

M3 J9_ISH3_8th AUG_PT1

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FULL TRANSCRIPT (with timecode)

00:00:05:08 - 00:00:29:09

Good morning, everyone, and welcome. It's 10:00 and time for me to open this hearing. I'd like to welcome you to this issue specific hearing which is being held in connection with policy in need and climate change issues in relation to the M3 Junction nine Improvement Project. Before I go further, can I check that everyone can hear me clearly?

00:00:31:01 - 00:00:43:23

Thank you. If there are any difficulties in this respect during the events, either in relation to myself or another speaker, then please to draw that to my attention or let a member of the case team know.

00:00:46:07 - 00:00:54:12

Now can also check first with the case manager, Mrs. Sarah Norris, that the live streaming and recording of this event has begun.

00:00:56:00 - 00:01:19:08

Thank you. My name is Wendy Mackay. I'm a Bachelor of Law non-practicing solicitor, and I've been appointed as lead member of the panel of examining inspectors to examine reports and make a recommendation to the Secretary of State on this application. I'm now going to ask the other panel member to introduce himself to you.

00:01:20:11 - 00:01:29:19

Good morning. My name is Matthew Simms. I'm a chartered civil engineer and I've also been appointed by the secretary of state to be part of the panel to examine this application.

00:01:31:15 - 00:02:03:11

Thank you, Mr. Sims. Together, we constitute the examining authority for this application. I now explain some of the housekeeping arrangements of the hearing for those people attending in person. Can I ask everyone present to either set all devices and phones to silent or turn them off to ensure that we're not disrupted whilst the proceedings are ongoing? The toilets are located down the stairs opposite the main hotel reception.

00:02:04:10 - 00:02:39:03

There is no fire alarm testing scheduled during the hearing today. Therefore, if the fire alarm does sound, please leave the building by the nearest clear exit and do not re-enter the building until instructed to do so by staff. The assembly point is the front car park of the hotel. As far as any breaks are concerned, we intend to take a short 15 minute break at around 1130 and a longer lunchtime break at a convenient point around 1:00.

00:02:39:15 - 00:02:44:02

Another short mid-afternoon break will be taken at about 330.

00:02:46:16 - 00:03:05:25

Now, this hearing will follow the indicative agenda that was published on the National Infrastructure Planning website on the 4th of August 2023 and to examination library reference one five. It would be helpful if you had a copy of this in front of you.

00:03:07:20 - 00:03:49:16

Each ender is for guidance only. We may add other considerations or issues as we progress. We will conclude the hearing as soon as all relevant contributions have been made. No questions asked and responded to. If the discussions can't be concluded within the time available, then it may be necessary for us to prioritize matters and defer other matters to written questions. Likewise, if you cannot answer the questions being asked or require time to get information requested, then please indicate that you need to respond in writing.

00:03:51:21 - 00:04:13:00

A recording of today's hearing will be made available on the M3 Junction Improvement Project section of the National Infrastructure Planning website as soon as practicable after the hearing is finished. With this in mind, please ensure that you speak clearly into a microphone at.

00:04:14:18 - 00:04:55:20

Just stating your name and who you are representing each time before you speak. The microphone is switched on and off using the button in front of it. If you are not at a table with a microphone, then there is a roving microphone. So please wait for this to be brought to you before you speak. Our link to the planning Inspectorate's Privacy Notice was provided in the notification for this hearing. We assume that everybody here today has made themselves familiar with this document which establishes how the personal data of our customers is handled in accordance with the principles set out in the data protection laws.

00:04:56:01 - 00:05:10:13

Please speak to the case manager, Mrs. Norris, if you have any questions about this. No, no. Asked my colleague, Mr. Sims, to briefly explain the purpose of this issue specific hearing and how it will proceed.

00:05:11:25 - 00:05:47:26

Thank you very much. So the issue specific hearing provides an opportunity for the issues raised by interested parties and in particular the differences between them to be explored further by the examining authority. As indicated in the agenda. Questioning at the hearing will be led by a member of the panel supported by the other panel member. We would ask for those present not to interrupt while another person is giving evidence. Even though you may disagree strongly with what is being said, it's important that everyone has a fair opportunity to put their case without interruption or other distraction.

00:05:48:18 - 00:06:25:17

The guidance for the examination of applications for development Consent explains that the examining authority may refuse to hear evidence, which in its view is irrelevant, vexatious or frivolous, or relates to the merits of a national policy statement repeats other representations already made or relates to compensation for compulsory acquisition of land or an interest in or over land. Additionally, the examining authority may request a person behaving in a disruptive manner to leave the hearing or to remain only if that person complies with specific conditions.

00:06:25:29 - 00:06:26:14

Thank you.

00:06:27:04 - 00:07:06:18

Thank you. So now helpful. If those who are participating in today's hearing could introduce yourselves and state your organisation's name, please introduce yourself stating your name, who you represent, and the agenda item that you wish to speak on. If you're not representing an organisation, please confirm your name, summarise your interest in the application and also confirm the agenda item you wish to speak on. And please, could everybody also state or indicate how you wish to be addressed? I'll start with the applicant and then any of their advisors who represents the applicant today.

00:07:07:18 - 00:07:08:09

Good morning.

00:07:08:11 - 00:07:32:07

Katherine Tracy, a director at Burgess Salmon, on behalf of the applicant. To my right, I've got Mr. Buckle and Planning. A specialist for Stantec. And then to my left, I've got Kevin Lumsden and Caroline Dunnage, both of Stantec in relation to traffic and transport and economic benefits and climate matters.

00:07:34:21 - 00:07:49:21

Thank you, Mrs. Tracy. Now I'll move on to the organizations and individuals that have given notice of their intention to speak and those which the examining authority is invited to speak. So, first of all, the South Downs National Park Authority.

00:07:51:09 - 00:07:57:19

Good morning, Inspector. I'm Nick Grant of Council, instructed by the South Downs National Park Authority.

00:07:57:21 - 00:08:09:07

To my right is Kelly Porter, major projects lead of the South Downs National Park Authority. We are. Mr. Grant is fine. Miss Porter is fine. And we are here to speak. Uh.

00:08:10:09 - 00:08:11:09

Mainly on agenda.

00:08:11:11 - 00:08:15:01

Item two, though possibly with a bit of three and four as well.

00:08:18:17 - 00:08:22:04

Thank you, Mr. Grant. So, Winchester City Council.

00:08:23:00 - 00:08:40:15

Good morning, ma'am. Robert Green for Winchester City Council. Um, I've got some colleagues with me today, so tomorrow is Anna Wise, sustainability manager for Winchester City Council. We also have Councilor Porter, who is cabinet member for place, the local plan at Winchester City Council and also County Councillor. Thank you.

00:08:49:03 - 00:08:52:11

A thank you so. Hampshire County Council.

00:08:54:11 - 00:09:09:00

Good morning. My name is Laura McCulloch. I'm the head of spatial planning at Hampshire County Council. And I'm joined by Ben Clifton, Strategic Transport Manager. Um, we're here to answer questions if there's anything that we can help you with.

00:09:09:24 - 00:09:10:20

No, thank you.

00:09:13:11 - 00:09:15:15

Transport Action Network.

00:09:20:27 - 00:09:35:13

It may be that. I mean, no, Dr. Bosworth is attending virtually. I was just checking. There was nobody here present in the room from them. So. Winchester Action on Climate crisis.

