving in a scrutiny-friendly way, and it gives the strong appearance of bias, in that certain thoughts and criticisms are made much more difficult if not impossible. The way they behave does not seem to me to be consistent with acting in the public interest.

For example, HE refused to supply traffic data at consultation stage. When I wrote on December 3rd specifically asking for current and predicted flows, in detail, they told me (on December 15th) that “This information is still being finalised, so we are unable to send it to you at this time.” This of course is absurd, as they cannot put forward a scheme or design one, without current and predicted network data.

On April 13th I pointed this out and I asked for the network data, both current and as predicted at the time of the consultation. I got the reply that the “data is considered commercially sensitive.”

This is doubly extraordinary, firstly due to the reason itself, but secondly because the grounds for refusal have shifted, which sounds like evasiveness to me and not openness.

The references for all of this are given below.

For example, the fact that the scheme cost and length are nowhere to be seen “on the face” of

the website and they are absent from the consultation brochure.

For example, the fact that nowhere to be found are the number of properties which will be relieved of traffic nuisance, and the number of properties which will not be so relieved, or conceivably may have their situation worsened.

When I asked for these on December 3rd, I was told: ““This information is not available as we model to points along the route, rather than specific properties”

Again, The sources for all of this are given below.

For example, Highways England told me on 8th February 2021 that: “we will now like to include your comments within the consultation results” (there had been a bit of an argument about whether they would or not).

But there was not one single word about the adequacy of their consultation in their A57+Winter+2020+Consultation+Report.pdf. I doubt that I was the only one to raise some concern over this. Even if I was, what does this say about HE’s reliability when it comes to consultation?

The Planning Inspectorate is being informed, by omission, by Highways England, that no one raised the question of the adequacy of their consultation and the fact that vital data was simply not available to consultees.

SOURCES:

For overview, see

document 2 numbered points: 1

for specifics of cases (traffic data and properties relieved / not relieved) :

document 2 numbered points: 11-15

document 3 **Update Document** appended to letter, where HE’s non-divulging of information continues and reaches the heights of absurdity. For the outline see **Section 2 Summary, argument, and requests** . For every word of the exchanges, see **section 3** Not funny though, in reality. This is not open, it is not helpful, and it does not serve the public interest.

[\[viii\]](#)

For overview, see

document 1, **Chapter 1 – the consultation about the scheme, Introduction and section i) in a nutshell.**

for specifics

document 1, **Chapter 1 – the consultation about the scheme, section i) in a nutshell and section ii) What a consultation exercise for a scheme such as this should consist of**

A57 LINK ROADS (MOTTRAM BYPASS) part of TRANSPENNINE UPGRADE

PUBLIC CONSULTATION

Response by Daniel Wimberley

General Introduction

My name is Daniel Wimberley. I am retired and I live with my wife on the main road in Bamford, so I have a good view of the traffic. It is intermittent but it is also a permanent feature of each day, increasing vastly at weekends, more so now in these times of COVID with people being discouraged from using public transport. It causes severance, noise, visual intrusion and a sense of anxiety as death is never far away – a few inches or seconds to be precise. Not to mention the unseen dangers from pollution.

To lighten the picture I should also say that the bus service to Sheffield is excellent, to other places in Derbyshire less excellent but usable, and there is a train service to both Sheffield and Manchester. I use all these regularly, less so in these COVID times of course. In the near future we anticipate all these services being improved and removing much of the traffic from our roads, especially the commuter and tourism elements.

The immediate effects of potential traffic growth arising from this scheme on Bamford is unknown to me as I asked for traffic data and so far have been refused. But aside from traffic nuisances I will also, along with everyone else, experience indirectly the increase in GHG emissions caused by this scheme and by the road-building programme of which this is a part.

These emissions have only one final destination, no matter where they originate – the atmosphere which we all share on this planet of ours. Each addition is harmful, risky in a terrible sort of way. That is why we have a legally binding national carbon budget, and we should be proud of that. Sticking to the target would be a good idea too.

I wish to object to this scheme on many grounds. There will be repetition as everything is connected. There will be assertions and questions as my requests for information were answered so slowly that my second set of questions was never sent, and the answers which I did get came too late to be incorporated into this. And many of my first set of questions I have had basically to re-ask.

The first Chapter is about the failures of the consultation you have carried out, and my request that it be re-run, and re-run with proper information. As a very basic example of how extraordinarily lacking the information was, the cost of the scheme, the length of the scheme and the number of properties which would be relieved of traffic nuisance by the scheme are nowhere to be seen on the website “up front” as it were, not are they in the main document of the consultation – the brochure.

How can this be? The public simply has **no idea** of the overall picture of the scheme. **Given these simple facts, the public would have responded, perhaps, completely differently to the consultation.** Questions might have come to mind along the lines of ‘crumbs that is a lot of money. I wonder if we can tackle this another way. Just think what you could get for that sum’

In a word the consultation was inadequate. We won't know, unless we have a proper consultation, a genuine asking of the views of everyone, with the necessary information laid out. (see Chapter 1)

The Examination, when and if it happens, will have to look at many things. In Chapter 2 I spell out, so far as I can at this stage and given the limitations I have referred to, what these are.

Chapter 1 – the consultation about the scheme

Introduction

This scheme, like any other infrastructure scheme, has very real costs. It consumes financial resources, manpower resources, both brain power and manual power, institutional capacity, land, and a share of the national carbon budget. And maybe others I have not thought of. These resources are not then available for use, at the same time, elsewhere.

There are competing priorities. There is no such thing as a free lunch. If this scheme is built, then old diesel busses which ply the streets of Manchester or Sheffield, adding to air pollution and ill-health as they go, will not be replaced. Or maybe another bypass in another place, will not get built. It is impossible to do everything, so choices have to be made.

It is part of the job of the consultation to help the right decisions to happen. It is in the public interest that these decisions are taken to maximise the benefit to the public. The Secretary of State (SoS) has to be in a position to see which schemes, in some definable way, offer better value. Going back one step, the Inspector(s) draw out the value of the scheme at the Examination in Public – does it solve real problems? Does it do what it does at a good price? In short, to what extent does the scheme make sense? – and then inform the SoS in his/her report.

Going back one more step, the consultation can only help the Inspector(s) if it has been well carried out and has fostered extensive well-informed input on issues around the key question of “to what extent does the scheme make sense?” and thus provides useful insights to the Inspector(s).

There are five sections in this chapter of my submission plus this introduction. The first is a summary of this chapter together with the conclusion which follows from the summary, the second sets out what a consultation exercise for a scheme such as this should consist of, the third sets out briefly what the consultation website should have looked like, and the fourth sets out what the consultation exercise for this scheme actually did consist of. The fifth looks at possible obstacles to doing the consultation the way it should be done.

i) In a nutshell – summary and conclusion about consultation

The consultation for the A57 Link Roads (Mottram bypass) scheme has steered consultees – local residents, the wider public, public bodies, and NGO's – away from the critical issues, and towards matters of “design” and other detailed matters such as alignment, engineering, design including standards, and identifying and reducing negative impacts.

These detailed matters are all important, and must be part of any consultation, but not to the exclusion of the bigger issues.

These critical issues are the ones, which taken together pose the question: ‘does this scheme make sense?’ and “does it serve the public interest?” The Inspector(s), and subsequently the Minister, need these issues to be considered and have the widest possible range of views expressed about these issues in order to properly decide whether or not the scheme deserves support.

