

Summary of points made by Keith Lomax at Issue Specific Hearing 5 (27th June 2023)

â€¢ Firstly, I would like to thank the Examining Authority for taking the time to make an unaccompanied site inspection, to view the locality from our perspective.

â€¢ I have nothing further to add in relation to the proposed location and alternative proposal made by myself and a number of my neighbours.

â€¢ I do, however, wish to make some observations on the approach of the Applicant. At a previous hearing one of the speakers referred to National Highways "reluctance to admit that they had made an error". Perhaps that is too strong, but there is certainly a reluctance to make changes (as has been shown from this specific issue and was a common theme from a number of other discussions during today's meeting).

â€¢ In their document "9.66 Gershwin Boulevard Issue Summary Note" at section 2.2, the Applicant describes their consultation process, which I would contend is a smokescreen to cover the inadequacy of the consultation. Even if people were aware of the consultation taking place (which clearly many including myself were not), they would have expected it to be about the overall road scheme. What is a small part of the scheme will have a significant impact to a small locality, and one would have to pore over detailed plans to even discover the existence of the proposed bridge.

â€¢ The Applicant is also being obtuse about the extent of diversion that would be required, by suggesting the distance that would be required to cover the route by means of existing roadways. However, the planned "ecological reclamation area" to the South of the A12 between Howbridge Hall Road and the replacement open space includes a track along the Northern edge. It must surely be possible to route the path either along or parallel to this track?

â€¢ Another point that I would have made but could not due to the limited time and also the quality of the communications this morning is that the proposed replacement open space is unlikely to compensate for the lost space to the North of the A12. People living in the adjoining roads use the space exercise for themselves and their dogs. Surely most would not consider a walk of what must be at least 100 meters including the ramps on both sides as well as the bridge itself just to access a different piece of grass. I have also spoken to Councillors on both Witham Town Council and Braintree District Council, neither of which have the resources to maintain another piece of open space.

â€¢ Subsequent to my evidence to the hearing, a representative from Essex County Council said that the opinion of the Council was that the bridge should provide a connection to Howbridge Hall Road. It is important to note that this road is in two parts with a gap between them following a severance when the existing A12 was built in around 1964 (the same time as the footpath in question). From the context of what was said, in relation to providing access to the onward paths, this presumably relates to the Southern section. If the ExA includes a reference to this in their recommendations it would be necessary to specify this, as Kinloch Chase already provides a connection to the Northern part of Howbridge Hall Road.

â€¢ Finally, we have been told on a number of occasions, including at ISH4 and also to me personally by Mr Goodwin when I happened to meet him near to my house, that the DCO cannot be changed without starting again. Yet the DCO is still considered to be a draft and NH have accepted other changes.

Keith Lomax
June 27th, 2023