00:09:37:17 - 00:10:01:12

Good morning. My name is Phil Garg, and, uh, I've forgotten all the questions and can be addressed as Mr. Garg. And what I'd like to speak on are agenda items two and three. And depending on whether other things come from other parts of the floor. Item four.

00:10:05:20 - 00:10:07:12

And Winchester Friends of the Earth.

00:10:08:28 - 00:10:36:06

Thank you, ma'am. Chris Guilhem from Winchester Friends of the Earth. Um, I'm wanting to speak on items two, three, and again, maybe four if something happens. Oh. Could I just say that My understanding is that the Transport Action Network may separately appear online in addition to Andrew Boswell. Think it might be a Becca?

00:10:37:21 - 00:10:41:23

Yes, that's the name I had down. But thank you for that information.

00:10:44:06 - 00:10:49:12

I can check if there is anyone else in the room who wishes to speak at the hearing today.

00:10:54:03 - 00:11:09:24

Right. Thank you. I'll now move on to virtual attendees. So, um, I see that we have Dr. Boswell. So, Dr. Boswell, welcome and thank you for joining us. And perhaps introduce yourself.

00:11:10:07 - 00:11:11:12

Yes. Hello.

00:11:11:20 - 00:11:41:04

Dr. Andrew Boswell, Climate Emergency Planning and policy. Um, I should say I'm not sort of part of town, actually, though, you know, there are esteemed colleagues of mine that as the the other gentleman said, Rebecca Lush may be attending for Tan. I understand. And I'm primarily here for for item three but may wish to speak at items two and four also. Thank you.

00:11:47:19 - 00:11:51:01

Can I check if we have any other virtual attendees?

00:11:53:20 - 00:11:54:13

Thank you.

00:12:04:06 - 00:12:36:27

All right. Just before we move on to the substantive part of the here you'd like to highlight, the examining authority has exercised its discretion to accept as additional submissions from Dr. Boswell, the late submission of his written representation and the separate Appendix A to those submissions.

Now, we appreciate that the applicant and others may not have had time to fully consider the contents for the purpose of this hearing and may wish to respond in writing instead at the next or a subsequent deadline.

00:12:38:18 - 00:12:49:13

Now. We'll now move on to the substantive part of the agenda. And the first item concerns national policy and the need for.

00:12:56:07 - 00:13:30:27

Sorry. And the need for the proposed development. So my first question is in fact for the applicant under this topic and the case for the scheme addresses the conformity of the proposed development with the PSN strategic objectives and refers to various paragraphs of the national policy statement, including paragraph 210, which states that the government has concluded that as a strategic level there is a compelling need for the development of national networks.

00:13:31:00 - 00:13:53:17

And that premise provides the starting point for an examining authority's assessment of applications. So does the applicant wish to comment on or add anything to what they've already said in relation to the strategic need as set out in the PSN and the appropriate starting point as expressed by national policy?

00:13:56:18 - 00:13:59:27

Catherine Tracy for the applicant. No, there's nothing further we'd want to add.

00:14:00:16 - 00:14:14:13

Thank you. So if I turn to other interested parties, does any other party wish to comment on the strategic need to improve the national road network as set out in the PSN?

00:14:19:21 - 00:14:21:14

That sounds. National Park Authority.

00:14:21:16 - 00:14:37:29

Inspector Nick Grant for the National Park Authority know No, nothing major. The need is there. But of course it applies to the strategic network nationwide. So the relevance of this particular junction at this particular point and the more intricate test will obviously follow from that.

00:14:40:03 - 00:14:41:02

Mr. Jack.

00:14:44:27 - 00:14:55:07

Perhaps I'm pre-empting the third bullet point, which was consideration of alternatives and other modes. So will be will be consulting. Yes.

00:14:55:09 - 00:15:03:09

Under that under that heading, this is this is just the high level strategic need that applies to all networks, as Mr. Grams just said.

00:15:11:12 - 00:15:14:21

Just on bring it down to.

00:15:16:13 - 00:15:31:19

This level and this particular application. I think my colleague Mr. Sims, just wanted to ask South Downs National Park Authority a specific question in relation to one part of the.

00:15:32:19 - 00:15:33:11
Policy as it.

00:15:33:13 - 00:15:34:27
Relates to national parks.

00:15:36:10 - 00:16:08:24
Thank you very much, Mr. McCarthy. Yes, the one just one specific detail about the NPS as as Mr. Mackay suggested, um, paragraph 5.152 states that there's a strong presumption against significant road widening or building of new roads in a national park. In your local impact report, you highlighted this, this and in the response, the applicant has said that they do not believe that this constitutes significant widening in the way the anticipates.

00:16:09:03 - 00:16:23:23
Um, in light of that response, are you do you accept that that that argument or is this a different view that you would wish to have?

00:16:25:09 - 00:16:49:04
Sir Nick Grant for the National Park Authority. No, we dispute that. There's a road in the national park. It's getting significantly wider and new limbs are being built to the extent they're in the national. Some may be being built in the national park. But the point is, there's roads in the national park getting significantly wider. So, no, we don't accept that that limb doesn't apply. We think it does. We submit. It does.

00:16:49:29 - 00:17:12:06
Thank you. And and just coming to the applicant, um. You've suggested in there. This is this is the way that the anticipates the the comment about significant widening. Is that is there any um. Information you give us about how you've come to that conclusion in this regard, in this situation, please.

00:17:14:24 - 00:17:37:14
Katherine Tracy, the applicant. Oh, sorry. Don't think there's anything further we'd want. So why is this cutting in and out? Because it feels like it is for me. No, that's fine. Then I'll carry on. Um, from our perspective, there's nothing further we'd want to add to our. Written submissions. Sorry, at this stage.

00:17:39:19 - 00:17:46:02
It's okay. Think we can hear you perfectly well. Thank you. Um, thank you very much.

00:17:49:21 - 00:17:50:06
Um.

00:17:51:12 - 00:17:51:28
Thank you.

00:17:54:00 - 00:18:00:08
Um, Doctor, Boss will see that you have your hand up. Apologies. Was that on the first bullet point or this one?

00:18:01:08 - 00:18:56:28
Yes, it was, madam. And on the first bullet point and a very brief point that there's recently been a report from the Transport Select Committee, um, and I believe it's probably been submitted by

another. It hasn't been submitted by me as yet. It only came out about a week ago. Haven't had time to fully go through it. Um, but think it's worth noting that that report from the Transport Select Committee obviously high level body of MPs um, noted that traffic on the strategic road network is forecast to increase and there's a risk that the uptake of cleaner vehicles will not be enough to mitigate it in terms of our environmental policies in the UK.

00:18:57:00 - 00:19:33:28

And also they made the suggestion proposal to the Government that they should model and report on future demands where the strategic road network is managed and particularly um, models with no traffic increase or reduce traffic increase compared to the, the sort of business as usual models. So just really want to sort of place that as a placeholder. Um, and you'd put a note in on that and say we haven't really had enough time to digest it.

00:19:34:00 - 00:19:39:00

But as that item has come up now, I think we need that placeholder.

00:19:42:00 - 00:19:43:08

Thank you, Dr. Basil.

00:19:45:04 - 00:19:49:16

I just checked. There's nothing the applicant wants to add before move on.

00:19:56:02 - 00:20:06:24

So if we go on to the next agenda item, that's the need for the proposed development in light of those strategic policies. Um.

00:20:08:19 - 00:20:42:03

The applicant's case of the scheme sets out ways in which they say that the scheme would contribute to national transport objectives and it. Three 114 summarise why the scheme is necessary. Then at 3.5 the key objectives of the scheme are set out and at three six conformity of the scheme with the strategic objectives the National Policy statement. Does any party wish to comment on the conformity of the scheme with the NPS and strategic objectives?