A scheme promoter should set out the aims clearly and unambiguously from the start, and should invite contributions about whether these aims are the right ones, whether there are aims that are missing, and should thereby stimulate challenge and discussion around the question – is this really what we want?

In addition a scheme promoter should state precisely why it is that they are sure that the scheme will achieve those aims, in order to stimulate informed comment and questioning and debate and refine/modify the scheme as needs be.

The public interest also demands that the promoter of a scheme should take alternative solutions (packages of solutions) into account as part of the process of developing the scheme, and then as part of the consultation.

The scheme’s proposers, HE (I will refer to “the scheme’s proposers, HE” as “you” from now on, it is simpler and more direct, and HE is running the consultation), have failed to state these issues on the consultation website, and have not provided easy access to the information which consultees would need to understand and make judgements about those issues.

If you had stated these critical issues, or if they had made this information easy to access, then you would have made the public aware that these issues existed and were important.

While your duty was to flag up the existence of these critical issues you failed to do this, and thereby limited the scope of the consultation and deprived the Inspector and Minister of input which they need to make their decisions. In doing this, you have done a disservice to the public interest. There may even be legal implications. This consultation should be re-run.

ii) What a consultation exercise for a scheme such as this should consist of

Consultees need to understand the scheme if they are to comment on it in a well-informed manner. There are two aspects to this. There are the detailed considerations of alignment, engineering, design including standards, reducing negative impacts. And then there are all the questions around the aims of the scheme.

I am saying that the latter are as essential to the consultation process as the former and yet they have been completely set aside. Both should be part of any proper consultation.

a) detailed considerations of the scheme

These are indeed covered by the consultation as it was carried out by the promoters of this scheme, i.e. you, and so they are described in the third section below, where I show how the consultation was in fact carried out.

b) the aim(s) of the scheme

To write this section I simply started from first principles. The promoter of the scheme needs to set out the aim, or if more than one, the aims, of the scheme. After all, if the scheme has no aims, what is the point? What is the point of building it? What is the point of “Examining” it?

Posing the question of aims (I shall write “aims” from here on, as this scheme has more than one, even if not explicitly stated as such in the consultation) sets up in the mind of the reader three things.

The first is that the potential consultee – be it a local resident, a Local Authority, a member of the public from further away, an NGO, an expert – might be led to think: are these aims the right aims? Are they what I want? Are one or two of them disputable? Maybe there is an aim, or two, missing?

These are important questions. The scheme stands to benefit immeasurably if there is clarity around the aims. It is absolutely to be desired that a scheme promoter sets out the aims clearly and unambiguously from the start, and invites contributions about whether these aims are the right ones, whether there are aims that are missing, and a debate is stimulated about – is this really what we want?

The second thing set up in the mind of the reader, is an expectation that those aims will be achieved. Once they have been stated, clearly, as aims, then the cat is out of the bag, to coin a phrase. The reader wonders how, and if, they will be achieved.

“They say that this good thing will happen if the scheme is built, but will it?” the potential consultee asks themselves. “How does that work?” “Will it in fact happen?”

In other words, stating the aims clearly as aims opens the door to questioning; and the explanations of how and why the scheme will act to achieve its aims, and the questioning of the explanation, and any discussion which may follow, is very informative to the Inspectorate at the application stage, and is part of the meat of the Examination.

In fact how can the Examination do its job without this debate? And working backwards, how can the consultation function properly without it either?

And so, you should state not only the aims but precisely why it is that you are sure that the scheme will achieve those aims, in order to stimulate informed comment and questioning and debate and refine/modify the scheme as needs be.

The third thing set up in the reader is a question: if these are the aims, what about this and this and this? Would they (be they policies, services, bits of hardware, whatever) not be as good a way of achieving those aims?

In other words, stating the aims clearly raises the question of alternative ways of achieving those aims.

This is important as, again, the explanations from the promoters of the scheme, and the research they carry out as part of the consultation as to what the public thinks about alternatives, and the dialogue with consultees are vital to allowing the Inspectorate to first assess the application and then later to conduct the Examination, if the application is accepted.

What is the point of doing this scheme, for example, if an alternative package with far less disruption and with fewer GHG emissions, and at less cost, does the same job – i.e. fulfils the same aims?

The promoter of the scheme, that is to say, you, has to do something with alternative ways of achieving the aims. You can't just pretend that these alternatives do not exist. Such alternatives may turn out to be better, as in the scenario I have just sketched out. What then? Are we to put them to one side? That would surely be against the public interest.

It is clear that the public interest demands that you take alternative solutions (packages of solutions) into account as part of the process of developing the scheme, and then as part of the consultation.

Alternative solutions (packages of solutions) should be set out in the consultation, not necessarily in the same detail as the scheme, but in a non-prejudicial way, so that the public can express well-informed opinions and the Inspectorate can assess them properly at application stage and call for more evidence at Examination if the alternatives merit it.

iii) how the consultation should have looked on the website

The questions around Aims should have had at least the same priority as detailed questions around design and the changes since 2018.

The Aims themselves should be stated at “the top” of the consultation landing page. They should be accompanied by clear signposting that the evidence for saying that the scheme would achieve the aims, and some consideration of alternative ways of reaching those aims are to be found in the Consultation Brochure, with of course a link for opening this online, as well as the offer to send it by post, and info on public places where it can be read.

In turn this Brochure should indeed contain an outline of the evidence and consideration of alternative ways of reaching those aims , with clear signposting and links to where more detailed information can be found.

iv) what the consultation exercise for this scheme actually did consist of

a) The consultation website

The consultation website <https://highwaysengland.citizenspace.com/he/a57-link-roads/>

opens with the following text: (NOTE: all quotations in this sub-section are printed in italics to set them apart)

Overview

*“We’re holding a public consultation **on our latest design** for the proposed A57 Link Roads.*

*We would like to hear your views on our plans, **particularly on the changes to the designs** which have been made since our [last consultation in 2018](#).*

*The consultation will run for 6 weeks, from **Thursday 5 November to Thursday 17 December.***

Please view the consultation brochure and supporting information on this page for more details and follow the link below to complete a response form.” (my highlighting)

There is no hint there of anything to write to you about, or ask you about, except matters of “design” and “changes to the designs”. The page text continues:

Why your opinion matters

The feedback and comments you provide will help us to understand the local area better as well as the scheme benefits and any potential impacts.

*All responses received during the public consultation will be recorded and analysed. Where it is possible, **we will use your feedback to help develop the scheme design or to help identify ways to address concerns about the impacts of the scheme.*** (my highlighting)

Again we are told to address matters of detail and the questions around aims are nowhere.

There is no link given to the Consultation Brochure, and no information about Aims. However there is a link to the “last consultation”. I followed this, and there is this about what the scheme is for: <https://highwaysengland.citizenspace.com/he/trans-pennine-upgrade/>

Why do we need this scheme?

The existing route connecting the M67 at Mottram in Longdendale to the M1, north of Sheffield, mostly consists of single carriageway sections with steep gradients and sharp bends. The existing route currently causes a number of negative issues for local people.

