

A 'RELIEF' ROAD FOR HEREFORD — OR NOT???

**An examination of Herefordshire Council statements about the 'Relief' Road
in light of its own evidence**

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PREFACE

This analysis has been carried out because Herefordshire Council proposes to conduct a county-wide poll on a ‘relief’ road for Hereford as part of its continuing consultation on the Local Development Framework (LDF), the strategic plan for Herefordshire up to 2026.

The decision about the road is arguably one of the most important facing the people of the Herefordshire, given its high impacts, protracted delivery over the life of the plan and its influence on the future growth of the county, not least on the balance between Hereford and our market towns and rural communities.

The analysis presented here addresses the question of whether the road will help to achieve the main objectives the Council has claimed for it in various public statements — most importantly in consultation drafts of Local Development Framework documents that will have legal force when adopted.

The analysis relies heavily on the efforts of many individuals since the autumn of 2011 who have contributed to ‘Questions? Questions!’ — a co-operative undertaking to fathom out the implications of the Local Development Framework and generally increase public scrutiny of Herefordshire Council. This effort has taken the form of questions to Council meetings and information requests submitted under Environmental Information Regulations. All of the questions and answers to date are available on the Questions? Questions! website: <http://questionsquestions.wordpress.com>

This report does not claim to represent the views of anyone but the author — who welcomes correction of any erroneous calculation, statement or analysis and any other constructive comment and who records here her thanks for the constructive comment already received from numerous individuals.

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EXECUTIVE SUMMARY

1. A ‘Relief’ Road for Hereford — Or Not?

Herefordshire Council proposes to build a road costing at least £82 million by relying largely on developer funding. So far the Council has not shown that the road is viable even though they have made it the basis for planning the development of Herefordshire over the next two decades.

This report simply poses the question:

‘Will the road actually do what the Council has claimed in consultations and other public statements?’

It seeks to answer the question by examining official statements by Herefordshire Council and the evidence base commissioned by the Council in support of its plan.

2. Claims made for the road

The main claims the Council uses to justify its road are that it will reduce congestion, remove through traffic, free up road space for sustainable transport measures, improve air quality and that it is popular.

The evidence, including replies by the Council to formal requests for information, does not support these claims. In many cases the evidence contradicts the claim.

Congestion

Traffic on Hereford’s road network will grow. Building a road will make no difference to the proportion of trips on Hereford’s road network that are made by car in 2026. The biggest reduction in car use depends not on ‘with’ or ‘without’ road scenarios but on the level of investment in sustainable transport measures.

A relief road will marginally increase total car traffic compared to the No Road option.

Journey times increase under all scenarios. In the most congested conditions (worst case scenario), a Western Relief Road would save just over two minutes compared to the No Road scenario on an average journey. The biggest time saving would be just over 3 minutes.

Through traffic

The road is overkill for the ‘problem’ of through traffic. The biggest component of Hereford’s traffic is generated by Hereford. The Council has not taken this into consideration in its proposals.

Freeing up road space to encourage sustainable travel

Despite Council statements, walking and cycling will not account for the majority of trips in Hereford in 2026. According to its traffic models, the most important sustainable mode will be walking. However the Council has made no case for re-allocating significant amounts of road space to walking.

The proportion of trips in Hereford made by bicycle 2026 is only 5% according to the Council’s consultants. This is very low in terms of what might be expected with ‘freed up’ road space and serious polices to

promote cycling. Thus the quantitative case for the road appears to depend on low levels of bicycle use, with the obvious corollary that higher levels of bicycle use in 2026 would further weaken the Council's case for road building.

The proportion of trips made by public transport, for which the Council says the road space *is* needed, will decline marginally, from 10% in 2008 to 9% in 2026.

The Council's consultants point out that a relief road will shift the balance back to the car. These impacts of the road have not been investigated by the Council. It has not properly investigated alternatives to road building.

Improve air quality

The Council has not considered the impact of its preferred option on air quality. It has no evidence that road building is the best way to improve Hereford's air quality.

It's popular

Evidence on the impacts of road building or any alternatives to road building were not available to the public at key points in the consultation process on the Local Development Framework Core Strategy.

