

1. This document should be read in conjunction with our October statement (20048929) which is appended.
2. In addition Jenni Harding Secretary Newark & Sherwood Active Travel Advisory Group has stated '*The Newark & Sherwood Active Travel Advisory Group (N&SATAG) fully supports the submission made by Stephen Parkhouse on behalf of the Newark Active Travel Group (NATG) regarding the A46 Newark Bypass.*'

Part 1 The requirements for inclusion of Active Travel

3. Our concern continues to be both compensatory mitigation for Winthorpe Road and the lack of vision on the replacement of motorised journeys with active travel which requires suitable infrastructure through and around the complex series of junctions. The design team have a road centric view, they see only the road corridor but the NNSP calls for a more holistic approach.
4. *2.6 The Strategic Road Network (SRN) and the delivery of sustainable development circular advocates a vision-led approach to local transport planning that prioritises sustainable transport interventions, alongside pedestrians and other vulnerable road users, in all plans to improve the local transport network.*

2.8 In turn, the better use of the local road network to improve the environment for active travel, increase accessibility by public transport, and the creation of better connections to the places people want to go, can also reduce pressures on the SRN

3.31 These projections are not definitive predictions of what will happen in the future and are not a predictor of the level of expansion required on the national road network. They also do not reflect how transport demands may vary by mode or how road space might be distributed to better facilitate mass transit options (such as guided buses, trams, light rail and coaches), and give greater modal choice for journeys. They do, however, demonstrate that continued absolute traffic growth is likely under all scenarios, and therefore enhancements on the national road network will be necessary in order to ensure the national road network operates effectively in the face of growing demand. This NPS does not identify a level of capacity to be provided and does not anticipate that new capacity will match forecasted demand growth under any of the scenarios modelled in the National Road Traffic Projections and instead is focused on addressing the worst constraints on the network. Infrastructure interventions can include measures such as addressing pinch points and improving flow aimed at addressing localised issues to help address reliability, predictability, and capacity issues at specific locations, which can in turn improve overall performance of the wider network of local roads and the SRN in that location. Equally interventions could include measures to improve active travel infrastructure, delivering better integration with the wider transport network, and improving roadside facilities.

4.73 The government is committed to creating a more accessible and inclusive transport network that provides a range of opportunities and choices for people to connect with jobs, services and friends and family.

5. The National Highways publication **People, places A guide to good design at National Highways** (published 2022) explicitly acknowledges the principles

Pg32 B Design for climate change

6. *Roads are long in their planning and should be long-lasting in operation. Designers therefore have to anticipate long-term changes to the technological, social and environmental context of the road. Road designs should be resilient to change and anticipate different scenarios under which a road might need to operate to continue to be relevant and maintain high value*
- *be resilient - integrate measures to ensure the network, including landscape, is designed to adapt and be resilient to future changes in the climate*
 - *be low carbon – integrate measures to support low carbon construction and maintenance into design at an early stage*
 - *support users - support travel choice, promote active travel options and the move to zero tailpipe emission vehicles*

Pg33 Climate change and the 10 principles of good road design

2. Inclusive roads are designed for both current and future generations, those who will be most impacted by climate change. Good road design also supports choice of travel, including walking and cycling, to help reduce user emissions.

7. Department of Transport Press Release of 10 July 2024 emphasises this point

Transport Secretary sets out 5 key priorities to deliver the biggest overhaul to transport in a generation

‘New Transport Secretary Louise Haigh promised to deliver the biggest overhaul to transport in a generation.

The Secretary of State immediately convened officials to begin work at pace across the department on rail reform, further devolution of bus powers, ensuring infrastructure works for the whole country, and supporting local authorities to fix roads for the long term.

In her first address to Department for Transport (DfT) staff on Monday (8 July 2024), Haigh set out her 5 strategic priorities, putting transport at the heart of mission-driven government.