Sections of the route can also be badly affected by poor weather and accident rates are above the national average. The road is often closed for these reasons, which means it is not as reliable as it should be. The lack of technology in the area, such as electronic information signs, also means that there is little information available for road users to make effective decisions about their journey.

This is not a statement of the Aims, inviting challenge. What is the scheme supposed to do? How does it help with the problems announced in these 2 paragraphs? ¹ Not a word.

So I leave the previous consultation and, persevering, I go down to “RELATED” and look at the main document, the Consultation Brochure. https://highwaysengland.citizenspace.com/he/a57-link-roads/supporting_documents/WEBacc%20MCR20_0179%20%20A57%20TransPennine%20Upgrade%20Consultation%20Brochure.pdf

The first page of text starts with a description of the role of Highways England, and then we read;

“That’s why we’ve developed a project to improve journeys between Manchester and Sheffield, as this route currently suffers from heavy congestion which creates unreliable journeys. This restricts

¹ It is very hard to see how this scheme has any positive impact on any issue mentioned in the first 4 sentences, except for a “number of negative issues for local people” – which is unquantified and may be counterbalanced by others for whom things get worse.

potential economic growth, as the delivery of goods to businesses is often delayed and the route is not ideal for commuters, which limits employment opportunities.

Much of this heavy traffic travels along local roads, which disrupts the lives of communities, and makes it difficult and potentially unsafe for pedestrians to cross the roads. These issues will only get worse with time if significant improvements aren't made.

We're now holding another consultation on the latest design of the project. This brochure provides an overview of our proposals for the A57 Link Roads project, and the changes that have been made since our previous consultation"

You will see that this contains a description of some problems with this route from M/C to/from Sheffield, both from the point of view of the users of the road and the significance of those issues, and a statement that the road causes nuisance to local residents, and that all these problems "will only get worse with time if significant improvements aren't made".

None of this is written in a form which is testable, or invites any sort of comment along the lines I have described above. Then comes the sentence:

*"We're now holding another consultation **on the latest design of the project**"* (my highlighting)

On page 8 we read:

"The scheme will:

Reduce congestion and improve the reliability of people's journeys - through Mottram in Longdendale and between Manchester and Sheffield

Reduce noise levels and pollution for neighbouring properties - by reducing the amount of traffic from the existing A57 through Mottram in Longdendale

Re-connect local communities and create better conditions for pedestrians, cyclists and equestrians - in Mottram in Longdendale

Reduce delays and queues that impact the community - affecting residents, businesses and public transport in the area"

At last here we have some testable, challengeable statements. But there is no invitation to comment or challenge. There is no justification, for example, for the statement that the scheme will "reduce congestion and improve the reliability of people's journeys" or that the scheme will "Re-connect local communities." There are no pointers to further information, except a pointer buried, not salient, on the following page, to page 18 of the brochure itself.

I have just checked the information pointed to and it is an evidence free zone. There are no figures for noise reduction, no figures telling me or any other consultee how many houses will enjoy "better conditions" or for that matter how many will not.

For example:

“Our assessment currently shows that there would not be any significant effects from the scheme, for people, designated ecological sites, or in any of the AQMAs”

Or

“Residents who live close to the existing route will likely hear noticeably less noise due to traffic being moved further away”

b) the Statement of Community Consultation (SoCC)

https://highwaysengland.citizenspace.com/he/a57-link-roads/supporting_documents/Trans%20Pennine%20Upgrade%20Link%20Roads%20%20Statement%20of%20Community%20Consultation%20FINAL.PDF

The SoCC has more on the thinking behind the consultation. Here are some quotes from this document:

*The best time for you to have your say **to inform our final design for this scheme** is now by taking part in this consultation.* (my highlighting)

Page 2

The scheme

We’ve developed a project to improve journeys between Manchester and Sheffield, as this route currently suffers from heavy congestion which creates unreliable journeys. This restricts potential economic growth, as the delivery of goods to businesses is often delayed and the route is not ideal for commuters, which limits employment opportunities. Much of this heavy traffic travels along local roads, which disrupts the lives of communities, and makes it difficult and potentially unsafe for pedestrians to cross the roads. These issues will only get worse with time if significant improvements aren’t made

Page 3

My comment: this is the case, in a nutshell. It is able to sound very convincing, as there are no alternatives in sight, and there is no evidence !!! This is the SoCC, so what should be here is a statement of how these suggested benefits are going to arise out of the scheme, written in a way that those predictions and explanations of benefit can be challenged and tested by consultees.

But it isn’t.

This consultation will focus on changes to the A57 Link Roads scheme since the last public consultation in 2018:

• Improvements to the design

• Extra information we now have about anticipated environmental impacts

Ibid, page 4 (my highlighting)

Same comments as everywhere: detailed considerations not Aims

we're publishing a Preliminary Environmental Information Report which will be made available online as part of the consultation material to assist well-informed responses to the consultation.

The report will provide information about the potential environmental effects of the scheme, including updates on air quality and noise and the measures proposed to reduce those effects.

Ibid, page 4

Fine, so far as it goes. In the PEIR, the environmental issues are set out, and what the promoters are aiming to do to mitigate them, sometimes on a very provisional basis, is set out. So at least consultees have something to go on.

SCOPE OF THIS (2020) CONSULTATION, AS PRESENTED BY HE

Following the consultation in 2018, we've improved our designs taking these issues into account and we also have more information about key environmental impacts including air quality, noise and traffic. We'd like your views on these changes, before we submit our DCO application to the Planning Inspectorate.

Page 5 (my highlighting)

This consultation - why and when

It is important to us that our consultation will:

- Provide the opportunity for the community to give feedback on the latest design of the project*
- Encourage the community to help shape our proposals to maximise local benefits and minimise any impacts*
- Help local people understand the potential nature and local impact of our proposals*
- Enable potential mitigation measures to be considered and, if appropriate, incorporated into the scheme design before an application is submitted*
- Identify ways in which our proposals, without significant costs, support wider strategic or local objectives*

Your comments will help us achieve these objectives. We will listen to and consider everyone's views before we submit our DCO application. This process is described below in the Next Steps section. The consultation will run from 5 November to 17 December 2020.

During the consultation period, we will be consulting on the following particular elements of the scheme:

- *Our environmental assessment and our measures to minimise impacts on air quality and noise*
- *Removing the Roe Cross Road link, junction and roundabout from the scheme*
- *A new location and design for the Mottram Underpass*
- *Replacing the proposed roundabout at Mottram Moor Junction, with a signal-controlled junction*
- *Reducing the length of our River Etherow crossing*
- *A new design for the Woolley Bridge junction and location of the link road*
- *New provisions for cyclists and pedestrians, including additional crossings at the proposed Mottram Moor junction and connections to the former route*
- *A new location for the Carrhouse Lane underpass*
- *Important natural, or man-made features of the landscape surrounding the scheme*

Ibid, page 6

Exactly – as I am showing, details, not Aims or any wider issues. However there is a glimpse of the importance of involving the public in the first list of bullet points.

v) possible obstacles to doing the consultation the way it should be done.

In this Chapter I am saying that the questions - of whether the scheme's aims were good ones, whether the scheme was likely to achieve them, whether the scheme would achieve them in a cost-effective way, whether there were better ways of achieving the aims – should have been part of the consultation.

