



Hearing Transcript

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Hearing:	Issue Specific Hearing 3 (ISH3) – Session 2
Date:	13 August 2024

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00:06

Just whilst we were having our break, we were just reflecting on some of the things that were said this morning. And so can I just pose a question to the applicant and national highways, but if the scheme remains as currently designed, and the reservoir therefore remains as currently set out, despite what national highways have said, would the Secretary of State have the power in granting a DCO to impose that responsibility onto national highways.

00:49

You may prefer to give us a written answer. I don't know, but it just seemed to me that we ought to pose that question.

00:57

So I think the position is that, absent agreement with another party, such as national highways, the obligation falls on the undertaker as the primary position. And so the legal obligation under the reservoirs act, and so far as that applies, and we've taken a precautionary approach, there would then, would then bite, what we're seeking to do with national highways was looking at functions and seeking to divide the responsibilities according to functions. And that's a dialog that we've been undertaking. We've heard what said this morning, but that's that's the default position, as I understand it,

01:39

yes, but what I'm trying to at the moment, I think that, as it's currently designed, the wall or the boundary to the reservoir would be partly on the local road network and partly on the strategic road network. So both highway with authorities would have responsibilities through the reservoir Act, which is something that the national highways are saying they do not want. But so what I'm trying to just get clarity is if the design remains as it currently is, and that responsibility effectively becomes a joint responsibility because part of the strategic road network is forming the boundary to the reservoir, then the DCO would be, if granted, seems to me potentially impose a responsibility on national highways. And I just, I don't know the answer, and I just wanted to seek your views on whether that was something that was within the Secretary of State's powers, or whether it was something that went outside of it.

02:52

We'll give you a considered response to that. If that's that's the precise point, then we will respond in detail on that. Thank you.

03:04

And like I say, we will consider the matter and respond for deadline for Thank you very much.

03:15

Thank you, Mr. Mond, if we could then move on to the next topic on the agenda, please, which is the traffic and transportation points. I think the first place would like to go with respect to traffic and transport really, is obviously with red and considered the recent submissions from the applicant and national highways with regards to the adequacy of the transport modeling and indeed, compliance with Tag requirements. And that does seem to be a gap between the parties. So firstly, if I could ask national highways please, just to talk us through really where you see the shortcomings are with regards to tag compliance, you sign posted one particular example of journey time validation in your your response to first written questions. But if you could please, just explain to us where you think the Saturn modeling is deficient with regards to tag compliance. Thank you.

04:19

Thank you, sir. Sophie Stewart for national highways. And can I start by saying, hopefully this will be a slightly more positive response to that given for the previous agenda item regarding the flood storage area overall, the majority of concerns raised by national highways previously have either now been resolved or the additional evidence provided by the applicant has demonstrated to our satisfaction the model is adequate or that no further information is available which could be used to improve the model for the assessment of the scheme proposed in relation to Saturn, there is one tag compliance issue that remains to be addressed to national highway satisfaction, and that's of. Journey times along the a 4019, this is a redirect impacted by the scheme, and it's considered that further effort to ensure the base model is capable of replicating observations is a reasonable request of the applicant. At present, the applicant has used a hybrid of mean, average and median average journey times in order to demonstrate model compliance on different routes, national highways require that tag guidance is followed in respect to a single approach to journey times to be adopted. And it's national highways recommendation that the median average is the correct method to smooth out peak and troughs in traffic flow through the day, and one means of resolution to this outstanding issue could be in the form of adjusting the existing traffic signal timings at two junctions with the aim of reducing the delay at those locations. In relation to the paramix model, national highways have no objections to this model. However, the paramix model draws its data from the Saturn model, and therefore should there be a change to the Saturn model, then it's more than likely that the paramix model will be affected and will require updating just to make sure the two data sets match minor issues such as unreleased vehicles are of lesser significance and are not currently to the extent that national highways object to the modeling under the paramix. But should any amendments be made to the paramix model as a result of changes to Saturn or otherwise than any minor residual issues national highways beliefs can be addressed at that time?