The Council limited the public's choice to *where* the road would go, not *whether* there should be a road, before even it had any evidence on Hereford's traffic in 2026. When evidence on the effects of the road was available to the public, consultation resulted in overwhelming rejection of the road.

There has never been any consultation on alternatives to road building which have so far not been tested.

Other evidence also commissioned by the Council indicates that across the whole county a minority rather than a majority of people support road building while improved public transport has a very high priority.

3. Other problems with the road — viability and deliverability

Despite advice on planning procedure, the Council has included the road in its Core Strategy without having demonstrated its viability. The Council may not make the viability study available before the poll on the road.

One indication of uncertainty over the financial viability of the road is that the Council has stated that it is prepared to increase the number of houses built around Hereford and extend the period for completing the road if that is necessary in order to secure funding for the road.

So far the Council has offered no evidence and no explanation of how it would pay for both the road and the other infrastructure required by the scale of growth required to build the road.

It appears that the only template for the Council's funding model is the Birmingham Northern Relief Road — a toll road. No other local authority has ever provided an 'alternative trunk route' for the Highways Agency. Even if the Council were to make the case and could demonstrate it had funding, the Highways Agency has stated that *'there is no guarantee that the proposals would be automatically accepted.'*

4. Conclusions & Recommendations

Conclusions

The Council's case for the road is not supported by its evidence base.

The public has not been well informed on the case for the road or alternatives to road building.

The entire development plan process has been jeopardised by the Council's determination to secure a road.

These findings indicate failings in Council internal procedures and public communications.

Recommendations

The divergence between evidence and public statements points to lack of analysis and scrutiny within Herefordshire Council. It has the effect of misleading the public, which is unacceptable. The implications for accountability and governance in Herefordshire should be a priority for scrutiny by the new Council (as well as the public).

Procedures within the Council should be reviewed to ensure that policy development and decision making are properly based on robust evidence. At the very least this means that policy decisions should be made *after, not before*, both the production and review of the evidence base. Evidence review should be open to the public.

Where a decision has far-reaching economic consequences and long-term environmental impacts, alternatives should be properly investigated and presented to the public.

The Council should not re-start consultation on the Local Development Framework, including its proposed poll on the road, until:

- alternatives to road building have been properly tested and independently assessed;
- the viability study has been completed and made available to the public;
- consultation documents have been written to accurately reflect the evidence base and
- a public scrutiny process has ensured that this is the case.

1. A ‘RELIEF’ ROAD FOR HEREFORD – OR NOT???

Herefordshire Council has staked the future development of the county on its determination to build a road around Hereford. The road is a critical factor in deciding locations for growth of housing, jobs and services.¹ The greater number of internationally and nationally important sites to the east of Hereford means that a road would have to go to the west of the city or risk a successful legal challenge. Its cost has been estimated to be between £82 million and £109 million.² The Council expects the ‘costs to be substantially made up from developer contributions.’³

So far the Council has not shown that the road is ‘viable’.⁴ This creates enormous future uncertainty. The adoption of a planning framework for Herefordshire has been delayed by another year, in large part because its proposal to build a road and pay for it with funding from housing developers was overwhelmingly rejected last year.⁵

The proposal to build a road is clearly both very high risk and very costly. Therefore, it seems fair to ask:

Will the road actually do what the Council has claimed in consultations and other public statements?

To answer this question, this report evaluates:

- key statements made in the rejected ‘Draft Preferred Option’ for Hereford [‘HPO’ in this text] and in the press release of November 2010 announcing a proposed poll on the road;⁶
- replies by Cabinet members and council officials and the Highways Agency to questions put to meetings of the Council and as formal requests for information under Environmental Information Regulations [EIR];⁷
- the evidence base⁸ commissioned by the Council to support road-building plans.

There are several independently commissioned expert analyses of the Council’s evidence base but, with one exception, they have not been used in this report. Apart from a few references to other non-Council documents for the sake of context or verification, the analysis here relies solely on the Council’s own pronouncements and commissioned evidence in order to investigate the merits of a ‘relief’ road. The way the Council has handled its case for road building has wider implications for the its treatment of the planning process, including consultation, and its dealings with the public.