Was there some valid reason for excluding these important questions? I came up with two possibilities: the first was the Planning Inspectorate's rules, and second, 'these questions have been settled already.'

a) the Planning Inspectorate's rules may exclude questions around the Aims.

Maybe the process does not allow this, I wondered. But the Advice Notes from the Planning Inspectorate do not suggest that these questions are somehow out of bounds. Quite the reverse.

Advice Note 8.1 para. 1.3 says:

*“Making substantial changes to an application becomes more difficult after an application is submitted. Responding to the developer's consultation at the pre-application stage is therefore the best time to influence the project and **have your say on whether you agree with it, disagree with it or believe it could be improved**”* (my highlights)

So clearly the Inspectorate has no issue with the notion of a consultee “disagreeing” with the scheme.

Advice Note 8.4 para. 7 and 7.1 say:

“7 What should I write?”

7.1 This depends on your view about the application. Written comments may support the application, object to the application, or be neutral. Comments and views can relate to the application as a whole or only address specific parts.” (my highlights)

Clearly it goes further. A consultee can object to the entire application.

Advice Note 8.4 para. 7.2 says:

“It is also possible to support one aspect of the application and object to another. For example, a comment may support the location of a development, but object to the design of it. Comments may be about any aspect of the development or its impacts. It is very important that you explain the reasoning behind your views.” (my highlights)

All aspects of a scheme are subject to critique or objection.

b) the questions around “Aims” have been settled already.

Or maybe the scheme had already been through the mill of an Examination, and therefore such questions were regarded (by the promoters) as settled, or at least, “dealt with”. But this is not true either.

The SoCC for this latest version of the scheme states (page 2):

“Under the Planning Act 2008, we are required to make an application to the Secretary of State through the Planning Inspectorate for a Development Consent Order (DCO) to build this scheme. The Planning Inspectorate will examine our application and the Secretary of State will decide on whether the scheme should go ahead based on a recommendation made by the Planning Inspectorate. We anticipate that our DCO application for the scheme will be submitted in spring 2021. We are publishing this statement under section 47 (duty to consult local community) of that Act.”

The words: “the Secretary of State will decide on whether the scheme should go ahead based on a recommendation made by the Planning Inspectorate” make it very clear that there is **no permission to build as of now**. The Examination is not about the details. The details themselves feed into the bigger picture. The scheme may be granted permission, or it may be refused. What is at stake in the whole process is this – should the scheme be built or not?

I am left to speculate that it is a trick of the mind – the scheme has been around so long in various guises, that what is salient in the minds of the promoters is the difference between the latest

iteration and the previous version, and so that is what dominates their thinking. The Aims? Well we know what those are . . .

Chapter 2 – grounds of objection

i) History of this scheme

Different versions of this scheme have been proposed for many many years. 50 years is the figure which sticks in my mind. I wonder why this is. Is there something inherently problematic about it?

In the heading of this response I put all three versions of this scheme: it is the A57 Link Roads scheme, it is the Mottram bypass, and it is part of the Transpennine Upgrade. It is a mongrel. Maybe that it part of the problem here.

Value for Money, and capacity, and its relationship to the nearby and parallel M62, and the differing plans and “gleams in the eye” for crossing the Pennines at this latitude are all in the mix.

The examination must look at this confusion and disentangle it. What exactly is going on here? Why is a bypass for Mottram just 14km in length (my estimate) a part of National Infrastructure? It does rather look as if the plan really is a massive upgrade to the Transpennine Route, which would attract traffic from the M62. How will this improve the lot of local residents in this valley? Is this confusion the reason why the traffic data is “not available”? It is simply impossible to calculate?

But then on the other hand, you make great play on how you have reduced the capacity and scale of this scheme compared to previous versions. It is all very Hmmm.

A fresh consultation, with the Aims clearly stated, etc. as set out in chapter 1, would help with facing up to this confusion. It is simply out of order to propose a 14km bypass while in fact planning a massive Transpennine route! Certainly it is the case if the road now being proposed would actually be too small in this scenario! But we just don't know.

If it is the case that there are various future options being considered, then this must be clearly set out now. The public must be consulted and not kept in the dark.

ii) The evolving policy environment

It is a commonplace to say that we are living in a time of crisis. COVID, Brexit, and the Climate Emergency are all with us. The policy environment is changing seemingly on a monthly basis.

The Examination will have to consider how these policies impact on the scheme.

a) Equality

COVID has brutally exposed the importance of this policy strand, but it was already key. The 2019 election was partly won by an equality-based policy, the pledge to “level up”. There is a Minister for equality. So how does the scheme relate to the fact that 30% of Sheffield households (or individuals?) do not have access to a car, and the same is true of Manchester? (*reliable source, but needs checking*)

What are the car ownership and mode reliance figures for the people living locally to this scheme? How does all this affect the rationale for this scheme and how it compares to alternative solutions to the problems of traffic nuisance and “connectivity”?

b) Climate change

In November 2008 the Climate Change Act (CCA) was passed by parliament with overwhelming cross-party support. The Act committed the UK to reducing its greenhouse gas emissions by 80 per cent by 2050, compared to 1990 levels. In 2019 the UK adopted a new target and became the first major economy to commit to a ‘net zero’ target by 2050.

The Act also provides a system of carbon budgeting, to help the UK meet its targets through a series of five-year carbon budgets. These are legally binding. The Committee on Climate Change (CCC) has reported that the first and second carbon budget were met and the UK is on track to meet the third (2018–22), but is not on track to meet the fourth (2023–27) or fifth (2028–32) budgets.

So the pressure from our climate change carbon budgets on policy was already severe before the new goal of NET ZERO by 2050 replaced the old commitment of 80% by 2050. The budgets will now need revising in the light of the new 2050 commitment.

Revised upwards, of course. ²

On December 4 2020, the PM declared a current annual target of 68% emissions cuts on 1990 levels. This is 11% more than the 57% emissions cuts set under the 80% - by – 2050 regime. ³

Another massive increase in ambition.

On 17th November 2020 the 10 point plan for a green industrial revolution was launched by the PM.

Point 5: Green public transport, cycling and walking

“As well as decarbonising private vehicles, we must increase the share of journeys taken by public transport, cycling and walking. We will therefore accelerate the transition to more active and sustainable transport by investing in rail and bus services, and in measures to help pedestrians and cyclists. *AND*

“We will invest tens of billions of pounds in enhancements and renewals of the rail network, £4.2 billion in city public transport and £5 billion on buses, cycling and walking . . .” ⁴

² Info thus far in this subsection from <https://www.lse.ac.uk/granthaminstitute/explainers/what-is-the-2008-climate-change-act/>

³ Data from <https://www.clientearth.org/latest/latest-updates/stories/what-is-the-climate-change-act/> PM announcement: <https://www.gov.uk/government/news/uk-sets-ambitious-new-climate-target-ahead-of-un-summit>

⁴ <https://www.gov.uk/government/publications/the-ten-point-plan-for-a-green-industrial-revolution/title#point-5-green-public-transport-cycling-and-walking>

This all has implications for this scheme and others like it and for the consideration of alternatives. Paying full attention to climate change is a massive policy shift, it is accelerating and the direction of travel is one way. And it should be noted that early cuts in emissions are the best for reducing the massive risks we face. (source IPCC) Leaving it “till later” always makes the problem worse. In the light of this shift one may wonder – is this scheme a dinosaur, a relic from a former era?

c) Air Quality

This is another area where the direction of travel is predictable. Concern over air quality is rising. Vehicle pollution is the major cause. Electrification of vehicles does not solve the problem as pollution does not come only from the exhaust. The recent inquest ruling coupled with the legal framework around Air Quality will ensure the enduring prominence of this issue.