06:44

Thank you. So just, just to help me understand what you've just said, the issue with respect to journey times along the a 4019, is it your position that the the applicant's base Saturn model over eggs, vehicular delays on the A, 4019, within the base case model.

07:07

I think, yes, yes, sir, that's right.

07:10

So, so presumably, in doing so then it, it potentially has the ability to misrepresent the benefits of any future scheme built built with on from that that's correct, sir. Okay. And then just turn to the applicant please, and ask for their response with regards to this issue, with regards to journey times and what national highways are asking with regards to using media and journey times as opposed to what's included within the model at the moment, please, thank you.

07:46

This will be Steve katesmark, the transport planning lead.

07:52

Thank you, Steve Case Mark, for the applicant, just just to get clarity on tag compliance for value. Validation of the model that's set out in tank unit M 3.1 tables one to four set out all the criteria that have to be made now in that criteria, not all elements have to pass, because it is recognized inherently that a model such as this, these models, you will never get validation of every route and every item within a model, so they set thresholds for validation the model that we we have fully that meets the criteria within tag, and that is set out in the traffic model package appendix k of the TA, which is app 140, so that is all set out in there regarding the journey time criteria, table four is the round table, and the trial criteria is that model times along routes should be within 15% a survey times or one minute if higher than 15% but the acceptability criteria is greater than 85% of cases, we exceed that in our modeling, more we exceed that we have, depending on the period modeled. But for journey times, we're hitting between 94 and 96% in terms of compliance of the number of journey time routes with regarding to that specific the two specific journey time routes, they pass in the southbound direction but only fail in the northbound direction. So it's only in one direction that they fail the criteria, and they only marginally fail them in that the. The in the am peak, they're 5.4 to 5.6 above the outside the 15% threshold. For the inter peak, it's point nine to 2.6 outside the 15% threshold. And for the PM, it's 6.9 to 9.4% outside the 15% threshold. So we're not talking large deviations from from that Furthermore, the traffic volumes on the routes calibrate or validate extremely well with observed data. And you have to look at the two in combination to decide on whether the validation is acceptable. And we believe, as the applicant, we strongly believe that we passed the validation and that the model, as presented is a robust assessment. Quite rightly, as national highway said, we think the issue is around the signal timings on the A, 4019, which is where we're getting the deviation. The issue there is that the signals on that road are likely to be demand dependent, so the timings will alter into response demand student models can't replicate that. You have to put in a fixed timing for that in your model, it can't replicate the that to any accurate degree specific, accurate level of accuracy. So, so there's a difficulty there, and inconsistency there, which is recognized. But I said because we validate on all the other criteria, and overall, we validate, we think that that deviation on that one, those two journey times in one direction only, would not make do, not make a material difference to the conclusions that you can be drawn from the modeling and the outcomes from that Modeling, and that is the applicant's position on that.

12:03

Could I just clarify one thing when you were explaining the the ranges of the journey, times there, and the direction which failed within 5.4 and 5.6% outside the 15% range you mentioned northbound, where specifically is that northbound journey time that we're talking about?

12:28

Steve Case rock for the applicant, the two routes are along the northbound from along the A, 4019, and then north up the m5 to junction nine. And then the other journey time is along the a 4019 out to is it the a 30, I think, and then north up to tweak tweet Tewkesbury, so

12:49

the a 4019 obviously goes east to west. So the journey time encapsulates,

12:57

yes, both. The issue is the same for both journey time routes, because they both of those journey time routes are, at the start of them are along the a 4019 and then routing along the m5 and then one route, one route goes up the m5 and the other route continues west along the a 4019 then north up to shoots. Route Understood.