2. CLAIMS MADE FOR THE ROAD

Herefordshire Council proposes, subject to recommendations from its officers, to conduct a county-wide poll this summer on the public’s views of a road around the city despite the rejection of its plans for Hereford during a consultation last year. Its press release announcing the proposal for a poll ‘on a relief road for Hereford’ claims that:

- ‘the road has long been regarded as a priority by residents if Hereford is to avoid a future of gridlock misery’ and ‘many key road junctions would grind to a halt without a relief road’;
- ‘a relief road will enable the re-routing of commercial and longer distance traffic, which does not need to access the centre of the city’;

- *'[it will] enable a step change in sustainable transport journeys, which can be provided within the existing highway network'*;
- *'other benefits include a reduction of problems with air quality'*;
- the road is supported by *'80% of residents'*.

Each of these claims is examined below.

2.1 'Avoid a future of gridlock misery'

The press release states:

'[T]he road has long been regarded as a priority by residents if Hereford is to avoid a future of gridlock misery.'

It continues:

'Many key road junctions would grind to a halt without a relief road.'

These claims are frequent in the HPO: for example, a relief road is *'key to a congestion free city'* or to reducing congestion.⁹

Cllr John Jarvis (member of Cabinet for Environment and Strategic Housing) and Cllr Adrian Blackshaw (member of Cabinet for Economic Development and Community Services) stated in a covering letter sent out with the HPO consultation document that a relief road would contribute to *'a major reduction in congestion.'*¹⁰

In response to an EIR request asking how the 'relief' road would affect peak hour travel time in 2026¹¹ — the culminating year for the Council's plans — the Council referred to Table 4.1B from its 2010 evidence base for the road, *Hereford Relief Road — Study of Options* by its consultants Amey.¹²

Table 1 below analyses the data from Table 4.1B for the scenarios used in the Council's reply. These quantify the impacts of a Western Relief Road compared to No Road in 2026 on journey times, car traffic and all traffic (all modes).

'Sustainable Option 2' and 'Sustainable Option 3' represent increasingly comprehensive packages of measures to encourage alternatives to the car (and in effect correspond to increasing investment in sustainable transport). These packages were used in modelling by the County's consultants, TPi, and fed into the Amey Report as Appendix 3.¹³ The sustainable option included in the HPO consultation is an 'amended Option 2', which apparently lies between Option 2 and Option 3 but has not been modelled.

'2008 Base' refers to current conditions and 'journey time' is an aggregate of the time taken to travel seven different and rather circuitous trips around city's road network.¹⁴ To get a sense of what this might mean to the ordinary traveller, the 143 minutes and 3 seconds can be divided by 7 to arrive at an average trip and therefore the impact of a road on this average trip in 2026. According to the modelling in 2008 the average trip on these seven routes was just over 20 minutes.