There are areas near to this scheme with serious air quality issues. I hear that some areas have illegal concentrations of pollutants.

The Examination must look at a) the effect of the scheme on air quality, is it effective on cutting it and by how much? And b) the effect on the AQMA's and on these illegal levels. It would be extraordinary, or worse, possibly cause for legal action, if a £228 million scheme left people nearby breathing in illegal levels of pollution.

d) general comment

The examination will have to look at all these areas of policy, and their implications on the Aims of the scheme, and the various traffic predictions and all that flows from these predictions.

iii) GHG emissions

The previous sub-section has highlighted the importance of the evolution of government policy on climate change and therefore on emissions.

The examination will have to consider carefully the actual figures on emissions during construction and in operation of the scheme. Firstly are they correct? I have heard that they are underestimates. And secondly, what are the implications on the national carbon budget?

There is a temptation, with each and every scheme to say – well this is “just a drop in the bucket”. But drop by drop the bucket gets full and we fail to tackle climate change. So where does this scheme sit with that conceptual framework? Does it “wash its face” when you consider the space it takes up in the bucket?

And this conceptual framework also feeds into the consideration of alternatives to meeting the aims. For more on this see the subsection on Alternative Ways of Meeting the Aims.

iv) Traffic predictions

I have asked for information on current flows and on current O&D information, and on your predictions under different scenarios. None has been sent to me, and yet clearly you have all the current data, and on a preliminary basis the predictions too. You could not design the scheme otherwise.

These prediction scenarios are in turn based on what you think is going to happen, both on the road network and in other areas of transport, and in other policy areas, and in the way we live.

And looked at the other way round, the traffic predictions are central to what you believe the effectiveness of the scheme will be in every area – from relief of congestion to relief of properties from nuisances. They also must have played a major role in the Value for Money assessments in the feasibility study. But are they still valid in our fast-changing world – see above on government policy, for example.

I have heard that the Vfm calculations depend on a lifetime of the scheme of 60 years. This is either moderately absurd, or very absurd.

It is absolutely incomprehensible why you should refuse access to this basic information which reveals your assumptions and also has such a close bearing on every aspect of the scheme.

The Examination will have to look very closely at every aspect of your traffic predictions and the uncertainties within them, their sensitivity to changing ways of living, to investment in rail, to possible schemes pulling traffic in from the M62.

It would be far far better if this debate were to be enabled by proper disclosure and public consultation before the examination!

v) Rail investment

The November 17th 2020 quote from the PM above:

“We will invest tens of billions of pounds in enhancements and renewals of the rail network”

is not a fixed pledge, it is a clear signal of the direction of travel. Far larger sums will be spent on rail in the coming years, especially in the North, and in this area especially, witness the recently published study:-

https://www.railwaygazette.com/uk/nic-reports-sets-out-five-options-for-rail-investment-in-the-midlands-and-north/58046.article?utm_source=RBUKnewsletter&utm_medium=email&utm_content=&utm_campaign=RBUKnewsletter-%2020201217&adredir=1

Your 2017 feasibility study mentions rail only to un-mention it.

3.3 The modal scope of the study was predominantly road-based, and took into consideration potential investment proposals on both the strategic and local authority road networks. The study also took into consideration the contributions that existing rail investment plans would bring to trans-Pennine connectivity.

And . . .

3.4 The study also needed to understand other investment planning processes that could impact its work, such as the further rail investment recommendations that may emerge from the Northern Electrification Taskforce set up by the Secretary of State for Transport, and the rail industry's wider planning process for the next Control Period (2019 -2024).

Together these two paragraphs say ‘we will take rail into consideration’ Then come the objectives of the study, which is too long for here. But suffice to say: there is no objective to integrate the evaluation of road-based solutions with the evaluation of rail.

However, the mood has changed. Rail will receive massive investment, including on routes directly affecting traffic on this route. (This is not to mention a strategy of investment locally, on the Glossop rail line)

The Examination will have to weigh these competing investment options against the Aims of the scheme.

vi) Alternative ways of Achieving the Aims

Being accused of a silo mentality is not the flavour of the month. As the CEO of the CCC said recently:

“ If there was ever an idea that we could approach this as a ‘sequential’ transition – moving from power, to transport, to heat, to industry and agriculture – then that thought needs to be re-examined... We will need to shift from the current piecemeal approach, relying on departments and sectors to make incremental improvements, to something much more broad-based.”

Chris Stark, Chief Executive, Committee on Climate Change, March 2019 ⁵

We have to look at alternatives. We have to look across and see the context and seek partners. And this has to be a regular part of the way we work, HE included.

Look at the facts: the construction of this scheme is massively carbon-intensive. The cost alone shows this. And then there are the emissions of the generated trips, and this happens over years and years. **And yet every element of an alternative package would serve to CUT emissions and not to raise emissions.**

With a budget of £228 million it is perfectly achievable. You could probably deliver a fantastic local package for far less.

The consultation should address this issue, put out a skeleton plan after some pre-consultation, and then garner additional ideas and comments and refinements, and then the Examination should address them.

Here is a plan outline for looking at this:

- Evaluate and put a figure on traffic reduction via the application of new technology – from autonomous vehicles to logistics bundling
- Evaluate and put a figure on traffic reduction due to lifestyle changes; in particular the impact of working from Home (WfH) and the impact of the rise in internet shop[ping] and therefore of home deliveries replacing shopping trips

⁵ <https://www.theccc.org.uk/2019/03/19/chris-stark-towards-net-zero/>

- Evaluate and put a figure on traffic reduction due to maximising the potential of the Glossop line
- See how the Active travel agenda can be implemented in the area. (For this item you could work with the cycling and walking team in Manchester.)
- Evaluate and put a figure on traffic reduction due to maximising the potential of rail freight in the corridor, bearing in mind advances in rail freight logistics
- Evaluate the effect on pollution and nuisance of allocating electric buses to the scheme area.
- Evaluate and put a figure on reductions in air pollution and the resulting monetary and suffering savings from all the above measures

vii) Achieving the Aims of the Scheme

I have cited all the words in the Consultation Brochure and on the Consultation website which can loosely be described as stating what this scheme is trying to do in Chapter 1 section iv).

Collapsing them all we come up with the following list of points:

NOTE: I have made them operational points as opposed to “empty” or “wishful” points. Thus for instance, I have changed “*this route currently suffers from heavy congestion*” into “Reduce congestion on the M/C – Sheffield route(s)”

- Reduce congestion on the M/C – Sheffield route(s)
- Reduce unreliability on this/these route(s)

(one measure given for these first 2 bullet points was “*the delivery of goods to businesses is often delayed*”)

(Another measure was: Commuting is inhibited by the limitations of the route)

- Enhance economic growth by quicker and more reliable journeys
- Expand employment opportunities
- Reduce disruption to the lives of communities
- Reduce crossing times of the relieved roads for pedestrians
- Reduce accident levels

(the above three bullet points are said to be going to get worse “*if significant improvements aren’t made*”)

- Reduce noise levels and pollution for neighbouring properties
- Re-connect local communities
- Create better conditions for pedestrians, cyclists and equestrians
- Reduce delays and queues in the area

The rerun consultation MUST have evidence for all these goals, and state them clearly as aims if that is what they are. It must also present some alternative package to show how they could be addressed in a different way. Then and only then can the public see if this makes any sense at all.