- *improving performance on the railways and driving forward rail reform*
- *improving bus services and growing usage across the country*
- *transforming infrastructure to work for the whole country, promoting social mobility and tackling regional inequality*
- *delivering greener transport*
- *better integrating transport networks*

Part 2 General comments

8. Most of the proposed scheme is straight forward with active travel routes crossing the A46 corridor. Solutions are easy to put in place and the applicants have dealt with those adequately. As we pointed out at the first consultation stage the complex junction layout at the eastern end needed more than just the road corridor considering. We were concerned that the OL would be set before the needs of NMU were identified and considered, which is what happened.
9. A great deal of research and modelling on motorised vehicle flows over a very wide area was undertaken to inform the design process. That was a good thing, but NMU needs should have been researched at that stage, albeit in a much simpler way. Especially important was how to substitute active travel for local use of motor vehicles through the SRN junctions as outlined in NNNPS point 2.8 above.
10. We raised this during the second consultation after submitting objections to the scheme. In response the applicants invited us to be part of a working party. At the first meeting on the 13th Dec 2022 the Design Team Lead (Mark Sutton) appeared to take on board our points about investigation all the possibilities. Regrettably there was none of the promised feedback recorded in the WCHAR so it appears none of the promised research was undertaken. In April 2023 we were called to another meeting where we were told that priority routes would be considered for Designated Funding. We considered this to be a non-starter (see Highways England recent email appendix 1) as we had experience of the futility of spending significant sums on studies before permission is given to open negotiations with landowners, only for landowners to be unwilling to cooperate. **The only way to guarantee meeting the NMU needs is a legal agreement with landowners to create the routes. The secure way to do this is inclusion within the OL area.**
11. There has been no attempt at resolving these issues over the last two years as the applicants have now made their position clear. To quote from the applicants initial SOCG statement under Issue 3. *'The Scheme has replaced all existing facilities and added to these, the new route to the show ground entrance and removal of the severance to FP2 are two examples of where new active travel routes have been provided. Safety has also been improved on the Great North Road south of Cattle Market and Cattle Market with the introduction of 3.0m wide walking and cycling facilities with signalised crossings'*.
In reality the change to Winthorpe FP2 & FP3 is not a new route. It is diversion of the existing footpath on to a much longer route and the scheme designers have provided mitigation to compensate with a link to Winthorpe roundabout. The Great North Road changes have been made because of the extinguishment of Newark FP14 and the schemes impact on the Great North Road NMU route. Neither of these can be counted as mitigation for Winthorpe Road and the connection to the Showground falls a long way short of providing a strategic route towards Lincoln. Without extension further along Drove Lane it is only a link to the Showground.

Part 3 Further comments on NMU routes

3a. Winthorpe Road Active Travel Route (compensatory mitigation required)



12. This remains a very high priority because of the Trent Valley Way, the long distance footpath which now runs from Staffordshire to Alkborough, Lincolnshire where the Trent meets the Humber and NCN 64. The Trent Vale Trail multi-user route, due for completion in 2025, also follows this route. A group of volunteers (Friends of Trent Vale Trail) have been working hard raising funds and gaining landowner support and have just obtained the funding for the last section at South Clifton. The route will then connect to the Dukeries Trail between Lincoln and Shirebrook, Derbyshire. All three routes would be better passing through the riverside green corridor of an extended bridleway 6.
13. The applicants have admitted detrimental effects in terms of distance travelled describing them as 'significant'. However, despite the plan placing a dual carriageway, slip road and roundabout over Winthorpe Road the effects on amenity are listed as neutral. The problem is that National Highways have created their own scheme of assessment which is biased against a rational judgement of the green space qualities of the existing route. They claim the route is still a green space despite the insertion of the bridge carrying the dual carriageway and roundabout and slip road.
14. Further they dismiss the increase in noise by referring to the local ambient sound some distance away. In fact users will be expected to walk or cycle close to the slip road under the bridge. This is an enclosed space with hard surfaces so large vehicles accelerating away from the roundabout will generate significant sound. The noise will be reflected by the concrete bridge abutment and road deck above greatly increasing the perceived noise. It is not a question of length of time of exposure as claimed by the applicant but of **degrading the sense of wellbeing that the existing route provides to users**, a sense of wellbeing that commences at the start of the path at the end of the housing estate. The applicants are merely applying their own criteria for assessing the route. It is no more valid than the users view, in fact it is less valid because it does not identify what has been lost.