Table 1: NETWORK CONDITIONS IN 2026, WITH AND WITHOUT A RELIEF ROAD

		2008 Base	2026 Sustainable Option 2	2026 Sustainable Option 3
<i>AM PEAK</i>				
No road	total journey time, seven trips (min:sec)	143:03	181:54	182:59
	car trips (000s)	19.9	23	21.8
	all trips (car, public transport, walking and cycling) (000s)	29.8	38.1	38.2
	<i>car as % of all trips (%)</i>	67	60	57
	<i>change in car traffic on 2008 base (%)</i>		16	10
	<i>change in journey time on 2008 base (%)</i>		27	28
	<i>average journey duration (min:sec)</i>	20:26	25:59	26:08
Western Relief Road	total modelled journey time, seven trips (min:sec)		168:18	161:40
	car trips (000s)		23.3	22.1
	all trips (car, public transport, walking and cycling) (000s)		38.4	38.5
	<i>car as % of all trips (%)</i>		60	57
	<i>change in car traffic on 2008 base (%)</i>		17	11
	<i>change in journey time on 2008 base (%)</i>		18	13
	<i>average journey duration (min:sec)</i>		24:02	23:06
	<i>difference in average journey duration compared to 'No road' option (min:sec)</i>		1:57	3:03
<i>PM PEAK</i>				
No road	total journey time, seven trips (min:sec)	156:54	201:34	195:44
	car trips (000s)	21.1	24	22.8
	all trips (car, public transport, walking and cycling) (000s)	32.3	40.9	41
	<i>car as % of all trips (%)</i>	65	59	56
	<i>change in car traffic on 2008 base (%)</i>		14	8
	<i>change in journey time on 2008 base (%)</i>		28	25
	<i>average journey duration (min:sec)</i>	22:25	28:48	27:58
Western Relief Road	total journey time, seven trips (min:sec)		185:49	183:18
	car trips (000s)		24.3	23.1
	all trips (car, public transport, walking and cycling) (000s)		41.1	41.2
	<i>car as % of all trips (%)</i>		59	56
	<i>change in car traffic on 2008 base (%)</i>		15	9
	<i>change in journey time on 2008 base (%)</i>		18	17
	<i>average journey duration (min:sec)</i>		26:33	26:11
	<i>difference in average journey duration compared to 'No road' option (min:sec)</i>		2:15	1:47

Under all scenarios *traffic and journey times increase in 2026 compared to today*. On two comparisons, *the difference between with and without ‘relief’ road is marginal*:

- The share of the car for trips on the network remains the same with or without road in both the AM and PM peaks, 57%-60% or 59%-60% respectively.
- A relief road marginally **increases** the level of car traffic compared to no road.

In 2026 with a ‘relief’ road, total journey times on the network are predicted to increase by between 13% (Western Relief Road Sustainable Option 3 AM PEAK) and 18% (Western Relief Road Sustainable Option 2 PM PEAK). If no road is built, journey times are predicted to increase by between 25% (No Road Sustainable Option 3 PM PEAK) to 28% (No Road Sustainable Option 2 PM PEAK or Sustainable Option 3 AM PEAK).

Is that a good reason to build a road costing over £80m?

According to the model, the biggest increase on journey times would be in the 2026 PM peak. A journey lasting 22 minutes and 25 seconds today (PM Peak, No Road, 2008 Base) could increase to 28 minutes and 48 seconds in 2026 (PM Peak, No Road, SO2), an increase of 6 minutes and 23 seconds.

- *In this worst case scenario the Western Relief Road would save only 2 minutes and 15 seconds on the ‘No Road’ scenario.*
- *In the AM Peak the maximum time saving from road building would be 3 minutes and 3 seconds.* (A trip taking 20 minutes and 26 seconds today would take 26 minutes and 8 seconds without the road or 23 minutes and 6 seconds with it, according to the Council’s model.)

The biggest difference in scenarios corresponds to the level of investment in sustainable measures, not between the with and without road scenarios.

The Council's consultants, Amey, stated;

‘It can be seen from the total times in Table 4.1B that all modelled scenarios perform worse than the 2008 base year.’¹⁵

2.2 Re-route longer distance traffic and provide an “alternative trunk route”

The Council’s press release states that

‘a relief road will enable the re-routing of commercial and longer distance traffic, which does not need to access the centre of the city.’

A similar claim is repeated in the HPO.¹⁶ The Council proposes to build ‘an alternative trunk route,’¹⁷ which is in effect the bypass that failed at the public inquiry in 1993 and was withdrawn from the national roads programme by the Government in 1998 when it concluded that a package of sustainable transport measures would be appropriate ‘to address the city’s traffic problems.’¹⁸

The 2009 Multi Modal Model study was the first traffic modelling work commissioned by the Council to support its case that a ‘relief’ road should be a key element of the Local Development Framework Core

Strategy.¹⁹ That study was reviewed in February 2010 by Transport Research Laboratory (TRL) in a report commissioned by Natural England, the statutory body protecting wildlife and the countryside. The TRL found

*'the volume of traffic that would find the ODR [Outer Distributor Road as the Relief Road was then designated] useful is relatively small. This is demonstrated by the ODR being forecast to operate well-under its notional capacity for roads of its size for most of the route.'*²⁰

PAUSE FOR A BIT OF EXPLANATION ...