00:20:48:26 - 00:20:49:19

Mr. Grant.

00:20:49:29 - 00:21:17:09

Nick Grant for the National Park Authority, just so that I understand which, um, where you want us to, to come in. You have seen the we don't accept this compliance with, for example, the National Park test. Um, I'm assuming that's coming up at a different point in this agenda or are you wanting us to run through that now when you say the strategic objectives in and I'm not fully understanding, sorry, it's my error, but I want to make sure I'm coming in at the right.

00:21:17:13 - 00:21:23:27

That's that's fine. If you if you want to proceed with that now, I'll be very happy for you to do so.

00:21:25:06 - 00:21:25:21

Um.

00:21:26:12 - 00:21:27:09

Thank you, ma'am. Um.

00:21:29:21 - 00:22:01:16

The National Park Authority accepts in broad terms that there's a need to effectively do something with this junction. Um, but. Inherent in the season and indeed the draft as will come on to later. There is a restrictive test for development in the national park, both while there are two restrictive tests. We've just covered one with the question from Mr. Sims, where you say both apply and for reasons that we've laid out which can highlight here or refer you back to.

00:22:01:18 - 00:22:18:18

But in both our lawyer and our written rep, we say that those tests aren't met in this case. It might be that we're coming to the granularity of things like alternatives and benefits, etcetera. Later on in today's questioning. But the high point of our cases, it's it's an exceptional.

00:22:20:08 - 00:22:52:26

As currently formulated at paragraph 5.151. Um, there needs to be exceptional circumstances, a public interest, including considerations of not just the need for the development and the cost and scope of developing out square, but issues about the detrimental impact on the environment, environment, landscape recreation opportunities and to the extent that they can be moderated and mitigated and are broad submission at this stage is simply that they fall short. The national park National Highways falls short of policy compliance with that test.

00:22:52:28 - 00:23:11:19

It's if I may summarize it this way, it's a perfectly fine scheme. It's not an exceptional scheme. And the opportunities that have been that could be taken to make it exceptional, which we've highlighted a number in a number of the other sessions and won't go over today, haven't been taken. So it's just not there yet.

00:23:14:10 - 00:23:27:24

Like that. Thank you for that. And. The examining authority certainly understands the position of the South Wales National Park Authority in relation to that. Does the applicant want to?

00:23:30:08 - 00:23:40:05

So I'm just checking. There's no Mr. Gag. Did you have your hand? Sorry, Mr.. Mr. Gillam. Chris, I tried to pick out the hands in a row.

00:23:41:23 - 00:23:59:03

Chris Callum Winchester, Friends of the Earth. I'm not sure under this question whether whether we're discussing whether the the five scheme objectives on that because think I'm in. I've already made a case that none of them are actually. No, that's.

00:23:59:05 - 00:24:09:19

Right. No, I don't need you to repeat. Yeah. That but in terms of the conformity of the objective, the objectives with the national policy.

00:24:10:09 - 00:24:10:24

Thank you.

00:24:11:24 - 00:24:12:10

And Mr..

00:24:15:09 - 00:24:42:15

I'm in danger of repeating what I'm going to say, but I'll just try and link this item to what I'm going to say, which is, given the need to respect the national park, there should have been more emphasis put on other ways of resolving these problems rather than physical changes to the road system. And I don't want to say more because that will come up in the next bullet point.

00:24:42:17 - 00:24:47:19

I think we're going to cover that. Thank you. Does the applicant want to respond?

00:25:01:02 - 00:25:07:03

Katherine Tracy for the applicant. Now think we'll pick up as we move more specifically through.

00:25:12:14 - 00:25:26:27

Right. Thank you. So we'll move on to an item that I do know a number of people will wish to speak on, which is the consideration of alternatives, including the scope for meeting the need in some other way.

00:25:29:18 - 00:26:02:14

So if I could just clarify a matter with the applicant first. So the Chapter three assessment of alternatives in terms of initial options, identifications and assessment at paragraph 341 refers to 4 to 7 of the NPS and N, which states that all projects should be subject to an options appraisal which should consider viable modal alternatives and may also consider other options.

00:26:03:12 - 00:26:53:06

But as stated in the and where projects have been subject to a full options appraisal in achieving their status within the road or rail investment strategies or other appropriate policies or investment plans. Option testing need not be considered by the examining authority or the decision maker. The concerns, as expressed by some IPS, including Mr. and Mr. Gillam, is that other viable modal alternatives such as rail or the prospect of meeting the need in some other way of not being considered? The applicant has responded in writing to such concerns that deadline one and two, pointing out that the scheme was included in the Department of Transport's Road Investment Strategy one and two.

00:26:53:09 - 00:27:19:18

And as part of the process, DFT consider whether other modal alternatives are more appropriate arranged. The applicant tells us that a range of alternative transport options were considered and appraised during National Highways Project Control Framework Stages zero one and two, and the scheme has been subject to full options appraisal.

00:27:19:20 - 00:27:20:08

So.

00:27:20:10 - 00:27:56:29

Applicant first, please, can you take me through what that process, including the stages, would have entailed and clarify for me the nature of appraisal of the modal alternatives? And you referred to, I believe, appendix 131 of the as providing further details of the options appraisal. There is some information at section eight, but can you direct me to anything in that document that relates to consideration of alternative transport options?

00:28:00:27 - 00:28:04:21

At Katherine Tracy for the applicant, we may have to come back

00:28:06:13 - 00:28:43:03

with a fuller answer in writing, as my environmental colleagues aren't here today. But the process starts at level and that's where the full modal assessment would be carried out and which is before it gets designated into a RES project. Once it goes into the resource. It's a it's a road scheme and has budget for that. And therefore the initial design stages then then look at alternatives from a a road option basis.

00:28:43:05 - 00:29:26:05

However, there is a strategy paper with national highways where it has committed to look at alternative modes and work with other providers such as network rail or others to develop other ways of moving traffic around the network or the country. And as part of that strategy paper, which will find the name of but I can't put my mind to it immediately, um, is an acknowledgement that actually on the national highways should be looking to improve key

00:29:27:26 - 00:29:31:25

strategic road network points of which M3 Junction nine is one.

00:29:35:18 - 00:29:49:05

So, um, we would appreciate further details on that because as it stands in, in sort of the material before us, it's referred to, but we, we don't we need to understand what's gone on.

00:29:51:07 - 00:29:55:21

We will endeavour to find that information, but it will need to come from the national highway.

00:29:55:28 - 00:30:08:26

As I understand it, your position would be as a matter of law and policy, that further option testing should not now be in consideration for us in accordance with the NPS. And that's that's correct.

00:30:11:08 - 00:30:30:14

And then think, finally, can you comment on this has been raised, I believe, by Mr. Garg, the relevance of the Stonehenge judgment and application of common law principles relating to the consideration of alternatives in this case.

00:30:33:09 - 00:30:34:21

Sorry. Could you repeat that?

00:30:36:12 - 00:30:37:14

Yes, certainly.

00:30:37:16 - 00:31:13:05

Mr. Gates raised the issue of the Stonehenge judgment and the consideration of alternatives in in that case, and ultimately the judgment. And I wondered if we could have a comment from the applicant, if you wish to put it in writing after you, then that's fine. And I would like to understand your position on the relevance of that judgment and whether the common law principles relating to alternatives have any specific application in this case.