15. Quotes from A46 Newark Bypass ES Volume 6.1 Chapter 12 Population and Human Health
 12.11.16 Amenity effects are identified in this chapter where at least two significant residual (post-mitigation) effects stemming from changes in noise, air quality and/or landscape and visual amenity combine at the same location/receptor.
 12.11.17 As no significant residual noise or air quality impacts were reported with mitigation in place there are no amenity impacts during operation.

Table 12-18: Permanent changes in the provision of green space, recreation and physical activity

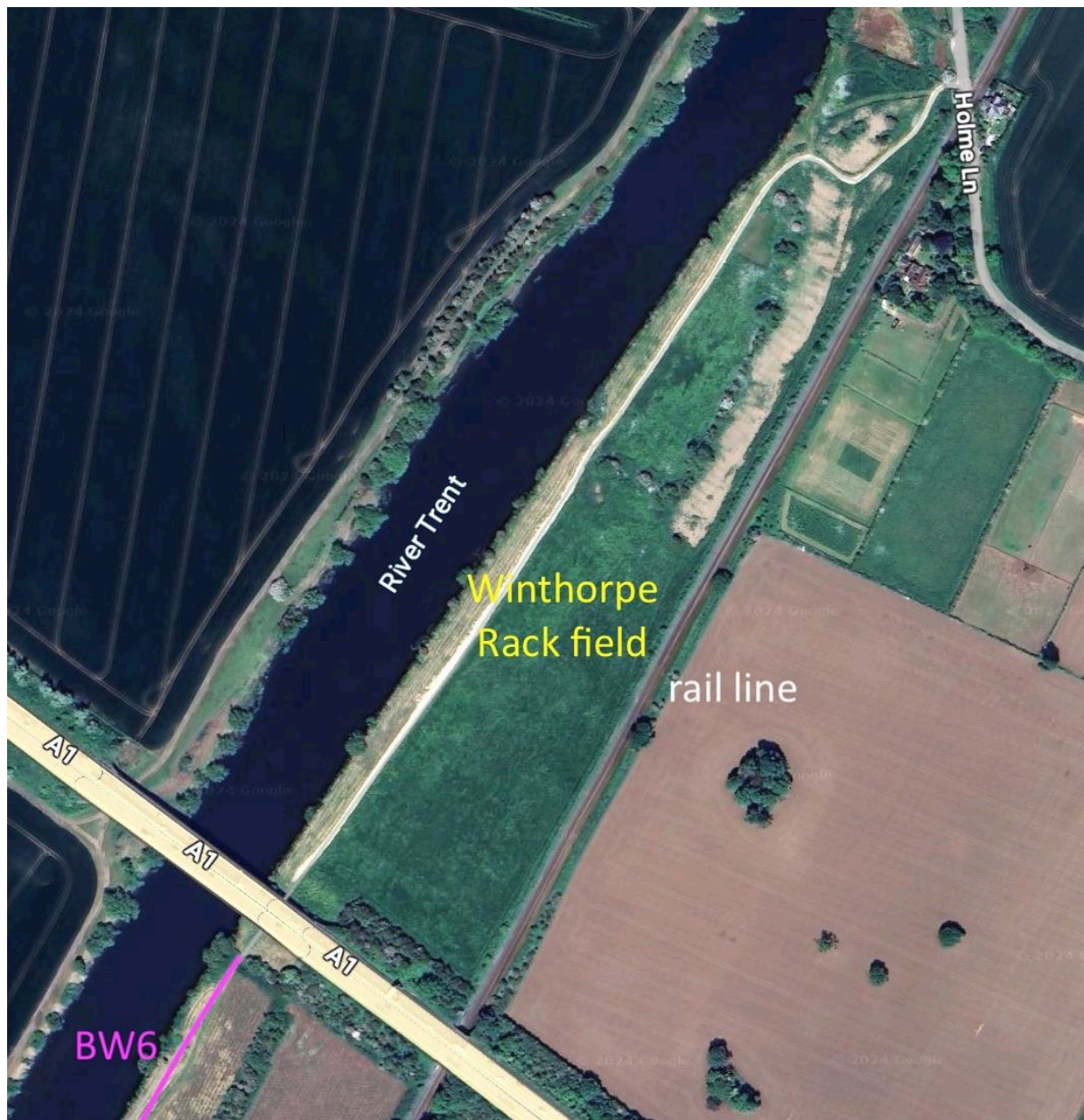
National Cycle Network 64 and Trent Valley Way along Winthorpe Road - Neutral (not significant)