13:17

Thank you. And

13:19

just to add on the point about the signal timings and the suggestion that we could adjust the model that is not with just signals, that is not straightforward, because the likelihood is, if you adjusted the signal timings in the model to validate the journey times, it would alter the routing of the traffic on the network, and then you may not get validation of your traffic volumes. So it's a horses to courses type approach. So just tweaking it wouldn't necessarily mean that we we might resolve that issue with validation and create a new validation issue. So there's a judgment to be made here about whether the model is currently presented, is, is a you know, robust for the purposes of the assessment here, recognizing that in all models there's uncertainty, and you know, you're forecasting into the future. So there is a you know that that there's that level of uncertainty anyway. And as I said, our position is Atkin, is that the model more than meets requirements for an adequate assessment of the scheme Understood.

14:25

Thank you. So given where you are with regards to this, what seems like solitary issue with regards to tad compliance or not, are you aware, as the applicant, what the implications would be if you did alter the model in the way that national highways have requested, for example, if you did change the signal timing at those two junctions, I accept that that may then change traffic flows elsewhere and change the outcomes in terms of flows and validation, but have you actually pulled that handle within the model to. Actually ascertain what would actually happen if national highways request was was undertaken.

15:08

Steve cake, case Mark, for the applicant, we haven't specifically done that, no, but then there's problems with that, because we'd have to understand what signal timings were back in 2015 for the basic ice year, which, you know, we have no idea now. So it would be a theoretical exercise, because you'd have to make some sort of theoretical adjustment to the timings until it sort of met the you got came up with the right journey times, and which wouldn't necessarily reflect what the signals were

actually doing at the time. So there are problems around this and the validity of doing that exercise, I think. But

15:46

the journey times, presumably to validate a 2015 model are 2015 journey times.

15:54

Yes, that's correct, yes.

15:56

So just thinking about what you said five minutes ago, if the if the Saturn strategic model isn't particularly well placed to analyze specific traffic signal junction operation in detail, and it is what it says on the can, which is a strategic tool, I'm just trying to understand, what would the issue be with validating the Saturn model with signal timings, which actually supported the journey times, if that then would meet national highways outstanding tag compliance concern.

16:32

It's the added complications that adds because if you alter the signal times, it would then alter the journey times for the South bound route as well in the other direction, because when you alter traffic signals timings, it isn't doesn't just it affects all the various arms of a junction, so you're playing around, and it has knock on implications in terms of how the model operates and and other aspects. So it's not as straightforward as just altering the timings at the junction. I mean, we could do that, but it's likely to result in other issues arising with the model, which may raise more questions than answers, is what I'm saying. Well,

17:08

we don't know what those are, as we sit here today. No, that's really helpful. Thank you. And just going back to national highways, I think if I was to Sue, I think the applicants just told me, it's that their position is unequivocally that the model is tag compliant. I'd really appreciate some help, really from national highways with respect to what they're saying. I mean, is it that we should take what national highways are asking them to do as a nice to have? Or are you, is your position a very clear one, that the issue with regards to journey times puts them at odds with Tag compliance, please. Thank you.

17:54

Thank you, sir. I don't have one of our traffic modeling specialists available today. We do agree with the applicant that a model is a model, and achieving 100% compliance is not achievable. It is a matter of of judgment and obtaining an appropriate balance. If it would be acceptable to you, sir, I'll take away your specific question and get an answer in writing.

18:36

I think that'd be really helpful. I'm just mindful of of what national highways said within their response to was on the 30th of July. And you know, there are obviously some incredibly obvious loot ends there. One is obviously with regards to the adequacy of the of the Saturn model and its compliance with tag. And obviously that's led to a conclusion on the back page, which, um, which suggests that national

highways aren't entirely happy with with the detail of the scheme and the modeling. And I'm just trying to understand whether, what, why there's that difference, really, is it, is it that we should be considering what national highways are asking for as a nice to have extra layer on the modeling and they are fundamentally happy that it is time compliant, or aren't you what? What is it that we should be saying in our report to the Secretary of statement regards to the adequacy of that transfer model. Thank