00:31:14:13 - 00:31:33:07

Catherine Tracy for the applicant. We will respond in writing on that point. But our initial position is that we have undertaken all the alternatives, assessments that we're required to do either under the or under the EIA regime, and that that's there's nothing further for us to do.

00:31:38:16 - 00:31:43:28

Right. Mr. Gilliam was going to come to you next, in any event, and.

00:31:45:23 - 00:32:17:20

You know, I've read your submission on one and subsequent written submissions to the effect that arguments can be made that all the stated of actives of the scheme could be met and by non-root alternatives. And given the applicant's response to your points in this and the fact that they say it was

included as part of the process where the DFT consider whether other modal alternatives that are appropriate.

00:32:17:29 - 00:32:31:15

Are there any new or additional comments you wish to make on the applicant's consideration of alternatives and their rejection of the proposition that the need could be met in some other way?

00:32:35:21 - 00:32:46:08

But just. Just before start. Can I. Before I forget, can I just check on what you were asking the applicant to provide? Did I understand that?

00:32:46:19 - 00:33:31:15

I went first to the relevant part of the national policy statement, and then I asked them because because they have indicated in their written responses that as part of this process, a modal consideration of alternatives would have been considered at that stage. So that's their position. So I've asked for more information and more explanation on what was actually considered at that stage. So bearing in mind what they say is about this and bearing in mind what we've heard from the applicant, I'm wanting to check if you have any additional matters or any response you want to make to what you've heard.

00:33:32:09 - 00:33:42:26

And I don't think I've got anything to add. Mean are you asking me how I think safety could be achieved by other ways? Is that.

00:33:43:22 - 00:34:00:08

No. Was I was asking you, um, why in the light of the NPS, you consider that an additional consideration of modal needs to be had regard to? At this stage?

00:34:00:28 - 00:34:51:18

I don't think there's anything additional to that that I'd add. I think my one of the points I make was about the Infrastructure Commission. I'm never quite sure what the relationship is, who decides whether the whether the NPS decides what the Infrastructure Commission should be looking at or the other way around. But the Infrastructure Commission has never actually considered alternatives. It's never it has never, um, it works completely in silos on, on transport, although it has said that maybe it ought to be looking at, um, the, the transport as a multi-modal policy rather than a road building policy and a rail structure policy.

00:34:51:20 - 00:35:20:06

So it, there does seem to be a movement within the Infrastructure Commission to look at alternatives. Um, I'm not clear from what you've just been asking Mr. Tracy is, is whether we're going to see as a result of this what the, um, what this examination of alternatives was under is to, I mean, it's going to be a document that actually shows they've shown.

00:35:20:27 - 00:35:27:29

But I don't know. That's why I asked. Right. We will we'll have to wait that and see what appears. Yeah.

00:35:30:17 - 00:35:31:12

Mr. Garg.

00:35:33:27 - 00:35:40:27

Thank you, ma'am. Phil Winchester Action on the Climate crisis. Um,

00:35:42:18 - 00:36:13:29

I'm worried all the way through the paperwork that we are told things but not shown them. And I hope very much that the applicant will come up with evidence that consideration was given to multiple alternatives. Um, either in general or on this scheme. But I would, uh.

00:36:15:04 - 00:36:53:18

Be very disappointed if the applicant can only come up with general statements about roads rather than a set of principles by which different modes will be considered. I would be very pleased if the paperwork associated with the discussion included a comprehensive analysis of what modes would be considered in trying to remove congestion like this.

00:36:54:04 - 00:37:05:19

And in general, I would expect the applicant to provide specific guidance on which modes to go for

00:37:07:06 - 00:38:02:03

that would have been referred to in the initial assessment. If that is not available, I'd feel that we're just being told things again and not shown things. I was told well to develop another line. Um, I think even if at strategic level there are the principles and even if they've looked at the principles, I would also expect the applicant, if they're going to depart from their past record of showing, of telling and not showing to demonstrate that there was sufficiently detailed consideration of these circumstances in developing the network proposals.

00:38:02:12 - 00:38:44:12

If there is not that, then I think that the applicant will have failed to demonstrate that they have considered modal alternatives. Um, and I, I really have to, um, express my worry that when I raised this whole issue in my initial submission, the applicant replied saying, Of course we it seems now that the story is different, but in their response to my initial submission, they said, Of course we thought about this at appraisal stage.

00:38:44:15 - 00:39:13:04

I have looked very closely at the description of the appraisal stage and I have to register that there was not one mention of some of the major modal alternatives, but I would be very pleased if the applicant could show that sufficiently detailed consideration had been given at a much higher strategic level. I think it will be difficult, but I await their further response.

00:39:15:06 - 00:39:16:01

Yeah. Thank you, Mr..

00:39:29:00 - 00:39:32:12

Now South downs National Park Authority. The the.

00:39:34:26 - 00:39:41:26

The second part of this agenda, this bullet point, refers to the scope for meeting the need in some other way. And.

00:39:43:28 - 00:39:47:25

We have discussed this to some extent.

00:39:49:12 - 00:40:13:12

At one, but could you please summarize your position on the question of whether there is any scope for developing elsewhere outside the designated area or for meeting the need in some other way? And has your position changed at all in the light of the applicants Various written responses on this topic.

00:40:15:03 - 00:40:56:06

Ma'am. Nick Grant for the National Park Authority. I'll ask Miss Porter to come in afterwards on anything that I've missed. Um, the National Park Authority accepts that if you're dealing with trying to free up a junction, you've got to develop around that junction. Um, and so the kind of general idea that we're developing in this area is, is understood and we've accepted that in our report. 271 paragraph 6.6. That said, there are we still say there are alternatives that could have been explored in terms of the specific scheme design such that elements like the compound, the construction compound could be put outside the national park.

00:40:56:08 - 00:41:23:20

We covered this in one. Understand we're waiting for more information at deadline for on construction compound alternatives so won't particularly Labor the point today save to highlight that in the current draft of the alternatives chapter which is at 044, there's explicit reference at various stages in the compound filtering process to the suggestion that things like the.

00:41:25:13 - 00:41:56:23

Impact on the national park. Think was sorry two. I'm mixing two things at the auctioneering stage which is run through an app. 044. Um, there are some references to impact on the national park not having been a primary consideration at the third stage. It came in at the fourth stage. Sorry. No, that is the compound process. I'm getting my options confused. Um, in terms of the. Overall auctioneering stage at key stage.

00:41:57:06 - 00:42:01:03

Think it's I'm looking at table 3.1 in app 44.

00:42:02:18 - 00:42:35:12

An assessment of some of the various operational stage options like option 18 had lower negative impact on the national park and a higher cost benefit ratio, but was discounted for various other reasons. The main one being, as far as I understood it, Junction journey time on M3 a34. Um, and well here we are in the impact on A3 M30 four is still relatively low if you look at the traffic savings. But what we take from that is that the impact on the national park hasn't been a key consideration in the auctioneering process throughout this scheme.

00:42:35:14 - 00:42:36:20

So, um.

00:42:38:28 - 00:43:09:08

And that. Yes, when you're looking at, as I said, that the options for the compound, which we look forward to seeing, there was certainly a stage where various options were, including those outside the national park, were explicitly discounted. Think that was at the third stage. And it says in terms that impact on the national park isn't a key consideration at that stage. It came in later and the the Badger farm, which we've highlighted several times, didn't appear to be in there at all. So we'll see what comes in at deadline for.