For example;

Unreliability on these routes – first where exactly does this occur? And what is the scale of this problem? What is the real variation on journey times through the day and through the seasons? Is there any solid evidence of delayed goods?

We need figures on unreliability caused by the very specific conditions on the route, such as fog, ice, accidents, sheep, as well as by conditions near Mottram, and conditions on the Sheffield side.

Congestion – when and where does this occur? Is it limited to certain times of day? How sensitive is it to variations in traffic flow? In other words could it be “ironed out” by the use of tech?

Commuting: i) is there evidence for how much commuting there is by rail? by road? What routes does this take? (I am thoroughly sceptical about this argument) Is growth in long distance commuting desirable? Is it part of the traffic predictions?

Economic growth: how far has the UK come in decoupling economic growth from emissions? How exactly does more traffic on this route stimulate this? Do we want economic growth if it destroys the planet- surely we are looking for economic activity which is good for people and good for the planet?

So, is there a form of beneficial growth which would not need this traffic?

Expand employment opportunities: again this is problematic. What is the evidence of job-seeking across the Pennines? And if someone does get a job in the “other” city/conurbation, do they not move? (see above point on “commuting”) Both the Sheffield and the M/c conurbations are big markets in themselves – I struggle to see competition for customers or labour operating across the barrier of the National Park!

And so on. Each and every bullet requires justification. How exactly does this work? What is the expected reduction / benefit? Would these benefits arise from other, cheaper and less disruptive measures? What might these measures be?

The consultation must make testing of these assertions of future benefits possible and must set out alternatives to the scheme for achieving the goals. Then the Examination has something to go on.

viii) Conclusion – the wider View is the only View

This scheme is the result of tunnel vision. Indeed there is serious talk of the cross-Pennine road route ending up in a tunnel!

I suggest that in every way it is better to take the wider view.

The disruption of construction on this scale is appalling – is there a better way?

The cost is eye-watering – is there a better way?

People may be weary of this endless road story, but that is because it is a foolhardy scheme which sadly for its promoters has outlived its usefulness.

Alternatives have never been seriously worked at or presented, and would excite genuine enthusiasm if they were.

In insisting on the wider view paradoxically what I say will benefit above all local people.

They are simply left behind by this scheme. Again. It helps them far less than a proper alternative package would. The 30% or in some areas 50% with no car get absolutely nothing from this, but then others suffer too.

For that sort of investment local people could enjoy a transformed local rail service, a transformed bus service with vastly more frequent route buses and a dial-a-ride type service for outlying areas, there could be electric buses, and there could be serious investment in the area itself, to make it a more desirable “place to be”: to live, shop, work and enjoy leisure time.

Yes there is a better way – have a proper consultation backed by better information, where local residents and other concerned citizens and NGO’s collaborate with HE and other agencies to solve this traffic problem and make life better for all.

Dear Mark James,

Tuesday, 05 January 2021

A57 LINK ROADS (“Mottram bypass”) (“Transpennine Scheme”)

I write to you because you are the contact officer for the Council’s response to the above scheme. I write as a resident of High Peak, to share with you my (bad) experiences of taking part in the consultation exercise being run by Highways England, because the Planning Inspectorate advises me to inform you about problems with the consultation stage of Examinations in Public.¹ I know that the Borough Council too has faced the problem of inadequate information.

You will note that I use all three of the scheme’s titles above. I suspect that part of the information problem and part of the reason why this scheme has been on the stocks for so long is that it is an uneasy hybrid, and they still do not quite know what they are trying to do!

General issues

1. **I have been dismayed at the unwillingness of Highways England to give me the information I ask for.** It seems to me that the more vital the information is, the greater their unwillingness to divulge it! Sometimes they tell me to find out for myself things which they have surely already worked on, and which they could therefore give me without fuss.
2. More fundamentally, the whole approach of the consultation has been flawed. **The consultation has steered consultees** – local residents, the wider public, public bodies, and NGO’s – **away from the wider issues, and towards matters of “design” and other detailed matters** such as alignment, engineering, design including standards, and identifying and reducing negative impacts. These detailed matters are all important, and must be part of any consultation, but not to the exclusion of the bigger issues.
3. **These critical issues are the ones around the aims and performance of the scheme as a whole. What are the aims of the scheme? Will the scheme fulfil those aims? Is it the best way of doing so – or is there a package which would bring greater benefits, at less cost?**
4. By steering the consultation in the way they have, Highways England have lost much possible insight from the consultees. They have also avoided debate on the key issues.
5. Highways England is a public body. The work it does is funded by the public and is done on behalf of the public. Its work is thus subject to public concern and scrutiny. New schemes are naturally particularly subject to this scrutiny: by elected bodies like the Borough Council, by quangos like the PDNPA, by utilities, by NGO’s and by private individuals like myself.
6. **This process of scrutiny is one of many pillars of our democracy. It is absolutely right and proper that it takes place. It is also potentially extremely valuable.** Money might be saved. Impacts may be reduced. The silo mentality of the proposers might be challenged – maybe there is a better way of achieving a scheme’s benefits.

¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-8-1v4.pdf>
Advice Note 8.1 paragraph 7.4: “If you have concerns about the way in which the developer is carrying out the pre-application consultation, you should let them know as soon as possible and allow them the opportunity to respond to any issues you raise.

“You can also make your local authority aware of your concerns. The Inspectorate will request the relevant local authorities’ view on the adequacy of the consultation at the point the application is submitted.”

7. **But for this process of scrutiny to work properly, the proposer of a scheme must be open with information.** In this case Highways England was duty bound to help potential participants in the consultation by providing full information, but failed to do so.

The traffic data

8. These are pretty important. They are needed to validate the drop in traffic nuisance we are being told will occur. They are critical in the role they play in VfM (Value for Money) calculations. And they are essential for disentangling the intentions of this scheme: is it “Transpennine Upgrade” (which would attract traffic into Longdendale?) or “local environmental scheme”?
9. If the latter, then the question arises – would other measures deliver more benefit for less cost? And if the former, would traffic nuisance especially poor Air Quality not increase overall?
10. And so **I asked for full details of the current Traffic Network data, and for details of their predictions, with and without the bypass.** I specified what I mean when I write “full details” – vehicle types, variations by season, time of day, everything. **I also asked for O&D (Origin and Destination) survey data.** They have all this data, otherwise they cannot possibly design a road, let alone make a case for one.
11. **I did not get any of the data which I had requested.** On current traffic data, I was told where I could find the raw data – from the Highways England automatic counters website! On predicted traffic, I was told: “This information is still being finalised, so we are unable to send it to you at this time.” (*If this data is “still being finalised” how did they arrive at the road scheme we now see?*) On O&D survey results – no data.
12. So on current traffic data I am expected to wade through raw data when they have this stuff all worked out. On predicted traffic and O&D results, they tell me intricate details of the various models which they have used and how they have gathered the data, accompanied by . . . no data!

