

Our Ref. 2018-F-008
Date: 26th February 2021

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By Email *richard.guyatt@wbd-uk.com*

Dear Mr Guyatt,

METROWEST – ASHTON VALE ROAD

I write further to our email exchanges over the last few days in regard to the above and in order to clarify my previous submission in regard to traffic volumes associated in particular with the ETM site. Firstly I would like to apologise for the confusion which has arisen from my careless wording in my previous submission to the DCO Hearing. Thank you for bringing this to my attention such that I am able to clarify this matter prior to next week's Hearing and thereby hopefully avoiding any wasting of valuable Hearing time.

In my last submission, amongst other matters, I quoted the results from my analyses of ETM weighbridge data in order to demonstrate the considerable increase in vehicle movements into and out of Ashton Vale Industrial Estate since the time of your client's traffic surveys and concluded that this increase was not reflected in your client's traffic model, which therefore was not reflective of the current situation at the junction in question. This, I concluded was likely to be at least a contributory factor to your client's model not reflecting the junction operating characteristics which my clients and their neighbouring businesses experience on a typical day when accessing and egressing the site.

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You have raised no question in regard to the information I have provided concerning the Manheim operation and consequently I conclude that you accept my submission to be accurate and appropriate in that regard.

Points you have raised are wholly in regard to my commentary concerning the ETM weighbridge data and I summarise my previous submission, your emailed concerns and my responses thereto, below.

My Submission

On Page 3 of my letter I assessed data provided by my client from their weighbridge records at the baselines as listed below;

- 2020;
- 2018; and,
- 2017.

Although these data were presented in response to the Inspectors' request for ETM data similar to that previously presented for Manheim (and I accept my erroneous description is misleading in this respect, as addressed below), the key conclusion I drew from these data comparisons was as follows;

- From 2017 to 2018 my client's traffic generation exhibited a level of organic growth which increased lorry movements by of the order of 9%. This reflects traffic associated with organic growth of the business and it is wholly reasonable for a business located in a site identified in the Local Plan as a key business hub for the City, to expect to be able to grow their turnover in response to organic growth, without undue restrictions;
- From 2018 to 2020 my client invested heavily in first seeking, then achieving and implementing Planning Permission for substantial new plant infrastructure, which significantly increased their capacity and consequently generated a step change in the number, size and frequency of truck visits to the site. Again, this is not reflected in the traffic modelling submitted to PINS in support of your client's Application, given that the traffic surveys on which your client continues to base his traffic model date back to 2017, hence predating this substantial investment and resultant growth;
- The consistent and key point to be taken from the above is not the traffic volume attracted to ETM in any specific year per se, but the percentage increase in traffic since 2017, when your client undertook the traffic surveys on which he continues to rely in his model.

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Your Response

You questioned my reference to daily vehicle movements associated with my client's site, in view firstly of these being higher than your client's surveyed traffic movements accessing the entire estate and secondly identifying that if my client was indeed attracting such high volumes of truck movements, applying your assumed average vehicle weights we would be operating in excess of our extant Planning Permission.

A number of questions arise from these observations, including;

- Are my quoted daily vehicle movements accurate?
- How do they relate to your client's surveys? And,
- How do they relate to my client's extant Planning Permission?

My Clarifications

Firstly I have accepted that the terminology I used was misleading. I offer no excuse for this and my letter ought to have been more clear in regard to what the figures actually represented, however, and as alluded to above, I will demonstrate below that this has no effect on the conclusions of my previous submission.

In compiling my letter of 16^h February I had sought weighbridge data in order to advise of traffic movements associated with my client's site. Although I do have an historic traffic count, undertaken in support of the Planning Application referred to above, to ensure relevance I sought data specifically for the month of your client's surveys; May 2017.

In order to appropriately analyse these data, I compiled separate weekday and weekend classifications and identified that each had differing profiles, hence my response focussed on weekday data only. The figures quoted in my letter comprise total weekday (ie Monday to Friday) movements *throughout the month in question* (May 2017), **NOT** movements per day. I apologise for the misleading description in my letter which was not deliberate, but I accept, was careless.