Table 12-19: Summary of significant effects

National Cycle Network 64 and Trent Valley Way along Winthorpe Road

Access- New Brownhills junction will lead to 105 metre diversion - Moderate Adverse (significant)

Below - the alternative route across Winthorpe Rack to Holme Lane level crossing. The field is adjacent to the OL. Bridleway 6 stops just short of the A1.

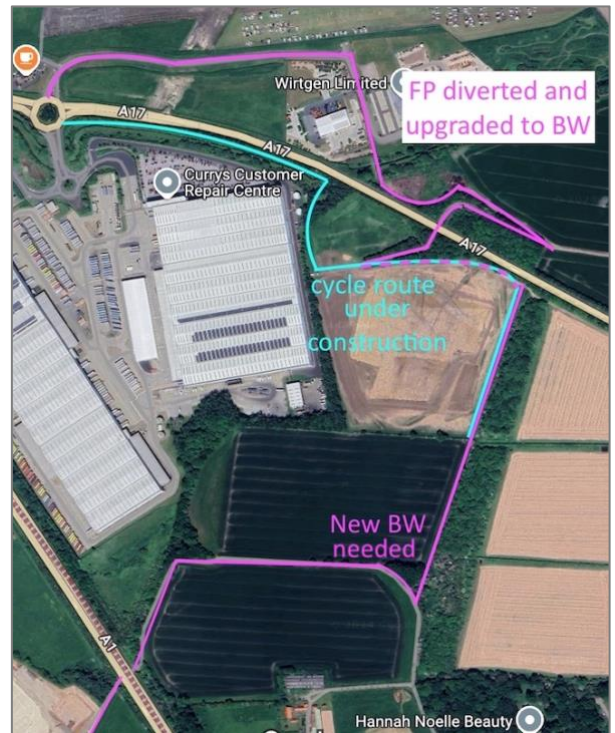


3b. Coddington/Beacon Hill NMU route (reducing local motor vehicle use of the SRN)

16. The 2018 Options stage site observations (WCHAR table 1) records the following statement for the A17 Overbridge – 'Upgrading of the current connection to Coddington & Beacon Hill'.

17. So the design team should have been aware of its relevance at an early stage. It provides another route into the expanding employment complex alongside the A17 and A46 avoiding NMU from the residential areas of Coddington and Beacon Hill having to make a long and complex journey through the Brunel Drive commercial estate and the Brownhills and Happy Farmer roundabouts to reach the employment sites.

18. The route should be easy to create at the A17 end as diverting the footpath onto Godfrey Drive is included in the plan and could be upgraded at the same time. A further section of cycle route is included in the plans for the warehouse being built on the Newark side of the A17 plus the A17 overbridge is part of the construction site.



19. The route would pass under the A1 using the existing underbridge shown on the right which is 1km from both the Brownhills A1 exit and the Coddington A1 exit. This should make this a high priority NMU route. Bridleway status would allow the route to be created with designated funding then dealing with any localised improvements.