19:45

you, sir. Sophie strip for national highways, it's not, we don't believe it's a national highway. A national highways asking for a nice to have. Our position at the moment is that national highways is not satisfied that the applicant has explored. All means to validate the modeling and that some further work and further dialog may may well resolve this issue. And I think it comes back to the point that Mr. Katesmark made earlier, which, whilst it is a balance, the applicant have made it clear that at the moment, they haven't even explored other means to validate, even if that would result in the modeling moving off elsewhere. But we don't have that underlying set to see if it is possible to validate

20:34

Is that something that the tag requires them to do, or is because what's been explained is that there are a series of thresholds or elements that you need to pass. And it sounds from the applicant's interpretation, you don't have to pass everything. You have to pass a range of things to get to a certain standard of confidence that the model is predicting a suitable outcome from the inputs. I think that's a fair summary. So is national highway saying that they've passed those thresholds, because the way that the letters written to us is that it's not compliant. That's what the wording of the letter says. And so we need to understand if that is the position that you're maintaining and and then to understand why it's not considered compliant. What element of the tag is it falling down on?

21:40

Thank you, sir, if it's okay, I'll we'll take that away and come back in writing.

21:46

Okay? Thank you. Applause.

22:12

And the other thing I just wanted clarification on is that one of the things that national highways have suggested this morning would be helpful is to do a median average, and so I just wonder whether that's something that you've done, or would that result in a different problem, or the similar problem to the Traffic Light signalization elements. Steve

22:41

Case, well, for the applicant, the modeling in the Saturn model is based on the average flow over the peak periods, three hour peak periods for the various peaks. And it is usually the case that the therefore the journey time validation is done on the average journey time over that period. The mean, the mean journey time over that period is is but the median is sometimes also chosen as alternative. Now, the median was chosen alternative here, unfortunately, my history with the project doesn't go back far enough to understand why that decision was made and the basis for that decision, but that

was the decision taken at the time to use the median so the validation that's reported in the model report that I referred to earlier is Based on the median journey times separately, we have done subsequently done analysis to look at the comparison of validation against mean journey times. And we find that for that route, the it does pass on the mean journey time, it passes the criteria on the mean journey time, not on the mean but that's not what's reported in our documentation. We provided that information separately in a note to national highways, along with other information to try and address this point about this lack of compliance on this particular journey time route,

24:21

you're doing your best to confuse me. National Highways. I thought you were asking for the applicant to undertake a median average, but according to what I think we've just been told, that's already been done, correct? So

24:42

my understanding is that throughout the model, there's some some journey times have used a median average, and some have used a mean, and that we're asking that it's consistent across the piece, and our preference would be median. Yeah.

25:01

Uh, my understanding, I will double check that my understanding is that the what's reported in the model package report is based it's consistently the median. We've provided supplementary information that looked at the if we if we had used the mean, what difference that would make to them, to the to the validation, but I will confirm, yeah, we'll provide that deadline. Three, four, sorry. Deadline for it would be great if you could do it for deadline.

25:32

Three, yes. Okay, so I think both parties need to have a look at what has been presented so we can be clear as to how it's been presented. And then if either of you are still in disagreement with what has been presented, explain to us why and also what difference. Because if you've done both, hopefully you can tell us what the difference is, if there is any, but with a fair wind, perhaps we'll get a positive outcome. But I'll make that as an action point for both parties for deadline four. I

26:58

i think if in providing that response, if you could make reference to the content of the national highways letter on the 30th of July, because that that seems to sign post issues with respect to a 4019 delays, but it also suggests that, and I quote further other further concerns have been raised directly with the applicant, so fundamentally, I think we need, ideally, a note from both of you, which could perhaps be a table point, which identifies what the applicant's position is versus national highways, and indeed then tells us how we should be considering that with regards to tag compliance. Because it seems to me quite a fundamental issue, if there is current disagreement with regards to the adequacy and tag compliance of the modeling because of everything that flows on from that. Thank you. Applause.