As referenced above, given that the key conclusions I drew from this data in my letter of 16th February was the change in flows from year to year, comparing the same source data from 2017, 2018 and 2020 provides an entirely valid profile of 9% increase 2017 – 2018 and 44% increase between 2018 and 2020. You will recall that I defined the first year 9% increase as reflective of organic growth and there is no reason why every company present on the estate should not expect to achieve natural organic business growth. The 44% increase is reflective of investment which is at risk of being nullified if access to the estate becomes compromised.

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I also referred to a Planning Application, which I am aware is expected for submission any day and which will further accommodate ETM's ongoing business growth. Once again, any compromise on access or accessibility of this site will undoubtedly compromise the further investment which my clients are seeking to make in order to build on their extant consents.

Legality/Planning Constraints

Your letter correctly identifies the constraints in Planning in regard to the weight of product which my client is permitted to process and concludes from the vehicle numbers that my client may be operating in breach of this. In particular, my client's existing Planning Permission permits the business to process a maximum of 150,000 tonnes of waste per annum. In 2020 my client's weighbridge records confirm a total of 143,220 tonnes of waste; within although approaching the relevant Planning Condition limit, this clearly does not breach it.

For the above reason and as raised in my previous letter, I am aware of an imminent Planning Application in order to increase the efficiency of the ETM site and including an increase in throughput to 300,000 tonnes per annum. The previously referred Pre-Application is registered and a helpful response has been received from the EA, hence further progress on this can be anticipated imminently.

Vehicle Numbers and Sizes

Your email included a rough indication of your assessment of waste throughput and vehicle numbers reliant upon your judgement of average weights per vehicle.

On the second page of your email you identify that ***“The amount of waste carried by individual vehicles will clearly vary, so 50 vehicle movements would be generated in each direction if payloads are on average 10 tonnes per vehicle (100 movements per day two way), or up to 100 movements (200 two-way) with individual payloads of 5 tonnes.”*** I am uncertain from where your 5 and 10 tonnes payload figures arise and I assume these are purely *“finger in the air”* figures to illustrate your point. I have further analysed the weighbridge data and I enclose herewith graphs of numbers of vehicles at given payload weights in 2017, 2018 and 2020. Consistent in each of these is that the predominant weighbridge visits are for vehicles considerably smaller than those to which you have referred.

Average vehicle payloads in the 2017 data comprised 3.48 tonnes, 3.67 tonnes for 2018 and 4.14 tonnes for 2020. The graphs confirm that during May 2017, when your client's traffic surveys were undertaken, the weighbridge processed more vehicles of payload weights 1.0 to 1.5 tonnes than any other weight range. The equivalent in 2018 was 2.5 – 3.0 tonnes and in 2020, 1.5 – 2.0 tonnes.

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Whilst this does exhibit variation, it does clearly demonstrate that in each year examined, the predominant vehicle load-sizes, by weight, were very considerably smaller than the range referred in your letter (10 tonnes and 5 tonnes average).

I remind you that the traffic flows resultant from your above “finger in the air” judgement was that your 10 tonnes assumption was consistent with your client’s surveys and consequently I conclude that the averages above of 3.5 – 4.1 tonnes result in traffic flows which must by your reasoning be inconsistent with your client’s surveys.

And therein lie the bulk of my clients’ concerns.

Resultant Concerns

You will be aware that my first representation in regard to this proposed DCO, in March of 2017 identified my concerns with details of the traffic model, particularly although not limited to the base data used to formulate the model’s demand matrices. I made it clear in that letter that I had already sought discussions with your client and/or your appointed traffic modellers in order to resolve my concerns. Those attempts had all been rebutted.

Following submission of my letter, I further sought discussions with your client and/or their technical team, however, once again these were rebutted. At no time during the almost three years since submission of my letter have my attempts to discuss my concerns met with any response other than refusal.