20. Formalising the Beacon Hill connection will divert journeys from the residential areas southeast of Newark away from the Brownhills and Happy Farmer roundabouts by making it far easier for residents to opt for active travel rather than drive a motor vehicle through the junctions, helping to improve flow for through traffic. Provision of a much shorter NMU route will also be more inclusive by opening up job opportunities to those without motor vehicles and help to meet developers

3c. Active travel route towards Lincoln (reducing local motor vehicle use of the SRN)

21. Because of the failure to properly consider substituting active travel routes for local motor vehicle use of the SRN this route still needs proper research and evaluation. What we do know is that Nottinghamshire CC have now stated that the strategic route towards Lincoln identified in the D2N2 Local Cycling and Walking Infrastructure Plan 2021 might be considered for inclusion in the NCC programme beyond 2036 although it may not be.
22. In view of this lack of definite commitment we believe that options for connection to the active travel network in the direction of Lincoln should be investigated either as an extension along Drive Lane or along the concrete farm road parallel to the A1 which connects Drive Lane to the Foss Road at Brough. About half of the concrete road is already inside the OL. Again, providing an active travel option that replaces local motor vehicle journeys will reduce congestion on the SRN at the junctions.

4. Summary

23. This submission along with our October statement lays out what the applicants should be doing in terms of
 - compensatory mitigation for Winthorpe Road across Winthorpe Rack
 - replacing local motor vehicle journeys through the eastern junction complex as per current Government policies, particularly NNNPS 2024.

The working group formed to examine options met only once in December 2022 and did not provide the promised feedback. In April 2023 the applicants declared these routes would be referred to designated funding. In the 2 years since there has been no research or progress. The recent email giving National Highways' response to the failed attempt to deal with the very similar active travel problems on the A52 Nottingham Roundabouts scheme confirms the core problem of designated funding – obtaining landowner agreement. **Only changing the Order Limit can deliver the routes.**

The applicants are double counting mitigation measures. Neither the mitigation at the Great North road nor does the mitigation for the significantly increased distance of the diversion of Winthorpe FP3 count as mitigation for NCR64 & Trent Valley Way along Winthorpe Road.

Further evidence has been added to the case for

- compensatory mitigation for the Trent Valley Way, NCR64 and the Trent Vale Multi-user routes currently along Winthorpe Road by extending BW6 alongside the River Trent.
- for recognition of the existing but unregistered Beacon Hill active travel route to the employment sites and wider network as required by NNNPS 2024. Upgrading of the Coddington and Beacon Hill routes was identified in the 2018 scoping of NMU.
- Further information about the D2N2 strategic active travel route towards Lincoln

From: Jonathon Pizzey [REDACTED]
Subject: RE: A52 cattle underpass between Nottm Knight and Wheatcroft roundabouts
Date: 5 November 2024 at 12:00
To: [REDACTED]
[REDACTED]



Steve Parkhouse

I am the new Senior Project Manager looking after the A52 Larger Junctions – working on behalf of National Highways.

The A52 Nottingham Junctions scheme is a program of discreet junction improvements along the A52 south of Nottingham. To date 4 junctions have been improved, and a further 3 are currently being worked on. The A52 Wheatcroft and Nottingham Knight junctions are the last to be progressed, and we expect to be publishing the Orders to purchase additional land take and make minor alterations to the side roads this year.

Wheatcroft Junction is some distance from the Landmere Lane subway and consequently its improvement is not part of the junction improvement scheme. Using the Wheatcroft Junction Orders process/ funding to upgrade this to a bridleway is not an essential use of powers/ resources to build the A52 Nottingham Junctions scheme and would potentially lead to a challenge as the local landowner would not be happy to improve the existing Public Footpath to a Bridleway.

There is an existing well used public footpath through Landmere lane subway, and National Highways has undertaken a feasibility study as a designated funds scheme to improve this to a bridleway and though physically feasible, without the landowner's agreement this cannot be taken forward. We have also spoken to Rushcliffe Borough Council/ Nottingham County Council, and neither of them are keen to use powers to force the issue, even if we were able to get funding through the Designated Funds to pay their costs.