28:26

And if we can move on to item two then, and this really, I think, is something that we're not going to be able to fully address today. But clearly, I think what national highways are saying is, given this issue with regards to tad compliance of the of the Saturn model, there presumably is some nervousness from national highways position at the moment, with regards to how that model then feeds into the transport assessment, the design of the slip roads, the ES and all of those things, if you could please, just for the benefit of everybody in attendance, explain to us your current position with regards to what seems like the kind of implications of that journey Time issue within the within the Saturn model, please do

29:26

i Thank you, sir. Sophie Stuart for national highways. So yes, fundamentally, whilst there is an issue with the modeling, albeit we're trying to gather some comments based on the last agenda item to see if this can be concluded. To give you an update before the end of the hearing, the is h3 hearing, national highways. Current concern. Decisions are that they have not seen evidence presented based on the modeling, the transport assessment, in particular, the joint Council's GC 3m assessment, which was rep 3065, submitted at deadline, three, the body of evidence that's come, that has come in, which provide, none of which, sorry, all of which provides a clear indication that the level of development models, particularly in the full development scenario, can't be accommodated in the absence of a Major scheme intervention, as it's put in the joint Council's document, what national highways doesn't have sufficient evidence to conclude at the moment is that the only way to address those impacts is the proposed junction 10 scheme in front of you, national highways isn't denying that that something will be required and that the current scheme could be the right solution, but we've not seen anything yet that supports that conclusion that's being drawn across the documents.

31:35

And if I can refer you says to national highways, response to written question at one point 3.1 at the current time, national highways are unsighted on alternatives.

31:53

So at the at the moment, I think national highways position is that, whilst Undoubtedly, there will be traffic impacts arising as a result of the proposed development. We can't come to the conclusion that the currency the current scheme is supported as the correct solution. So

32:26

um, obviously, as we sat here today, there's a live planning application for at least part of the dependent development. With regards to the north west Cheltenham site, are national highways in a position? Just to clarify specifically, I know that is only part of the dependent development, but I think it'll be helpful just to understand what your specific consultation response deemed necessary and appropriate with regards to mitigation for that part of the dependent development. If you're able do

33:09

so can we just have sorry? Sophie steer for national highways a couple of minutes Just to check, of

33:15

course, Thank you.

33:15

Thank you. Applause.

34:15

If we just stick with national highways for a minute on something slightly different, obviously, the traffic model and the Saturn flows feed directly into things like the overall scheme design and support, bluntly, the amount of tarmac that's provided by the three elements of the scheme. But it also feeds directly into the dmr design of slip roads and the calculations for those so given where you are at the moment, with respect to the tag compliance concerns, with regards to journey times on the A 4019, what's your current position with regards to the appropriateness and the safety of the overall design, including. The design of the merge and diverge slip roads, please? You.

35:47

That's Sophie Stewart for national highways in respect to design. At the moment, it's a matter outstanding, and as to safety, I believe it's included in the statement of common ground, and also reflected, therefore, in the pads. In the alternative, we've asked the applicant for further information, and those discussions are ongoing at the moment. In relation to your previous question around the consultation response, national highways asked for the provision of new signals at the southbound off slip for the first 260 dwellings. And then the ask for a negative condition to be attached, limiting 1000 dwellings before the motorway junction scheme had to be in place. However, the limit of 1000 dwellings was based on the level of modeling that was undertaken by the applicant, and more recent modeling that's subsequently been undertaken is indicating that a higher threshold could be more appropriate than the 1000 dwellings. However, that more recent modeling is not yet concluded and reported.

37:06

So just to help me, you referred to 1000 dwelling threshold, triggering the need for a motorway junction scheme. What is that motorway junction scheme, please?