If road-building had no costs or consequences then you would not need transport planners. You would just need an unlimited supply of tarmac. But it does have costs and consequences and the amount of road space serving everyone's travel needs is finite. Under these circumstances there is in theory a reason to employ transport planners and traffic managers.

Traffic on the road network can be described in many ways which can be helpful to the transport planner and manager: for example mode of transport (car, walk bus, cycle) and trip purpose (work, school, shop, social).

Traffic on any given network can also be classified according to where a trip starts (origin) and where it ends (destination). 'Through traffic' is composed of trips that start and end outside a defined network, for example the city of Hereford. They are 'external to external'. There are the trips that originate outside of Hereford and have a destination in the city — for example, commuters or shoppers. And other trips that start in the city and have a destination outside it. This traffic is called 'external to internal' or 'internal to external'. Finally there are the trips that start and end in Hereford. These are called 'internal to internal'. Every trip on the network fits into one of these categories.

The proportion of each of these types of traffic is important to decisions about managing traffic and reducing congestion. Clearly if traffic internal to Hereford is a significant proportion of the total, then a bypass might not be your first choice for reducing congestion. If you want to provide parking and support public transport then it would seem sensible to have information on how much traffic is trying to get into or out of Hereford.

...RETURNING TO OUR STORY:

Given the Council's eagerness to 're-route' through traffic, it is surprising that they have no information on it. They were asked under EIR:

- *'What evidence does the Council have on the contribution of "through" traffic to city centre congestion?'*
- *'How much of congestion in the city centre can be attributed to 'through' car and HGV trips?'* and
- *'What Origin and Destination data does the Council have for traffic on the Hereford road network? Please give proportion of internal-to-internal, external-to-internal, internal-to-external and external-to-external.'*

To each of these questions the Council replied:

*'The council does not hold this information. All modelling and surveys work is undertaken by external transport consultants.'*²¹

The Council also states in the HPO that traffic congestion in the city is ‘caused’ by a single river crossing.²² To the question ‘

What proportion of the trips on the Greyfriars Bridge is internal to internal (that is trips made wholly within Hereford)?’

the Council replied:

‘The Council has not interrogated it[s] transport model to ascertain internal to internal movements.’²³

The small amount of through traffic was one reason the Hereford Bypass failed at the 1991-92 Public Inquiry. In the late 1980s over 90% of the traffic on the road network either started or ended its journey in Hereford or went nowhere else. Around 50% of trips were entirely internal-to-internal.²⁴

More than a decade later the situation had not changed very much. The County’s consultants, TPi, stated in their 2003 Hereford Traffic Review:

‘The overwhelming majority of vehicular traffic in the city is generated by the area and the amount of purely bypassable traffic is small’ [and] that ‘the absolute numbers of Heavy Goods Vehicles which do not have an origin or destination in Hereford (through movements) are small.’²⁵

The 2003 TPi report also showed that nearly half of the traffic on the City’s most congested roads, including on the Greyfriars Bridge, was internal to Hereford.²⁶

In 2010, the DaSTS [Delivering a Sustainable Transport System] study, relied upon in the HPO, also found that ‘

The bulk of traffic using this [single bridging point over the Wye] has local origins and destinations.’²⁷

In its current Local Transport Plan — the basis of its bids for transport funding from central government — the Council asserts that ***‘[t]he City’s transport problems are largely urban in nature.’²⁸*** It illustrates how local Hereford’s congestion is: 70% of Hereford’s residents travel less than 5km to work. 38% travel less than 2km. Over 40% of all people employed in the City are employed by only 5% of the businesses. These include the largest employer in the County, the NHS and the Council itself.

Given the above, what does the Council propose for dealing with those congestion-generating trips taking place wholly within Hereford?

2.3 ‘Enable a step-change in sustainable transport journeys’

The Council’s road poll press release states that

‘A relief road will enable ... a step change in sustainable transport journeys, which can be provided within the existing highway network.’