Properties relieved of traffic harms, and those not relieved of those harms

13. **I asked for exact figures on the number of properties fronting onto the existing road in Mottram** where living conditions will be “relieved” by the bypass, **and how many properties situated “further along” the A 628 and the A57, would likely not be relieved.**
14. **Again, I did not get any of the data which I had requested.** I was told that “This information is not available as we model to points along the route, rather than specific properties” Maybe they do, but I would be very surprised indeed if they do not know these figures.
15. Again I was pointed to the raw data, this time in the form of google maps. This is not helpful to a consultation participant. They have this information, why do they not share it?

So there you have it, I have passed my complaint on to you, as advised by the Planning Inspectorate. For me the question remains – why would Highways England behave like this?

Yours sincerely,

Daniel Wimberley, resident of Bamford

PS I attach my correspondence with Highways England, together with a Summary of it.

cc: Charlotte Farrell; Joanna Collins; Borough Councillors for Hope Valley

Dear Mark James,

Friday, 02 July 2021

Re A57 Link Roads Adequacy of Consultation report

I write to you as Principal Planning Officer and the person responsible for working on the A57 Link Roads scheme proposal on behalf of High Peak Borough Council.

This email follows on from my email to you of 5th January 2021 about the consultation run by Highways England (HE) for the A57 Link Roads scheme, and your reply of the same date.

In that email I pointed out the shortcomings of this consultation and expressed my dismay and puzzlement at the approach being taken by HE. I sent you at that time a copy of my consultation response, which was largely, but not exclusively, about that same issue.

I see that Highways England have submitted, to the Planning Inspectorate (PINS) their application for a Development Consent Order (DCO) for this scheme. I am writing to you with regard to the "Adequacy of Consultation report" which you will be sending to the Inspectorate.

I would ask you to take into consideration the points made in my letter to you of January 5th and in my consultation response, as well as the update information document below.

With best wishes

Daniel Wimberley
Resident of Bamford

Note 1: I am copying this email to my borough councillors, Charlotte Farrell and Joanna Collins.

Note 2: Please find attached for your convenience:

1. This covering letter & UPDATE INFORMATION document
2. Letter to HPBC Planning Officer, Mark James, dated 5th January 2021
3. Consultation response to HE
4. Consultation response to HE some key extracts
5. Correspondence between myself and HE

UPDATE DOCUMENT

from CLOSE OF CONSULTATION to APRIL 2021

UPDATE TO LETTER TO MARK JAMES, OF JANUARY 5TH

1 Introduction

This Update sets out my experience of how Highways England (HE) dealt with the public (in this case, me) after the formal consultation period was closed, and draws out its significance for your Adequacy of Consultation report, including some specific requests about matters I would ask you to raise.

HE's response to the questions which I sent to them before the closing date a) was sent to me just within their target time of 10 working days, which meant that I had no time to follow up before writing my consultation response, and b) failed to give me much key information I had asked for.

I therefore had to continue with my questions after the closing date in order to establish what in my view is absolutely fundamental information about this proposal. To be fair Highways England did indicate to me that they would reply to continued questioning on my part.

This email also notes one glaring omission from HE's "A57 Link Roads Winter 2020 Consultation Report" of June 2021.

2 Summary, argument, and requests

The data which I required

After the consultation closing date I continued to try to obtain from Highways England the traffic network data, both current, and as predicted under different scenarios, as well as the O&D (Origin and Destination) information which feeds into these predictions. I also persisted with other questions, in particular about the way the scheme cost was not visible to the public.

The traffic network data and the O&D estimates

Highways England have continued to refuse to provide the traffic network data and the O&D estimates. They told me that a Transport Assessment Report (TAR) would be part of their DCO application and that at that point they would "share everything we can."

So, the PINS will be shown enough workings and data at DCO application stage to understand the scheme, but consultees did not have any of this information. Why could the consultees not have had this information at consultation stage?

The effect of withholding this information at consultation stage was to render it impossible for consultees to come to informed views on whether the scheme will produce any benefits to them or to others more generally. **So the consultation results are not an honest representation of the views of the public, nor of representative and statutory consultees.** They are seriously undermined and the obvious conclusion is that **the consultation should be re-run with this information on the table.**

Commercial confidentiality

Highways England wrote to me on May 1st, 2021, with respect both to the traffic predictions and the O&D results which feed into them, that they were “commercially sensitive” and therefore they could not let me see them.

This is an extraordinary assertion and does not stand up to a moment’s scrutiny.

Firstly, Highways England is a public body. The A57 scheme is a public project, being put forward for the benefit of the public. The funding at every stage is public funding. So what on earth is this phrase doing in this context? How can traffic predictions and O&D results possibly be “confidential”?

And secondly, this information is apparently only “commercially confidential” at consultation stage. When the DCO application is written for the Inspectors, it is incorporated, no doubt in “detailed summary” form, in the TAR (Transport Assessment Report) and becomes no longer “commercially confidential.” But the DCO application is itself a public document.

So this notion of “commercially confidential” makes no sense – and yet it is used in emails to me to justify the non-disclosure of vital information during the public consultation.

I ask you to challenge this notion of confidentiality in your Adequacy of Consultation report. It is a nonsense, and one more reason for the Planning Inspectorate (PINS) to direct that the consultation be re-run.

In the section entitled “My requests for information, in more detail” below, I look more closely at how damaging this appeal to confidentiality by HE actually is – mistakes in complex calculations can and do get made and therefore must be available for challenge – and why HE’s figures are especially liable to error.

The invisible matters in the consultation - cost & alternatives

After to-ing and fro-ing, I learnt that the cost of the scheme was to be found in the FAQ’s which were under the heading Consultation 2020, which was some way down the scheme’s webpage. It is not salient on the website – it is effectively “buried” – you can only find it after a long search.

Why is it not in the Consultation brochure, where it belongs?

Knowing that this scheme will cost an estimated £228million would have prompted the question in many consultees’ minds: – is this the best way to spend that money? **Along with the cost, there was no information on offer about other investments which could be made for that sort of money**, be they transport – related or not, which might improve the lives of residents.

It feels like people are having “things done to” them, rather than being “worked with.” You will know better than I if this is in line with government and perhaps also some local High Peak commitments to localism, community empowerment, participation and “levelling up”. **I hope that this issue can feature in the Adequacy of Consultation report.**

The Highways England “A57 Link Roads Winter 2020 Consultation Report”

My response to the consultation included a lengthy and substantial critique of the consultation process itself. Not one bit of this appears in this Report.

This raises serious questions about the reliability of their Consultation Report. It reads as if it is thorough and balanced, but is it?

Crucially, the PINS are being informed, by omission, that no one raised the question of the adequacy of their consultation and the fact that vital data was simply not available to consultees.

I believe that this matter deserves to be brought to the attention of the PINS.

My response to the consultation

I attach a document of key extracts from this which may be useful.

3 *My requests for information, in more detail*

After writing to you on the 5th January, I continued to try to obtain from Highways England the traffic network data, both current, and as predicted under different scenarios, as well as the O&D (Origin and Destination) information which feeds into these predictions. I also persisted with other questions, in particular the scheme cost. I had to do this for the reasons stated in the Introduction.