00:43:09:10 - 00:43:21:28

But suppose our overall position is, yes, it's probably going to entail work around the junction, but the specific designs that could have been adopted and key things like the compound, there is still flexibility there that could have could have been designed differently.

00:43:24:01 - 00:43:27:02

Thank you. Okay. Thank you.

00:43:30:29 - 00:43:32:26

Mr. Garg. Sorry, Mr. Gillam.

00:43:33:26 - 00:44:23:16

Chris. Chris. Just friends of the Earth. Um, yes, the. The claim being made is is for exceptionality. Think this is, this is a scheme which has so poor pretty poor economic outcome. And a previous session there seemed to be a sort of claim that it wasn't making much difference elsewhere on the network, otherwise there would be induced traffic. That was the argument against induced traffic. So I'm wondering where this comes back again to where within this consideration of this application that the the statement on meeting, the need for it in some other way applies it

00:44:25:09 - 00:45:02:13

this that that has to be considered in the light of this specific scheme. And since the as I pointed out to the left of the or statement in that that it's all road alternatives and they've dismissed putting the road elsewhere. So they have to have considered within this application the meeting, the the particular objectives of this application in some other way. And I'm struggling to find out how how they can how they can ignore the some other way which is not which is non road, non road building.

00:45:03:07 - 00:45:27:28

And can I just add one other point I just submitted after the last session, I submitted some questions in relation to the modelling and one of the questions I asked was the variable demand modelling. I asked if it's included modal choice in, in their modelling because um, that it would be interesting to see

00:45:29:15 - 00:45:36:25

what, what was happening as a result of picking that modal choice option within the variable demand modelling.

00:45:40:02 - 00:45:44:16

Thank you. I'll just see if the applicant wants to make any response.

00:45:53:00 - 00:45:57:27

Katherine Tracy for the applicant. No, don't think we do. Thank you.

00:46:03:02 - 00:46:35:01

Right. In that case, I'll move on to the next bullet point under this agenda item, which relates to the economic and other benefits of the scheme, including those in relation to the local authority. So some of these matters, including improved journey times safety and improved access and connectivity, we discussed to a greater or lesser extent to last week. I want to emphasise I don't need anyone to repeat what was said on that occasion.

00:46:35:21 - 00:46:42:29

But if there is anything new to add, then this would provide an opportunity to do so.

00:46:46:09 - 00:47:16:21

Now, perhaps if I can go to the applicant first. The case for the scheme in the planning balance section at 981 that states that the scheme will deliver extensive benefits. Could you first confirm that those matters set out at 981 represents a complete list of the benefits claimed? And secondly, could you summarise for me the specific benefits that are anticipated for the local authority economy?

00:47:29:02 - 00:47:31:27

Julian Buckle on behalf of national highways.

00:47:33:16 - 00:48:02:19

That's correct. Paragraph 981 refers to benefits, including reducing congestion delays, improved journey times, economic benefits, direct and indirect safety improvements and improvements to visual amenity and landscape character over the long term. Wildlife and green infrastructure enhancements, plants, pollution and runoff and enhanced provision for pedestrians, cyclists and horse riders. That is a complete list.

00:48:04:11 - 00:48:12:14

Thank you. And then if you could tell me more specifically about the specific benefits anticipated for the local economy.

00:48:25:03 - 00:49:02:07

Kevin Johnson on behalf of the applicant. And the economic benefits are summarized in a number of different ways. User benefits and agglomeration benefits are the key ones that are monetized within the benefit analysis and their level one benefits are predominantly user benefits, but it also includes accidents, construction, noise, air quality and greenhouse gases. But specifically for the local area over the total user benefits, around about 40% of the user benefits are attributed to, to and from Winchester within Winchester.

00:49:02:20 - 00:49:20:07

And the wider economic benefits which look at the benefits that businesses closer together can perform better and those wider economics impacts. There are about 30 million think and we only really we only considered to and from Winchester to.

00:49:22:00 - 00:49:32:17

So 40% of the benefits. The user benefits 60 million to benefits, plus a roundabout 30 attributed to wider economic.

00:49:35:20 - 00:49:40:03

No, thank you. Um, if you could again.

00:49:41:28 - 00:50:14:14

To provide me with a summary and, you know, specific information in relation to that. In writing after the event. And so I'll come to you in a minute, Mr. Garg. I just want to go to Winchester City Council first so I can ask the Council if you agree that there would be a benefit to the local economy. Um, do you agree with how that's been assessed by the applicant and if so, what wage you believe should be given to that factor?

00:50:16:20 - 00:50:26:15

Thank you, ma'am. Robert Green for Winchester City Council. I'm afraid that will be something I'll have to take away and respond in writing, because I don't have the relevant officer with me today. I'll take you back on it. Thank you.

00:50:32:04 - 00:50:41:25

Is there anything that again Winchester City Council. Are there any of the, um, claimed other claim benefits that.

00:50:42:26 - 00:50:43:26

You.

00:50:43:28 - 00:50:46:01

Dispute or wish to comment on?

00:50:52:12 - 00:51:27:05

Thank you, ma'am. Councillor Porter for Winchester City Council. The point really to highlight here is that the improvements do put form apart the key part of the Winchester movement strategy, to which Winchester City Council is signed up with Hampshire County Council. And so the three priorities highlighted by the Winchester Movement strategy, this meets two of them. One is the first priority, which is to reduce city centre traffic, because at the moment traffic runs through the city centre rather than going on the motorway. So we believe that this does maintain a functioning route for through journeys to avoid impact on the city centre.

00:51:27:23 - 00:51:45:08

And the second priority, we don't see improvement, but priority three is investment in infrastructure because in theory it does accommodate wider growth, maintaining function of the strategic network. But as we said, we don't have the detail of the economic impact today. We'll have to come back to you on that.

00:51:46:21 - 00:52:26:28

No, thank you. And will come to you both in a minute. I just want to ask. Hampshire County Council first. Um, we have, as I say, you have commented on some of these matters at two. Um, and you'll be seeing the applicants list of benefits and hurdles. What's been said on that. And that's including, um, reduction in congestion delays, improved journey times and safety improvements. Although you've already spoken to, is there anything you want to add in the context of considering these as benefits to the scheme?

00:52:33:09 - 00:52:37:14

Thank you, ma'am. Laura McCulloch. I'm going to cancel. No, there's nothing we'd like to add at this time.

00:52:37:24 - 00:53:02:24

All right. Thank you. And then if I could go on to. South Downs National Park Authority. Could you perhaps summarize your position in relation to what would be provided in terms of improved access to the South Downs National Park? And you how you regard that as a benefit? And if so, what weight should be attached to that?

00:53:12:13 - 00:53:49:26

Sorry, Mom. Um, Nick Grant for the National Park Authority. Yes. Improved access to the South Downs National Park is a benefit. Yes, there are some of those benefits in this application. Whether they go far enough is a different question. And highlighting one issue that came up in, for example, two last week. We have the bridleway that stops in the middle of a junction, the bridleway to nowhere. That seems like a fairly obvious betterment that could be made, bearing in mind the impetus and and requirements to undertake environmental improvements, not just mitigate impacts.

00:53:50:05 - 00:54:08:12

Um, in terms of weights, that's a planning judgement. So I might ask Councillor Porter to come in on that, but it does certainly comply with one of the key requirements of the national park. We don't dispute that. Um, and just put a marker down. We have some other comments on other bits. I'll come, I'm happy to come back whenever it's more appropriate. Yeah.