The claim that a relief road is a *requirement* for the expansion of sustainable transport in Hereford is also made in the HPO.²⁹ According to the Council, the step change includes

- reduced dependency on the private car³⁰
- walking and cycling encouraged to the extent that they will account for ‘*the majority of trips in Hereford*’³¹
- increased use of public transport³²

Herefordshire Council routinely makes statements portraying its support for environmentally friendly travel. In reply to a question to the Council Meeting of 19th November 2010 the Cabinet Member for Highways and Transportation, Cllr Wilcox, stated that the draft Local Transport Plan

*‘places significant emphasis on supporting and encouraging the use of non-car modes such as public transport, cycling and walking.’*³³

In response to another question to the Council meeting on 4 February, Cllr Wilcox said

*‘reduced congestion and a shift in transport habits remains important and the Council sees this as making an important contribution to securing the growth and sustainability of Herefordshire.’*³⁴

However, in reply to an EIR question asking about the Council's vision for the proportion of trips that would be made by foot, bicycle, bus and car in 2026, the Council stated that it *‘does not have a vision’ for the relative importance of each mode.*³⁵

The Council has recently commissioned a great deal of number-crunching to support its case that the road is necessary.³⁶ In reply to a further question in the same EIR request asking what the evidence says about the relative importance of sustainable modes in 2026, the Council replied:

‘Herefordshire Council does not hold this information. All modelling and surveys work is undertaken by external transport consultants.’

However it did provide a table, also drawn from Amey Table 4.1B which, as we have seen, shows that the presence of the road has no impact on overall car dependency and that the majority of trips in Hereford in 2026 will still be made by car — 56% at least. Therefore the statement in the HPO the majority of trips will be by walking or cycling is simply false on the evidence the Council says justifies its movement policies in the development plan, above all, road building.

In fact, the Council does hold the information about the predicted split between the main travel modes in 2026, in the ‘sustainable options’ appendix to its main evidence for the road, referred to above and available on the Council’s website.³⁷

Table 2 below extracts data from Table 4.3 (‘AM post-DIADEM forecast person trips total’) from TPi’s ‘Sustainable Option Packages’ report for the scenarios that relate best to the data provided by the Council in its response to the EIR about journey times (see Table 1 above).

TABLE 2: PREDICTED TRAVEL BY CAR, PUBLIC TRANSPORT, BICYCLE AND ON FOOT IN 2026, AM PEAK

Scheme	Base Year (2008)	% of trips on network by mode	HO4 SO2 2026	% of trips on network by mode	HO4 SO3 2026	% of trips on network by mode
Car	19921	67%				
Public Transport	3005	10%				
Cycle	850	3%				
Walk	6043	20%				
Total	29818					
No Road						
Car			23525	61%	22362	58%
Public Transport			3447	9%	3583	9%
Cycle			1770	5%	1964	5%
Walk			9644	25%	10578	27%
Total			38386		38487	
Western Relief Road						
Car			23699	62%	22566	59%
Public Transport			3398	9%	3531	9%
Cycle			1747	5%	1938	5%
Walk			9549	25%	10459	27%
Total			38393		38494	

Source: Table 4.3 TPi (2010)

Note: TPi's Table 4.3 shows a slightly higher share for car trips in both with and without road scenarios and more traffic overall in their No Road scenario than Amey's Table 4.1B.

Table 2 shows that:

- The share of trips made by public transport falls slightly, from 10% to 9%.
- Walking and cycling at best will account for 32% of trips in 2026— not bad by UK standards today but far from 'the majority of trips' claimed by the Council.
- At a maximum share of 27%, walking will account for the majority of sustainable trips.
- The share for trips by bicycle in 2026 is only 5%.

This last is particularly important. Hereford's compactness makes it ideal for getting around by bicycle. The share for cycling in 2026 is very low in terms of what might be expected with 'freed up' road space and serious policies to promote cycling. Where local authorities have robust policies on cycling, as they do in many cities in Europe and Scandinavia, cycling can account for nearly half of urban trips.