Kind regards

Jonathan
Jonathon Pizzey, Beng Ceng MICE
Senior Project Manager; RIP Midlands
National Highways, The Cube, 199 Wharfside, Birmingham, B1 1RN
[REDACTED]

-----Original Message-----

From: Steve Parkhouse [REDACTED]
Sent: Wednesday, October 9, 2024 4:14 PM
To: Dale Swain [REDACTED]
Subject: A52 cattle underpass between Nottm Knight and Wheatcroft roundabouts

Hello Mr Swain

I have been discussing the impasse over the scheme to bring the old underpass into use to create a safe crossing point for NMU on this dangerous section of the A52. We are not surprised that the landowner has refused to cooperate. This is the reason why we wanted to see the scheme inside the Order Limit for the roundabout improvements.

Has it occurred to National Highways on underwrite the County Council doing a Creation Order under their powers as an Order Making Authority. The rights of way budget is not normally sufficient to cover the costs of the subsequent legal proceedings and compensation. Has this been considered as a possible route forward?

Steve Parkhouse

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A46 Active Travel Partnership Comments

Application Quotes

7.4 Transport Assessment table 11

'Build an **inclusive** Scheme which **improves** facilities for cyclists, walkers and other vulnerable users where **existing routes** are affected.'

National Planning Policy Framework (2023)

*The scheme aims to build an inclusive scheme which **improves** facilities for cyclists, walkers and other vulnerable users where **existing routes** are affected supporting the key principle of sustainable development in paragraph seven*

Comment

Existing routes will be any route used by NMU as the status is not defined.

1. Our concern is with the eastern end of the scheme where NMU have to negotiate ever increasing traffic volumes and complexity through the A1, A46 & A17 junction system that severely impedes NMU. Travel needs of NMU are as important as motorists' and their transport needs should be given due regard. That means at the very least that the Active Travel network will not be degraded and that journey times and distances should not be increased without mitigation. Environmentally in this context mitigation has three meanings - *Avoidance, Minimisation and Compensatory Mitigation*. Our objection focusses on the latter. In providing compensatory mitigation for the flood plain and bio-diversity areas of land were included in the Order Limit(OL). NMU have not been treated in the same way.
 2. Before this scheme started an Active Travel Group had been formed for the National Highways A52 schemes for the Nottingham Knight (65000 vehicles/day) and Wheatcroft (50,000 vehicles/day) roundabouts. The capacity was to be doubled but two bridleways and a footpath crossed the road between the roundabouts. An existing cattle underpass meant grade separation could be achieved at low cost but links to the PROWs were needed. National Highways admitted there was a very serious safety problem but refused to extend the OL. The issue went to designated funding but the landowner was not willing to cooperate. We sought to avoid such problems with the A46 scheme. Our first submission highlighted NMU issues and asked for meaningful discussions that could inform decisions about the OL. Discussions were not offered until the second consultation and we were told the OL was fixed. A working party was formed but this was heavily circumscribed by the OL. It was not until June 2023 that a WCHAR was produced in order to justify the decisions already made.
 3. The Government in setting a legal target of zero emissions by 2050 stated that many more local journeys are going to have to be made using Active Travel. Scheme designers are directed to make suitable provision for NMU to replace that which is lost and provide that which is needed. The design team have failed to take on board that good NMU connections will reduce the need for local motorised journeys through the junctions reducing congestion for through traffic thereby improving journey times. Using the DFT figures £1 spent on the road has return of £1.20 whilst the figure for Active Travel is £4.30 so NMU routes are good value for money as well as helping to achieve many Government climate and health targets.
-

4. The 3 routes affected

To the north of the A46 currently there is a very good Active Travel route along Winthorpe Road that goes northeast through the Trent valley. This important green space has the Trent Valley Way Long Distance footpath and Trent Vale Trail passing through it to the Fledborough Viaduct where the Dukeries Trail, which connects Lincoln and Shirebrook, crosses the River Trent. It is an increasingly important corridor with a chain of small villages and nature reserves connected by the two NMU routes. Our assessment based on NMU needs is that the Winthorpe Road link (NCN 64) is currently wide, green and level plus virtually car free making it very suitable for a wide range of users including children going to school. The latter is a major Government target. This connection will suffer significant loss of utility and amenity with increased journey time, worse air quality and increased noise. The diverted section is 80% further than the section it replaces. An adult on foot travelling at 1.3m/s would take just 2mins to traverse the current section but after construction 4mins plus the time at the signalised crossing (DfT recommends max 2mins) so the peak flow gain for motorist is the same as the loss by NMU.