37:19

So that was put forward in the it wasn't by reference to a particular design of scheme. My understanding, and we can come back and clarify that my understanding is correct in writing, was that a scheme would be required at that level of dwellings. I think it may assist you sir as well that national highway highways are currently and separately, undertaking some work at the moment identifying the quantum of development that could come forward in advance of this particular DCA scheme, and current indications are that a number far higher than the dead weight assessment put forward by the applicant is possible. There is a report due to be published on this by national highways, as I understand it, this month or in early September. And that piece of work also looks at the a 40 Elmbridge court roundabout, which, as I understand it, scheme from 2017 at that junction is not currently performing as predicted.

38:49

And in addition, some work around the scheme that was identified for the roundabout and included as part of a works package known as DS seven, which apparently isn't currently deliverable, and national

highways are working on that piece at the moment to identify an interim improvement to the a 40 Elmbridge court, and that would provide growth to at least 2031 in the current local plan period, and for future growth, which I assume to mean, is the safeguarded land.

39:26

So it was helpful to hear that. But are you suggesting that there is almost a parallel stream of work using different traffic modeling that national highways have in play, which is considering the the kind of road infrastructure requirements for future growth, including the dependent development. Is that what you're telling me,

39:57

if I could pass you to Rebecca Marshall,

39:59

thank you. Hi, I'm

40:02

Rebecca Marshall for national highway. So my understanding is that in our response to those planning applications, the modeling that we use is the modeling provided by the applicant, which may not necessarily be the same as the schemes traffic model. So

40:24

I can understand that, because each applicant will be doing their model for their scheme, and we don't want to get into individual planning applications, that's not for us. But clearly we need to understand what the broader picture is for our for this DCO, so that we can clearly understand what the respective highways positions is for our report to the Secretary of State and it i There's clearly two things happening in parallel, because the councils are out to consultation, aren't they on trying to move forward with the planning applications and agreeing schemes for road investment or And we what am I trying to get to? We need clarity for us as to what the position is from the highway authorities on this proposal and how we don't we don't want to get dragged into the individual planning application scheme. So whilst I can understand that different applicants are submitting their own highway assessments and they're being considered by the planning authorities appropriately for the planning applications, we need the clarity of the highways authorities on this scheme, and I just wonder if they're getting confused. So

42:14

are you able without your missing person today to give us advice on national highways position with regard to the traffic modeling that's been undertaken by the applicant for this scheme, the degree of compliance to tag for this scheme and the consequential effects that that may or may not have for the surrounding road network in respect of this scheme.

42:50

Thank you, sir. If we can take that three limbed question away and respond in full,

42:58

if we were to adjourn the transport section until tomorrow. Are those people going to be available tomorrow?

43:10

Rebecca Marshall for nationalized we can send some messages and find help. Let

43:16

you know, I think it would be clearly beneficial, because we've obviously set these up to try and resolve these questions, so let me just have a chat with My colleague. Hang On. I

45:40

I think just Having having taken a quite offline discussion there that there are obvious things that we need help with, with regards to the different conflicting position with modeling, as Mr. Mond mentioned, we don't necessarily want to get drawn down into all of the individual planning applications, but it seems there's fundamental issues with regards to what national highways are saying, with regards to scheme need and assessment of alternatives. There's fundamental issues with regards to potential a different a different suite of modeling giving a different answer. I just think that we could do with some additional people within the room just to help us work through some of those points with regards to assessments of alternatives and scheme need. Obviously, we've got a substantial item on the agenda to deal with, with funding. I think that all of the things that we're talking about obviously spins into that funding discussion with respect to securing section 106 monies, and indeed, if national highways position is that they are have some doubt about the overall scheme need and something different being able to fulfill the function of the scheme, then I think that that also has implications with regards to compulsory acquisition, that again, we will be looking for some help, help with exploring.