Unfortunately, despite my serious and wholly justified concerns in regard to the source data on which the model is based, rather than using new survey data collected at an appropriate and representative time in order to reconstruct the demand matrices in the model, the Applicant has simply and repeatedly sought to demonstrate the supposed reliability of their original model matrices. I find their focus wholly incongruous, as in my view it would have likely required less effort or data collection to simply repeat the surveys at an appropriate time, rebuild the matrices and construct a more robust, hence defensible model. In order to further confirm my view, you are aware that I sourced detailed technical assistance from SYSTRA, micro-simulation modelling specialists, who identified additional concerns with the modelling to those which I had highlighted. However and crucially to the subsequent discussions, they also confirmed that the matters I had previously identified should be addressed in order to make the model acceptable.

Still, the Applicant declined to address these matters.

Consequently, at this late stage in the DCO Hearing, we remain in the same position to that in which we found ourselves at the time of submission of my first letter; 7th March 2018;

- The Applicant continues to rely on a suite of traffic models, all of which rely on data collected during a period of atypical highway operation due to substantial roadworks.

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- The Applicant has repeatedly declined to enter into discussions with **CTC** in order to resolve our concerns in regard to their modelling.
- The models continue to suggest a level of operation of the highway which the occupiers of the Ashton Vale estate do not recognise as reflective of what they experience.
- In light of the “Do Nothing” model failing to reflect current conditions, no confidence can be placed in the Applicant’s claim that the nominal mitigation measures proposed will address the inevitable impact on the access to the industrial estate.

Consequently;

- The Applicant has correctly identified that the numbers of trucks quoted in my letter of 16th February 2021 in fact does not reflect vehicles each day, but instead represents cumulative trucks on all weekdays within the month quoted;
- Given that the key conclusions in my previous correspondence referred not to the absolute numbers of vehicles, but to the proportional increases since the Applicant’s traffic surveys, my conclusion is confirmed; that traffic has substantially increased since the date of the surveys, and hence the model is demonstrably out of date and unfit for purpose;
- Reviewing the distribution of weights recorded on my client’s weighbridge against the Applicant’s assumptions confirms that the traffic flows associated with the considerably lower average payload weights will inevitably result in higher volumes of vehicles, hence supports my concerns; smaller payloads than assumed by the Applicant confirms higher numbers of vehicles, hence conflicting with the Applicant’s surveys and therefore modelled matrices.

Conclusions

I apologise for my previous poor choice of terminology in regard to the ETM weighbridge records and am appreciative of the opportunity to clarify these matters in advance of next week’s Hearing, such that we need not waste valuable Hearing time.

Reviewing the matters raised in your email has clearly confirmed the following;

- You accept my submissions in regard to Manheim traffic and daily variation thereof.
- Your concerns in regard to ETM traffic are in fact in regard to matters of terminology, not my data analyses.

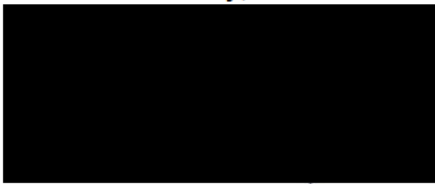
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- Further detailed examination of the ETM data confirms the substantial traffic increases since the time of the surveys on which your client continues to rely.

Consequently, on behalf of my clients my concerns, my objections in regard to the base data on which your client continues to rely remain significant. Both I and my clients continue to believe that the Applicant's traffic model is unfit for purpose and therefore have no confidence that the proposed mitigation will adequately address the inevitable traffic impact of additional closures of the only access to my clients' sites.

Thank you once again for the opportunity for this clarification, which I trust assists us all in focussing Hearing time on matters truly in dispute between us in preparation for our discussions next week, in the site-specific Hearing.