00:54:08:14 - 00:54:27:13

No that's, that's fine. Is that on benefits? Because I was going to ask you generally if, um, you know, the applicant has set out this list of benefits in the case for the scheme. Is that agreed? And do you accept those all as benefits to which weight can be attributed?

00:54:28:07 - 00:54:31:03

Um. Again, I'll ask.

00:54:31:15 - 00:54:32:12

You know, if you want to come.

00:54:32:14 - 00:54:44:04

Back in writing after the event on that, but just wanted to understand fully the South Downs National Park Authority's position in relation to into the benefits that are claimed, but.

00:54:44:11 - 00:54:55:07

For a comprehensive response, it will probably be easiest if we come back in writing afterwards just so that we can address every single one. And we do have some queries on things like the monetized benefits which.

00:54:56:22 - 00:55:05:15

I'm happy to sort of raise. Now, there might be two detailed for answers now, but in terms of just putting them in front of the the national highways, um.

00:55:07:24 - 00:55:08:20

Some of the.

00:55:10:14 - 00:55:12:11

The queries that we had.

00:55:14:19 - 00:55:18:21

We have four think first.

00:55:20:21 - 00:55:51:05

The question that we have to ask would put to you of ways to come back on. Its first is wire sums being discounted back to 2010 in terms of the analysis that's been undertaken for cost benefit. Um. And how is that how does that translate now that we're 13 years later, having had a period of relatively high inflation? Um, the second is doing any sort of net present value discount depends heavily on the discount rate used.

00:55:51:07 - 00:56:22:06

And we just like to understand what that discount rate used was and again how that relates to more recent events. Um, third, the various cases for the scheme keep referring to, for example, £152 million £152 million benefit figure. Um, for example, the Accordance table 241, paragraph 4.5. Um, as we read the case for the scheme rep 1020 Table 5.4. That's.

00:56:23:09 - 00:56:38:08

That seems to be a gross figure, for want of a better word. It doesn't seem to be taking into account the £100 million that is going to cost to build. So it doesn't seem to be a net benefit figure. It's a gross benefit figure. Um.

00:56:40:15 - 00:56:44:19

It mean? It's our understanding, Right. And is that justifiable? Um.

00:56:47:06 - 00:57:22:19

Both. We wandered the looking still at that table there is a line for wider economic benefits. Um is that the net present? Is that the present value of the wider economic benefits or is that not the present value because that splits out earlier in the table? Um, and the final and fifth and final point on this one is, um, the role of the Green Book in this, because there needs to be a Green book analysis. Um, I understand that the DFT guidance is, is the transport analysis guidance is based on the Green Book.

00:57:22:21 - 00:57:38:21

But the Green Book was updated in November 2022, and all the data books we've seen referred to are from before that date. So I'm just we just wanted some clarity on that. I fully accept the detailed points. We might not have answers now, but we wanted to sort of outline those.

00:57:41:08 - 00:57:42:27

I'm 100, Ms.. Porter for others.

00:57:44:24 - 00:58:14:07

Thank you. Kelly Porter from the South. National Park Authority. Yeah, It was just obviously picking up on your first question about whether we agree with all the benefits that are stated in 9.8.1. And obviously, just just to reconfirm, obviously we don't agree because you've heard from us from specific hearing number one in particular with regards to visual amenity and landscape impacts. And obviously from a national parks point of view, these should be given significant weight because obviously the purpose is to conserve and enhance the national park.

00:58:16:15 - 00:58:20:06

No, thank you. Right. If I could hear now from Mr..

00:58:23:15 - 00:59:09:05

Thank you, ma'am. Phil Winchester Action on Climate Crisis. Um. I'm very pleased, ma'am, that you asked for more detail. Currently, the list we've just been given is a bit like a Second World War list of motherhood and apple pie. Who's going to complain about any of those things? It was really a list of all the good things we could have in life. It's only when we get the detail, and I'm not surprised that the local authorities here are unable to respond because only once we see the detail, only once we see how one set of benefits has been offset against another.

00:59:09:13 - 00:59:39:20

Will we be able to understand this process? But currently, again, we're in a situation of tell and not show. We are being told that there's a number, something like 1.39 that responds to a vague list. I very much look forward to seeing how the calculations have been made, how the different types of benefit have been offset against each other.

00:59:39:24 - 01:00:11:09

And also and this seems to be crucial how they are offset against the benefits of this scheme. I certainly don't want to go over all ground, but last week we heard how Defra were unconcerned about PM 2.5. I was rash enough to look at the deficit and DEFRA are forecasting or are reporting an average of 8.52.5 across the country.

01:00:11:17 - 01:00:48:20

That that suggests that when the National Highways officer said Defra unconcerned, that was very, very inaccurate. And certainly with the peak mapping of PM 2.5 over the motorway. Um, we, we, we have a crisis in the making, particularly in the light of today's news, which is that PM 2.5 are removing our immunity to disease.

01:00:48:22 - 01:01:31:09

So I think probably if you have calculations to give us, they need to be updated and they need to be much more widely drawn than conventionally has happened. So I would also link this item to the item about modal alternatives. Not to go back into the discussion wouldn't do that, but I think I don't see how risk at risk to level. That could have been a comparison of economic benefits between say, investing in a suburban rail service from Winchester to Southampton compared with widening this junction.

01:01:31:11 - 01:02:01:05

And so I find it very, very difficult to believe that sufficient detailed attention has been given to this scheme. So just looking at a list of benefits without looking at a list of the benefits that could have been achieved by adopting an alternative path is not satisfactory and doesn't really answer the strategic questions we hope that we're asking. Thank you, ma'am.

01:02:01:28 - 01:02:03:24

Thank you, Mr. Adam.

01:02:05:28 - 01:02:08:10

Chris. Chris Galen Winchester. Friends of the Earth.

01:02:10:12 - 01:02:41:22

And if my my other late submission on on the on the modeling and so on. I had a whole set of observations on the wider economic benefits. So don't don't suppose that's been answered yet and it's hard to comment on what's been said. They just asserted that there is these agglomeration benefits. The point point I made there was that wider economic benefits is a highly dubious concept.

01:02:41:25 - 01:03:13:10

It's the literature on wider economic benefits puts up all sorts of of warnings against using this sort of hand-waving analysis. The II are specific questions about the the even the black box that the the applicant uses to assess this wide wider economic benefits carries all sorts of warnings. And there was there's nothing in the text to suggest that any of these warnings are being looked at.

01:03:13:26 - 01:03:21:22

Um, I asked specifically about displacement of economic activity. Asked specifically about how this

01:03:23:17 - 01:03:54:07

the, any benefits of agglomeration that they are dreaming up here do not detract from other parts of the country, particularly in regard to the levelling up agenda where a rich enough area down here that to to accumulate extra benefits even if they exist at the expense of other parts of the country or the ports or or industrial centres. That has to be justified in some economic narrative.

01:03:54:09 - 01:04:35:19

There is no economic narrative in the applicant's description of wider economic benefits. It's just a lot of hand-waving assertions and I think these points have to be answered. There was a very specific thing within the um, within Tag which says the default assumption in transport appraisal is the full displacement of employment impacts resulting from transport investment. So to, to, to assume that there is more employment in this area as a result of agglomeration, it's just not just it's not justified by the rules of the black box they're using and it's not justified.

01:04:35:21 - 01:04:44:25

And nowhere in the literature is there any real credence given to this sort of this sort of assessment of wider economic benefits.

01:04:47:17 - 01:04:48:28

Thank you. Um.