47:13

I think that, yeah, I mean, I think that there's probably not, not much traction and going through the specifics of this scheme, scheme design and slip roads and geometry at the moment, because of the difference between the parties. So I think if we can perhaps come back to that, hopefully with with with some extra attendees maybe tomorrow, then that might be a better use of everybody's time. I

47:52

We'll wait to hear from yourselves as to whether other people can attend tomorrow. But can I just check with other parties in the room, whether there's anything further they would wish to add at this time, and then obviously we will see where we get to later on. But I just want to make sure that everyone has the opportunity to let us know their current position.

48:20

Mr. Garvey, I'm very grateful. Says Killian Garvey for boar homes and for summer homes limited so on the particular application that my client has currently pending, determination the situation is such that there was a suggestion that there needed to be some minor work being done, and then a Grampian condition. The Grampian condition originally was proposing no more development than 1000 units until a specific scheme, or, in the alternative, an equivalent scheme to be submitted was was provided my

clients then went back with some further modeling information, which indicated that the entirety of that application could be delivered absent significant highway mitigation. And as things stand as we understand it, that is with the county council, with them, having yet to give a concluded view on it, we hear what they said to you today, which is, they think the threshold of 1000 would increase where that lands. They haven't given us a view from our perspective. We are not seeking to invite users to form a view on those particular planning applications because we agree with yourselves. It's not the purpose of this DCO and ultimately, we are keen to just ensure that the DCO process is kept separate from the planning application process, so we're comforted by what you say, but just to give you the factual situation as to where we're up to on those applications,

49:59

thank you. You come to the joint councils, please.

50:04

So thank you. Catherine Knight, for the joint councils. The joint councils have absolutely no comment at this time. Thank you. We will wait until the outcome of the end of the traffic modeling discussions.

50:13

Thank you. Okay, thank

50:16

you. Any other party wish to make any comment. Yeah, the applicant,

50:23

I think briefly, just going to invite Mr. Kate smart to deal with the point about the evolution of the scheme and its need, very briefly in summary, and the extent to which national highways have been cited about that.

50:39

Yes. Steve Kate smart, for the applicant yes to come back on the point that national highways made earlier is that fundamentally, the JCS process looked at a range of scenarios with different combinations of potential interventions, ranging from those with greater levels of road improvements and lesser public transport and active mode interventions, to the swing of the pendulum the other way, to greater levels of public transport and active mode interventions and lesser road interventions. And that was all seen, was all tested through examination public as part of the JCS process, which national highways will have been party to. And the conclusion was that this scheme, in principle that is being proposed, is the one that needed to come forward. So the starting point, and then that was reinforced through the need for the scheme was reinforced through the modeling undertaken to support the outline business case for the HIF element, which is in the traffic forecasting report that was submitted into examination. And so the the starting point for the design of the scheme was, was in that context of the principle that the need was there for, you know, south facing slips at junction 10, associate improvements on the A 419, and a the link road connecting, connecting in and that's the starting point. And therefore alternatives that were considered as part of the scheme were only considered within that policy context of the need for that scheme, having previously been defined by the JCS process,

52:38

we obviously went through that in the initial hearings. But there's obviously some dispute as to how far the joint cost coin, keep calling it Structure Plan JCS went, and the timing of when that was adopted in 2017 the HIF bid was not until 2020 I think. And so that came later, after the JCS was adopted. And within the JCS, as I understand it, there is not a specific policy that says these housing allocations can't come forward in advance of improvements to the motorway junction. If you can point me to a policy that says that, I would be delighted, but I don't think that's what it says. I think it's the way you are interpreting it, and I don't think that that's necessarily right. So I think that you need to really spell out very clearly to us. And I think that the joint councils have made reference to this in their one of their latest submissions about an additional document, going through it piece by piece, so that we can understand very, very clearly the timeline and how you've got to where you've got to in setting out very clearly the need case, the alternatives case, because I don't believe that the JCS sets out that it is this scheme. What it says is, more broadly, that infrastructure is needed. And then it also has individual policies such as inf seven that say allocations need to come forward and they need to address the impacts that those schemes have in line with the NPPF, which is, and they're not the same things with what you're trying to do on the broader strategic approach. So that's that's why I'm really need you to help us to explain the position, and I think that's why we're getting these confusions about exactly where everybody stands, which isn't helping us understand the cases clearly and. So that we can explain the level of need and how compliant it is with the NPS and so on. And so we really need your help in understanding that. So, so we will