This means that the case for the road must in part depend on levels of cycling that are very low compared to what is possible today (and what might be expected in the future given the need to reduce carbon emissions

and the forecast of dramatic increases in the price of oil). The corollary is that assuming higher levels of bicycle use in 2026 would further weaken the Council's case for road building.

So is a relief road required in order to make space on the city's road network for sustainable modes as the Council has claimed? This is the question the Council's consultants Amey urged them to address in September 2010:

[The Council] *'should consider whether the sustainable packages can be achieved without a Relief Road.'*³⁸

From Table 2 it can be seen that overall the 'step change' will be moderate. Moreover, it depends largely on an increase in walking and therefore, presumably, not on the reallocation of highway space on the A49.

An EIR was submitted asking whether Amey's recommendation had been followed. To the question,

'What studies has the Council carried out into the feasibility of delivering the sustainable packages without a relief road?',

the Council replied:

*'No feasibility studies regarding the delivery of the sustainable transport schemes have been carried out. However, the bus priorities along the A49 Trunk Road will not be possible unless an alternative trunk road route can be provided or the section of the A49 through Hereford is detrunked.'*³⁹

Evidently the Council is dedicated to building a relief road costing between £82 and £109 million and detrunking the A49 in order to achieve a slight decline in the relative importance of the public transport on Hereford's road network.

The Council's consultants, TPi, observed that

*'trips are shifting back to the car with the implementation of a relief road.'*⁴⁰

2.4 Improve air quality

Herefordshire Council has also justified road building on the basis that it will improve air quality.⁴¹ An EIR request was made seeking to establish the extent of Hereford's air quality problems and therefore the scale of the remedy required.

In reply the Council stated that it has a duty to review and assess seven air pollutants. Of these seven, Nitrogen Dioxide currently exceeds the annual target, at two sites in Hereford: 'Victoria St' and 'Victoria St/ Whitecross Road'.

In reply to the question

'by how much will the Preferred Option reduce traffic and therefore contribute to meeting the Council's air quality obligations'

on the roads where air quality standards are currently breached, the Council stated:

*'This work has not yet been carried out. The Hereford City Air Quality Action Plan was completed in 2008 and looked at the impacts of links 1, 2 and 3 of an outer-distributor road. It did not consider the impact of the preferred route, as none had been identified at this stage.'*⁴²

The Council's consultants, Amey, pointed out:

*'greater investment in sustainable measures would result in improved overall efficiency and the better performance in terms of environmental indicators such as noise and air quality.'*⁴³

There is no case that road building will improve Hereford's air quality more than traffic reduction achieved through sustainable measures.

2.5 It's popular!

The Council's Press Release states that

'Previous consultations have shown that nearly 80 per cent of residents would support a relief road, together with a range of other transport improvements.'

It adds,

'the road has long been regarded as a priority by residents.'

In the HPO — overwhelmingly rejected by respondents — the Council states:

*'79% of respondents to the 'Developing Options' consultation felt that a blended package of transport measures including public transport improvements and the provision of a relief road would be the preferred solution to traffic constraints in Hereford. **The only remaining question was whether the road should be to the east or west of the city and what should be included within the package of sustainable transport measures.**'*⁴⁴

The 'Developing Options' consultation took place in 2008.⁴⁵ The following question was put to the Council meeting of 19th November 2010:

*'In its numerous consultations on the Core Strategy (i.e., on issues, vision, objectives, and developing options) which the Council cites as giving popular support for its Hereford Outer Distributor/Relief Road, **what information were people given about the traffic reduction effects of a Relief (or Outer Distributor) Road, and alternatives to road building?**'*⁴⁶

Cabinet Member for Highways and Transportation, Cllr Wilcox replied that evidence had been *'made available as studies have been completed on the growth proposals and transport impacts'* and then cited three studies:

- Multi Modal Model Forecast Report, September 2009
- Delivering a Sustainable Transport System Study, May 2010
- Hereford Relief Road Study of Options, August 2010