01:04:51:26 - 01:04:56:10

Andrew Boswell. See that you have your hand up. If you could join us, please.

01:04:57:27 - 01:05:28:25

Thank you, ma'am. Yes. Dr. Andrew Boswell. Climate Emergency planning and Policy. Um, following on from what the other speakers have just said, um, which I support. Um, I just want to home in on the greenhouse gas calculations which go into the calculation and so on. Um, so these are. Yeah.

01:05:28:29 - 01:05:29:15

Sorry.

01:05:29:22 - 01:05:34:06

Boswell will be coming on to those sort of issues later on.

01:05:35:06 - 01:05:43:16

Okay, well, maybe I can put a mean. This is under the the BCR and the economic benefits.

01:05:43:18 - 01:05:44:06

All right.

01:05:44:08 - 01:05:46:21

Yeah. Um, frame. So if you.

01:05:47:09 - 01:05:51:09

Make your point but avoid stress territory because.

01:05:51:13 - 01:06:27:02

Yeah, absolutely. Yeah. So, um, the point is that when you look in the coma document, which is the rep one oh 25 Um, they have a section on how the greenhouse gases are calculated for the BCC. Ah. Um, but I just want to raise a couple of points. Mean, think basically we probably need more explanation from the applicant about how they are deriving the figure for the greenhouse gases.

01:06:27:24 - 01:07:07:13

Um, the point is, first of all, they mention construction emissions, but they don't really show any evidence of how the 37,000 tons of greenhouse gas emissions from construction are put into the calculation. I have seen that on other schemes from the applicant and it would be helpful to see that. The second thing, talking about the wider economic benefits, what we tend to see in these calculations is, as others have said, that there's a lot of hand-waving about wider economic benefits.

01:07:07:19 - 01:07:29:26

But if I could just ask you to, if it's possible to drill in to to that rep 125 document and paragraph five 542. If it's possible to get that up on the screen or something. That's on page 119 of the document.

01:07:37:03 - 01:07:37:21

Um.

01:07:38:24 - 01:08:11:14

What we have there. This is talking about how the operational emissions are put into the BCR and what it says is that effectively the emissions are calculated just with and without the scheme. So what you actually get in going into the economic calculation is just the a very narrow, um, footprint of the greenhouse gas emissions which comes from the scheme itself.

01:08:11:16 - 01:08:49:06

What you're not seeing is the, the greenhouse gas emissions which come from all this wider so-called economic benefit. So elsewhere in the Coma report, we have tables like table four three, which lists all the housing and jobs which are going to develop in the area. And related to the scheme. And we

also at table four, four have other highway schemes which are all actually modelled in the traffic model in the the do minimum case.

01:08:49:08 - 01:09:17:25

But what we're actually not seeing is any of that going into the economic calculation. So in other words, what I'm saying is the economic benefits are biased one way, but we're not seeing the greenhouse gas emission effect of those economic benefits represented in the BCR. So it would be very interesting to hear the applicant's response on that. Thank you.

01:09:19:05 - 01:09:26:16

Thank you. I'll ask the applicant if they wish to make any response to all the points that have been made.

01:09:34:21 - 01:10:02:15

Jim Buffalo on behalf of national highways, just taking some of the points in turn, insofar as they're relevant to my expertise, the it's noted that Councillor Porter considers that the two of the three priorities of the Winchester movement strategy are adhered to. Um, and I will pass over to my colleague to deal with the economic points raised by South Downs. Um.

01:10:05:02 - 01:10:32:22

I'm just taking Mr. Jack's comment in regards to the methodology and where the calculations Table 5.4 of the case of the scheme outlines the monetized benefits and details them that both benefits and dis benefits. Um, but obviously to note there are benefits that are not monetized, such as improvements to walking, cycling and um, horse riding routes.

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Thank you.

01:10:37:23 - 01:10:40:28

Kevin and on behalf of the applicant and.

01:10:43:17 - 01:11:26:09

There's quite a lot of points in there. Some really require a bit of writing in terms of a response. But Mr. Green, in relation to your point on the discounting to 2010, it's almost like bringing there's loads of different things happening in different forecast years and it's a way of getting a common denominator and it's a tag requirement that you discount everything to 2010 as a common baseline. And in terms of how that's deflated back to 2010, it's using real inflation data. What actually happened in the interim years between then and now And then as we look forward and protect through a 60 year benefit appraisal, those are determined by the Tag worksheet in terms of how that's then extrapolated and.

01:11:28:29 - 01:11:38:20

The NPV discount rate that again that those are determined by Tag. We use the guidance that was provided by Department for Transport. And.

01:11:54:05 - 01:12:31:21

Yeah, think a number of the points there is we can signpost them in response as we've already made. And in relation to um, as a point Mr. Gillen made earlier, there are, there are modal shifts that's come back to variable demand modelling. There is modal shift included in the model and. The wider economic benefits. They're there to basically make sure that we can consider aspects of welfare impact and transfer in investment that's not reflected in traditional cost benefit analysis.

01:12:31:24 - 01:13:03:19

And the ranges are roughly between 10 to 30% of of user benefits. That's what they're considered at. But again, they fall into guidance and we are following Department for Transport guidance. And in that, in terms of the black box aspect of it and Tag and the software that's associated with it, there's also prepared by those user manuals are also available in terms of what they actually undertake in their calculations. That goes into the variable demand modelling as well.

01:13:12:21 - 01:13:25:10

All that. Thank you. And as I say, if you could provide us with further details of that of those various points in writing, including in relation to Mr. Guillaume's point.

01:13:27:27 - 01:13:28:18

Mr. Garrick.

01:13:30:06 - 01:14:09:10

Thank you, ma'am. Phil Winchester. On the climate crisis. Just to follow up on that point, it's not just more detail I hope to see. I think we have to be careful that vague reassurances like that are aren't taken as being of any precise value in the difficult questions that we're facing. And I hope, for example, that the statement that modal shift was taken account of.

01:14:09:12 - 01:14:32:10

We need to know how much modal shift, what type of modal shift and how it was taken account of. And I think for each line we need at least a few lines of narrative to enable us to understand the process. Otherwise it will be masking a bit of a fiction. Thank you, ma'am.

01:14:33:00 - 01:14:33:21

Thank you.

01:14:33:29 - 01:14:34:25

Mr. Gillam.

01:14:35:18 - 01:14:45:03

Thank you, Chris. Good friends there. Just just on that last point, and thank you for the information on the

01:14:46:21 - 01:14:48:12

modelling. Um.

01:14:49:29 - 01:15:02:21

If modal shift is taken into account. It would be interesting. I think it's kind of a supplementary question to one I've already asked is presumably it will have the result of actually

01:15:04:29 - 01:15:40:01

totally shifting in the wrong direction. If if you're making it easier for road freight to move along this road, you're more likely to be, for example, shifting it away from rail. So it'd be interesting to know what the result of Modal, the modal shift element of the model is bringing about. Um, can I also ask about, um, the, the other elements of the cost benefit analysis? The, uh, I make the point in my evidence which

01:15:41:16 - 01:16:04:04

the document submitted laid about the, um, the construction costs and the, the reasons that the applicant gives for not applying an optimism bias to it. And simply their reasoning is that they've chosen the most, the most likely estimate. Well,

01:16:05:21 - 01:16:20:17

I still haven't heard anything that suggests that there is a reason for neglecting the error bar on that. What is the what is the reliability of their most likely estimate?

01:16:22:18 - 01:16:23:07

Thank you.