Yours sincerely,



Carl J Tonks BSc MSc FCILT MCIHT FIHE

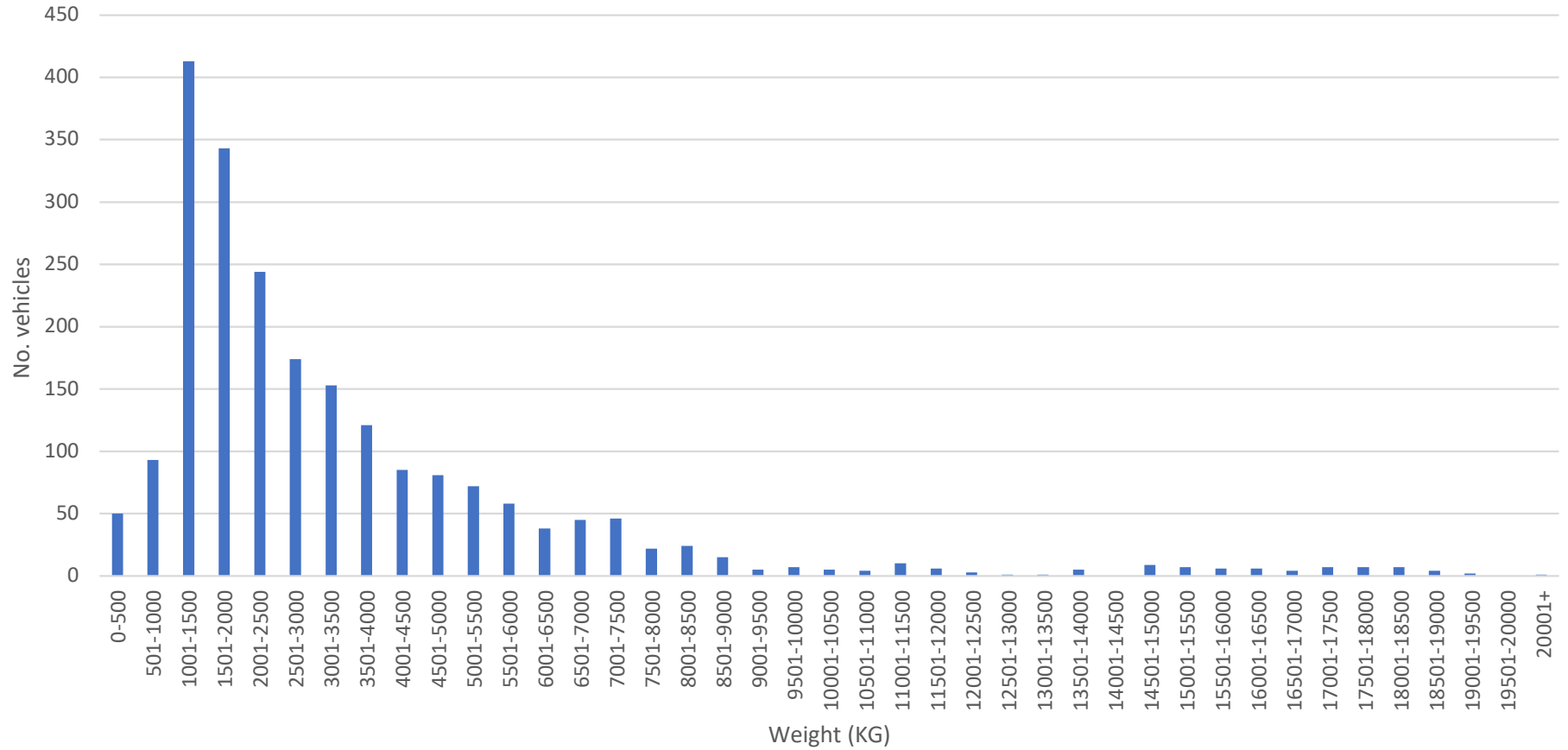
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DIRECTOR**