55:15

try and draw together those strands again, I think, in the JCS without, without condescending to detail at present, there is policy essay one which requires alignment with the strategy in the local transport plan. So there is that which is explicit about the scheme. But we will set that out fully as one of the strands

55:38

that's very helpful and but while it's explicit about an m5 junction 10 improvement, but it's not explicit about this scheme, is it? And that's one of the distinctions that we need to get drawn out, because one of the concerns raised by law and persimmons submissions is that the JCS makes reference to the link road to for West chelnum, but it doesn't make the direct reference to a 4019 improvements. And so I think that that that is an important distinction that we need to understand.

56:35

Understood we were Yes. So yeah, I think Mr. Tim Pierce,

56:40

thank you. So

56:41

just briefly, so just to kind of reiterate that all of the JCS policies were underpinned by the transport evidence base that supported the JCS examination. And within the transport evidence base do

something seven scenarios kind of fixed upon as the solution to support the JCS allocations and under development in the future, that included an all movement to function at Empire junction 10. It included the West shell numb link road. And it did include improvement to the A 4019, and they were outlined within the transport evidence base,

57:22

I think it will be helpful if as part of your submission, you can really highlight the specific paragraphs, page numbers, whatever it is, so that we can really understand the thread which we're not fully grasping at the moment, and that hopefully will help us understand the position of blow and persimmon, which is slightly different.

57:45

No understood so no. And I think that

57:50

the other key element is that I think, and you can correct me if I'm wrong on this, your joint core strategy in terms of the transport assessments, I'm assuming, didn't include the safeguarded land at that point.

58:11

No, sir, it didn't. I don't believe that.

58:13

So again, that's a change that you've introduced for your hibid and this proposal. And so again, we need to understand at what point that took place, I'm assuming, in pre 2020, but post JCS, and then how that and I think I understand why, but there's a clearly, again, a difference of view as to whether, how appropriate that is in light of the fact that safeguarded land is not formally allocated,

58:48

no understood certainly. We will respond to that in writing that Uncle,

58:52

thank you.

58:54

We will explain why we've looked beyond 2031, for the scheme, and we will also refer to sa one seven, which requires, requires the implementation of the infrastructure delivery plan, which is another strand, but we'll try and bring those all together.

59:14

Thank you.

59:19

Mr. Katesmark, one, further point,

59:21

yes, Steve Case work for the upgrade, just to clarify that the transport assessment that is submitted with the DCO isn't aimed at supporting the need for the case for the reasons I've outlined earlier, it is there to assess the impact of the scheme. So it is not there to support the need for the case. It does. There's information in there that does help support it, but that wasn't the primary purpose of the modeling that was undertaken or for the scheme. It is to assess the impact of the scheme. So.

1:00:30

It's coming up to one o'clock, so I'll just see we have potentially some further questions on traffic modeling, but it may be that We're better off deferring those we're getting a nod over there. So I think what we'll do is we'll take a pause for lunch. We'll have a think about how much further we can get on our traffic and transport questions, and hopefully during the lunch break, you'll hear back from your colleagues as to their availability or not for tomorrow, and then we'll see what's going to be the most appropriate part of the agenda to follow on after lunch. So if we adjourn now until two o'clock, Does that suit everybody? Is that going to be sufficient time? Yeah? Okay. So again, anyone on the live stream just remind you that you'll need to restart your browser page when you return. I'm going to adjourn now until two o'clock. Thank you. You.