5. Footpaths 2 & 3 have not been severed as claimed. Satellite images show they are still in use. They terminated at the old A46 because highway foot rights across the road already existed and walkers could cross the road anywhere, including the petrol station crossing and Winthorpe roundabout. The application plan has users crossing the A17 on the bridge, crossing back at grade, using the roadside route to the NMU bridge over the A1 slip road and turning east to the signalised crossing. Then northwest to the side of the A1, a pollution hotspot of very poor environmental standard, and climbing back to the connection going east. The route will be downgraded in terms of environmental quality, distance and journey time. The route is 1 km longer =13mins plus SC time.

6. The only access from Newark to the PROW network south of the A46 is through the roundabout complex where a shared use footway/cycleway on the verge gives access to Drove Lane leading to the Danethorpe bridleway and the PROW network and quiet lanes. It also gives access to the Newark Showground and employment sites around the Showground but specific NMU provision stops at Winthorpe roundabout. The amended Development Framework will create many more employment sites served by this route. This NMU route was omitted from stage 2 plans. Avoiding such errors is the purpose of the WCHAR done before designing starts. Importantly between the service station and Drove Lane the route is set back from the road avoiding the danger of NMU being pushed towards large vehicles when too close to vehicles passing them at speed. It is the same effect as lift on a wing. Being a roadside route it suffers less degradation but the above point is relevant.

7. Mitigation to replace what has been lost.

The routes above have all suffered significant degradation resulting in loss of utility and amenity so compensatory mitigation should be included in the scheme.

8. BW6

The design team have admitted extending Newark BW6 (alongside the Trent) across Winthorpe Rack field would be a compensatory mitigation for the Winthorpe Road link. Discussions with the landowners have convinced us that they would not willingly dedicate the missing section. This means applying for designated funding is misdirected. Changing the OL and sorting this out should be made a condition of consent so a solution can be reached.

9. Drove Lane

It is narrow and application classes it as a 60mph link road between the A46 and A17. Newark Showground's RR asks for the NMU route to be extended to the main entrance. This would greatly improve safety of NMU during events. We have had discussions with trustees and management about extension towards BW8. It appears possible. National Highways should engage now with the Showground. With agreement to create the route designated funding could be sought for construction costs.

10. Beacon Hill

Whilst this route is further from the OL it would create another access point to guide NMU away from the roundabout complex. It is already in use but Statutory Declarations starting in the 1980s block a right of way claim. The route would reduce the NMU pressure on the main junctions as it could use the existing bridges under the A1 and over the A17. Rejected as outside OL.

11. The scheme designers are wrong to assign signalised crossings(SC) as 100% benefiting NMU. SC are part of the road infrastructure like traffic lights(TL). TL deal with competing motor vehicles(MV) streams in order to maintain smooth flow. For SC one stream is replaced by NMU, who are legitimate users of the Kings Highway and have a right to cross the roads including Strategic Road Network (SRN). Whilst NMU have some benefits from predictable interaction by avoiding becoming victims, drivers gain by the avoidance of congestion as the free flow on the road breaks down after an accident. An example where 100% of the benefit goes to NMU would be installing a SC where the Coddington-Winthorpe FP crosses the A46. This would seriously impede MV flow so NMU must use a much longer route placing NMU below drivers inverting the Highway Code hierarchy of users. Similarly NMU already cross at the Winthorpe roundabout so the design places a SC at the junction. Again it is a traffic control measure that benefits motorists.

12. We are not asking for facilities to encourage general NMU use in Newark. We are asking for improvements to compensate for the identified losses and to reduce the NMU going through the main junctions as traffic volumes increase. By swapping local car journeys for Active Travel SRN congestion would be reduced and help meet climate targets.