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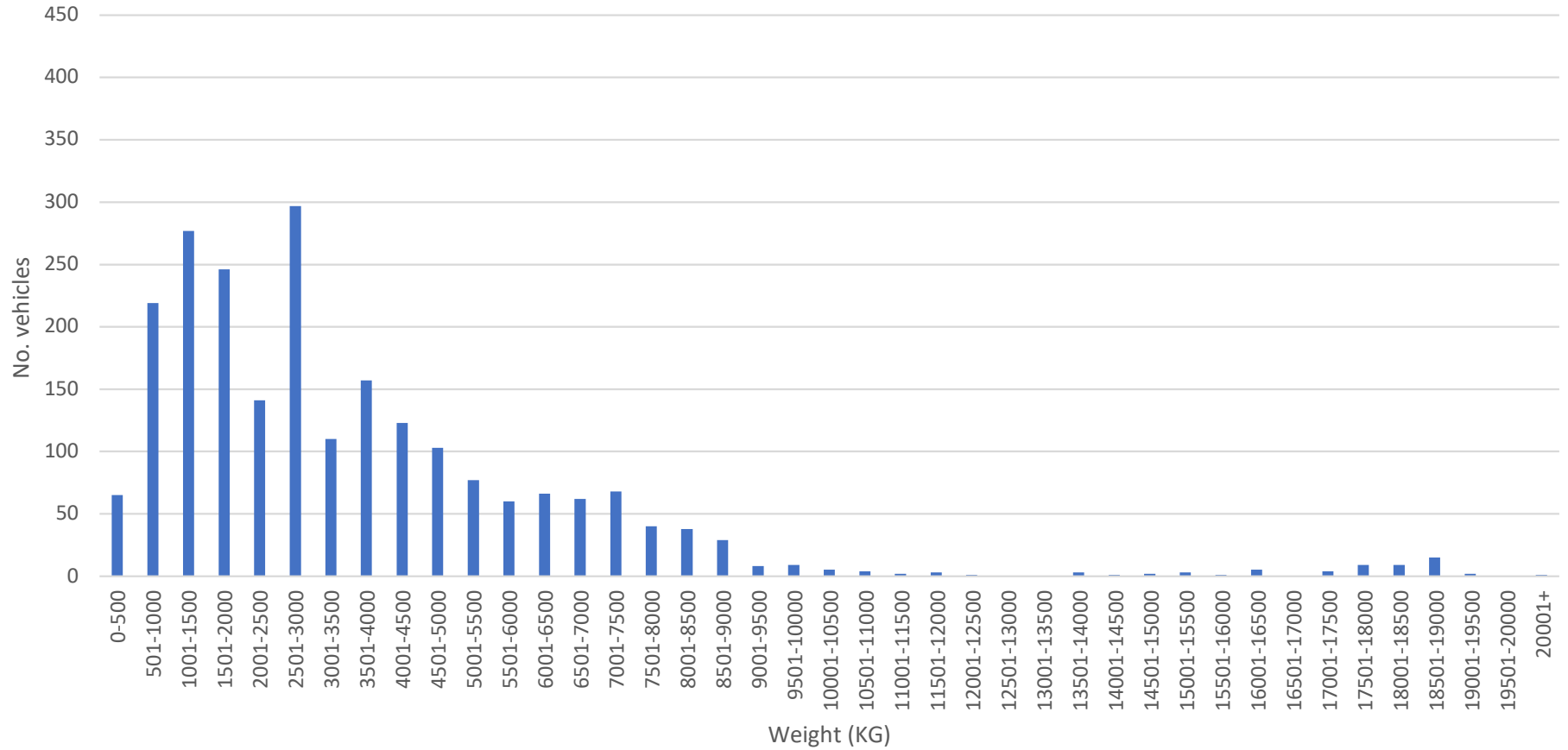
Enclosures Graph of ETM Weighbridge Records by Weight Class – 2017
 Graph of ETM Weighbridge Records by Weight Class – 2018
 Graph of ETM Weighbridge Records by Weight Class – 2020

cc PINS
 ETM
 Manheim
 SPLS

Frequency of Vehicle Load Weight: May 2017



Frequency of Vehicle Load Weight: June 2018



Frequency of Vehicle Load Weight: October 2020