01:16:33:15 - 01:16:35:06

Right, Miss Tracy.

01:16:37:09 - 01:16:38:11

Is there anything applicant.

01:16:38:13 - 01:16:41:02

Wants to add now or, uh.

01:16:41:09 - 01:16:44:13

Katherine Tracy For the applicant? No. We'll have to respond in writing. Thank you.

01:16:44:15 - 01:17:34:25

Thank you. Right. The next agenda item relates to the March 2023 and consultation draft. So as everyone knows, the NPS is currently subject to review pursuant to commitments given in the July 2021 written ministerial statement. So the draft was published in March 2023 and has been subject to consultation. The Government has also published transitional arrangements, namely that while the review is undertaken, the current NPS remains government policies for the purposes of the 2008 Act and for any application accepted for examination before designation of the amendments to the and the original should have effect.

01:17:35:13 - 01:17:37:00

So that's.

01:17:37:28 - 01:17:39:08

What we have.

01:17:39:23 - 01:17:50:27

Um. There have been various references made in written submissions to certain changes in the wording of the draft in comparison to the designated one. Um.

01:17:52:15 - 01:17:59:09

Perhaps if I can go first to Winchester City Council. Um, so.

01:18:03:02 - 01:18:40:27

You refer your local impact Refer report refers to table 5.1 of appendix three of the draft and which prevents a summary on the significant and uncertain effects identified for GHG emissions along with recommended mitigation measures. Now we will be discussing mitigation later on and to the relevant climate change agenda item. But what weight do you say should be given to the draft and on what, if any, reliance if you placed upon it in seeking further mitigation?

01:18:43:05 - 01:19:08:15

Thank you, ma'am. Robert Greenfield, Winchester City Council. Yes, entirely appreciate the the legal standing in the status of the of the draft and PSN. I think what's clear from what's coming forward and the need for it in ministerial statements is that it was written before commitments to net zero and the

city carbon budget. So I appreciate the it's being framed in that way, but I do appreciate the current status of it and that's how we've responded as well. Thank you, ma'am.

01:19:10:03 - 01:19:25:04

Thank you. So just any other I want to, um. Draw the examining authorities attention to any other relevant aspects of the draft consultation document that you haven't already mentioned.

01:19:26:25 - 01:19:30:09

Also, comment on the weight that should be afforded to it.

01:19:33:11 - 01:19:34:04

Mr. Gag.

01:19:36:03 - 01:20:06:25

Thank you, ma'am. I hope I don't break the rules about having already mentioned, but think it is relevant to say that the draft presents a fundamental shift in focus on national infrastructure, namely, and I'll try not to go over all ground. Namely, for developing rail freight, for transporting freight across the country.

01:20:07:21 - 01:20:49:04

And it talks specifically about intermodal delivery of imports. It also talks about the establishment of freight multimodal freight distribution centers in conurbations and even small towns. And if that is to be taken seriously, it could render all this effort be a wasted asset, at least as far as the capacity of this junction to carry the freight on the road is concerned.

01:20:49:06 - 01:20:57:21

So I really think we should be paying much more attention to the fundamental shift that this signals.

01:21:00:27 - 01:21:01:16

Thank you, Mr..

01:21:03:05 - 01:21:04:02

This grant.

01:21:04:15 - 01:21:26:21

Ma'am. That grant for the National Park Authority. Don't think in writing we've actually addressed the so at the draft, so it might be helpful just to set out our position. Um, as with Winchester, it's a draft. It's at an early stage, so formal wait to be given to the draft as a draft is obviously relatively limited. Um, that said it.

01:21:28:00 - 01:21:28:24

Host states.

01:21:28:26 - 01:21:56:18

A fundamental number of changes like net zero, like Covid, and is at least a starting indication of a more up to date view of certainly what government looks like it's going to be heading and where that tallies with changes that have already come into effect, like the increased focus on good design in the for example, what we submit the utility of the draft and is indicating.

01:21:58:20 - 01:22:24:04

Is in indicating what way you can comfortably and safely give to various considerations that come into play. So, for example, the importance of good design now front and center in the there's some

important design paragraphs in the new and that goes to increased weight to be given to good design, we submit. And that's effectively how the draft and can be best used in your decision making.

01:22:26:08 - 01:22:40:18

Thank you. So if I go now to the applicant. So what's your position on the relevance of the consultation draft in any way to be afforded to, for example, where there's a difference in wording between the two documents?

01:22:41:28 - 01:22:46:10

Katherine Tracy For the applicant. Um, yes, ma'am. We would, um.

01:22:47:26 - 01:23:30:07

For your attention. It is an early draft. It has been out to consultation, but we have had no further output from the government. So it's at a very early stage and therefore we'd say, you know, limited weight can be attributed to it. Um, the transitional provisions specifically, um, apply it from existing schemes going through determination. And that is reflective of the fact that there is a we acknowledge there is a shift in the draft to design of which it is far too late for this scheme to go back to that drawing board certainly, and come out in it and potentially come out in its current form.

01:23:30:09 - 01:23:39:21

So so you would need to go back some number of stages in order to be able to demonstrate that you have met those design.

01:23:41:23 - 01:24:17:09

Movements in the draft. However, we have. Undertaken an assessment against the detailed policies within the new wording, which is Section four and five. And we haven't identified any significant areas of conflict between our scheme and and then all the existing in our scheme now and the draft. So we would we would say that it's a, it's a limited wait, it's an early draft and the transitional provisions make it very clear which MPs our scheme should be assessed against.

01:24:19:27 - 01:24:20:24

And thank you.

01:24:22:20 - 01:24:32:13

Right. Ah, Rebecca Lush. See that you have your hand up. Would you like to join us? Hello.

01:24:32:15 - 01:24:46:13

Rebecca Lush from Transport Action Network. Thought it might be useful to give a little bit of background to the history of why the triple N is being reviewed. Um, it took transport action.

01:24:47:00 - 01:24:52:03

Hello. Don't know if you could put that in writing after the event in that was literally.

01:24:52:26 - 01:24:55:03

30s if that's allowable.

01:24:55:05 - 01:24:56:06

Okay. Okay.

01:24:56:19 - 01:25:31:04

Um, it's just useful. Background Transport Action Network had to threaten legal action three times before the Department for Transport agreed to review its outdated NPS. That instructs that. So the current NPS instructs decision makers to like the Planning Inspectorate to ignore the carbon impact of

major schemes because the government claimed that they make no material impact on the government's ability to meet its legal obligations to meet net zero and its carbon budgets.

01:25:31:18 - 01:26:01:29

Um, so that's the background to it. The draft NPS is absolutely no improvement as far as we or experts are concerned and academics. It's quite clear from the Government's own recent documents and from evidence from academics that the Government is not on track to meet its legal obligations and is there's a shortfall in the carbon budget delivery plan. They identified an 8% shortfall.

01:26:02:01 - 01:26:26:00

We are not going to meet our legal obligations and we are massively off track. So any increase in emissions is taking us in the wrong direction. We should be doing everything we can to reduce emissions. So this draft is is is not an improvement at all. As far as climate change is concerned.

01:26:27:16 - 01:26:28:24

Thank you. Thank you.

01:26:33:28 - 01:26:37:21

Check with the applicant if they wish to respond? No.

01:26:39:08 - 01:26:49:11

Right. It's now time for us to take a break. So we'll adjourn now and resume at.

01:26:51:17 - 01:26:58:24

Well, we resume at quarter two. No, sorry. Sorry. We'll resume it. 2212.