The traffic network data and the O&D data are necessary in order to understand the scheme at all, and especially in order to assess the claims made for the scheme about its impact on traffic nuisances for residents within parts of the borough. The scheme cost is necessary in order to have a sensible debate about what alternatives there might be for transport and other investment in the area which could tackle the same problems for a similar amount of financial and other resources and to gauge the potential risk of a chilling effect which this proposal might have on other investment, be it transport-related or not, in the area in future.

What follows is the gist of our exchanges. The full correspondence is attached in the interests of full disclosure.

a) O&D information

In an email dated May 1 2021, Mr. Rawson, Regional Investment Programme (RIP) North Assistant Project Manager, said:

*“As I noted in my previous response, **this information** (namely, the actual results of their methods for estimating O&D’s on the basis of mobile phone data) *doesn’t exist in the format you request. The TAR (Transport Assessment Report) **will be published as part of our DCO application** and I hope that this will help to answer your questions.**

..... (A note on the methodology employed to arrive at their results was here)

I would note that the 'results' would be the O&D matrices derived from the mobile phone data, which is contained within a matrix file within the model. This is then used by the model to assign trips to the network. The 'accuracy' of the model is determined by the calibration and validation of the base model. The base model needs to be calibrated and validated against observed data in adherence to TAG criteria. It is not viable or commercially appropriate to share the matrices."

(My emphases)

This is extraordinary on 2 counts.

The first count is that Highways England state that *"this information doesn't exist in the format you request. The TAR (Transport Assessment Report) will be published as part of our DCO application and I hope that this will help to answer your questions."*

So the Inspector(s) will be shown enough workings and data at DCO application stage to understand the scheme. And then and only then will consultees be able to review, critique and engage with this information.

But the effect of withholding this information at consultation stage was to render it impossible for consultees to come to informed views on whether the scheme will produce any benefits to them or to others more generally.

The second count is the reason given for refusing to make this information available at consultation stage, or indeed at any time before giving it to the Inspectorate.

We are told: *"It is not viable or commercially appropriate to share the matrices."* This is breathtaking. At a stroke, Highways England have put their calculations and with them the methodology on which those calculations are based, beyond challenge! But, the methodology itself could be faulty, or the way it is applied could be faulty. So we (the public, in all its many forms, from individual objectors to elected bodies like Councils) have good reason to want to see these estimates and test them.¹

¹ This is a real concern. Such calculations can and do go wrong, and should be checked. A famous example is the paper by two economists from Harvard Reinhart and Rogoff, whose 2010 paper "showed average real economic growth slows (a 0.1% decline) when a country's debt rises to more than 90% of gross domestic product (GDP)". "This 90% figure was employed repeatedly in political arguments over high-profile austerity measures." Indeed it was, and yet the calculations were plain wrong. A team from University of Massachusetts Amherst found three errors in the spreadsheet which led to the results. "The most serious was that, in their Excel spreadsheet, Reinhart and Rogoff **had not selected the entire row when averaging growth figures**: they **omitted data** from Australia, Austria, Belgium, Canada and Denmark.

"In other words, they had accidentally only included 15 of the 20 countries under analysis in their key calculation.

"When that error was corrected, the "0.1% decline" data became a 2.2% average increase in economic growth."

So the key conclusion of a seminal paper, which has been widely quoted in political debates in North America, Europe Australia and elsewhere, was invalid." (source: [The Reinhart-Rogoff error – or how not to Excel at economics \(theconversation.com\)](#))

It should be noted that the actual final O&D estimates are themselves not based on observations but on extrapolations from a subset of travellers (smart-phone users with their geolocation switched on), so there is a lot of “methodology” involved to arrive at these “matrices” (estimates).

In placing their O&D estimates behind a cloak of “commercial appropriateness” Highways England have violated the basic principles both of science, where peer-review and challenge is how the truth is worked towards, and of democracy, which can only thrive in conditions of open discussion and debate.

b) Future predictions of traffic on the road network

On this it is a similar story. Mr. Rawson writes in that same email (of May 1, 2021):

*“Unfortunately, the data you are asking for is not available in the format you request. While we have the figures, these would be hard to understand as a layman, as you observed. In addition, at this time **the data is considered commercially sensitive**, meaning we are unable to share this publicly at this time. However, when we submit our DCO application, we will publish a Transport Assessment Report (TAR) to share everything we can, in a way that hopefully will be accessible to everyone who wants to understand how and why we have made the decisions we have about the A57 Link Roads Scheme in terms of traffic. We are aiming to submit our application later this month.”*

(My emphasis)

Exactly the same comments apply as above on the O&D information.

Firstly, **the Inspector(s) will be shown enough workings and data to understand the scheme. And then and only then will consultees be able to review, critique and engage with this information.**

So why was this information not available **at consultation stage**? The explanation offered by Highways England is simply not tenable.

And secondly, **Highways England has violated the basic principles both of science, where peer-review and challenge is how the truth is worked towards, and of democracy, which can only thrive in conditions of open discussion and debate.**

c) The cost of the scheme

After the consultation had closed I resumed my quest for the whereabouts of the scheme’s cost! I wrote on April 13th 2021:

“Question 7 – cost of the scheme

My question (3rd December) was “*Please can you let me know **where I can find** exact figures on the cost of the scheme?*”

Your reply of 15th December said: “This information - £228m – has been in the public domain for some time. It can be found on the scheme website.”

This is not an answer to my question. Where on the website was this figure to be found?”

The reply from HE came on May 1st:

Question 7 – cost of the scheme

“If you follow this link to the scheme webpage [A57 Link Roads - Highways England](#) or use a search engine, you will find the heading “Consultation 2020” some way down the page. Within here you can find our consultation materials, included a document called “A57 Link Roads FAQ”. You will find the reference to the cost of the scheme towards the bottom of the third page. If you haven’t looked at the FAQ before, you may find it interesting as it has the answers to a wide range of questions about the scheme.”

As I say in the Summary above, this is as good as burying the information where it will not be found.

d) Full disclosure of the source of these extracts from my correspondence with HE

The complete correspondence on all these matters is attached, along with other relevant documents.

e) Conclusion

For all the reasons which are contained in the “extracts” document attached, and the reasons in this update, I believe the consultation was so flawed that it has to be re-run. I do not think a patch will do, as it is not just the Local Authorities who were deprived of vital information, it was every potential consultee.

I hope you feel able to include this belief and the reasons for it in your report, along with my other suggestions, whether as input from a resident of the borough, or as support for the local authority’s view.

Update by Daniel Wimberley

Friday, 02 July 2021

Dear Steve Buffery,

Friday, 9th July, 2021

Re A57 Link Roads Adequacy of Consultation report

I write to you because you are the contact officer for Derbyshire County Council's response to the above scheme.

This email follows on from my email I sent to you on the 15th January, 2021 about the consultation run by Highways England (HE) for the A57 Link Roads scheme.

In that email I pointed out the shortcomings of this consultation and expressed my dismay and puzzlement at the approach being taken by HE. I included a copy of my correspondence with HE.

I see that Highways England have submitted, to the Planning Inspectorate (PINS) their application for a Development Consent Order (DCO) for this scheme. I am writing to you with regard to the "Adequacy of Consultation report" which you have to send to the Inspectorate.

May I ask you to what extent you have taken into consideration and included in your AoCR the points made in my letter to you of January 5th ?

With best wishes

Daniel Wimberley

Resident of Bamford