This answer shows that no evidence about the impacts of road building was provided to the public until the 2009 Multi Modal Model Forecasting Report was cited as justifying it in the ‘Shaping our Place Consultation’ in January 2010. However, by that time the ‘relief’ road was already a non-negotiable element of the Core Strategy. The consultation stated that

*‘The vision and objectives for the Core Strategy have been developed from extensive internal and external consultation since 2007 In this respect, **the vision and objectives are considered to be in a form that can be taken straight through to submission stage.**’⁴⁷*

The ‘vision’ under ‘Social Progress’ took the following ‘form’:

*‘In Hereford, congestion will be managed and public transport improved through a balanced package of transport measures **including the provision of a relief road, park and ride facilities and bus priority schemes.**’⁴⁸*

The form of the ‘objectives’, under ‘Economic Prosperity’ included the following:

*‘To strengthen Hereford’s role as a sub-regional focus for the county ... through the provision of a balanced package of transport measures including park and ride, bus priority schemes and **a relief road including a second river crossing.**’⁴⁹*

Furthermore, it was only on the question concerning the road that the consultation questionnaire did not provide a write-in section for people to explain ‘*why they disagreed with the policy or what change they would make*’. It simply said:

*‘**Given the relief road is included in the Place Shaping Paper as a preferred option, which route of relief road would you prefer — eastern or western?**’⁵⁰*

The quote from the HPO consultation above also confirms that the Council had already eliminated a ‘No Road’ response by the time of the January 2010 ‘Place Shaping’ consultation.

There was no evidence on the impacts of the ‘relief’ road — or alternatives to road building — available to the public in any previous consultations. When some evidence was available, respondents were not given an option of not having a road. And as we have seen in the section on Sustainable Transport above (2.3), the alternatives have still not been properly tested by the Council.

Worryingly, Cllr Wilcox’s reply indicates that the Council itself had no evidence for the course it had already determined to follow — building a road.

When, the public did become acquainted with the evidence to which Cllr Wilcox referred — specifically the 2010 Amey ‘Study of Options’ — consultation resulted in overwhelming rejection of the road.⁵¹

There is some evidence commissioned by the Council on what the public thought about road building in the year of the ‘Developing Options’ consultation. In 2008 Herefordshire Council and NHS Herefordshire reported on a ‘Herefordshire Public Services Strategic Options Public Consultation’, undertaken in order to

*'find out the views of the people of the county on the balance they wish to see between different priorities' while keeping 'council tax increases down to the minimum.'*⁵²

The Strategic Options Consultation found:

*'At all the offered possible levels of council tax, the public prioritised **tackling traffic congestion**. Only at the highest level is the outer distributor road the favoured option to do so, and even then only by 44% of people. This is, presumably, because its relative cost is so high and would therefore have required so many other service benefits to be forsaken to pay for it ... [W]hilst the public sees tackling traffic congestion as the single most important issue amongst the choices, when faced with the consequences for other services only a minority is prepared to back the specific measures identified in the survey to tackle it.'*⁵³

The study says that the public 'prioritised' tackling traffic congestion. The survey asked people to indicate which conditions for which Herefordshire Council is responsible are currently 'unacceptable'. Of those who found conditions unacceptable, traffic congestion was biggest issue raised, but then only by 15% of respondents.⁵⁴

In reply to a question put to the Council meeting on the 4th March 2011 regarding how the findings of the November 2008 Strategic Options Public Consultation had influenced Council's policy development, expenditure and financial strategy, Cllr Phillips, Leader, replied:

*'The strategic options consultation, of 2008, taken with the results of other public satisfaction surveys conducted more recently, gives a degree of consistency about things which are regarded as both important to local people and in most need of improvement. The three highest are: 1. Affordable, decent housing, 2. Clean streets and 3. Public transport.'*⁵⁵

3. OTHER PROBLEMS WITH THE COUNCIL'S ROAD — VIABILITY & DELIVERABILITY

Viability

In its response to the January 2010 Place Shaping Paper consultation which made a 'relief' road a central and non-negotiable feature, the Government Office for the West Midlands reminded the Council of planning law requirements:

*'Clear funding sources have yet to be identified for a possible Relief Road. If a Core Strategy policy/proposal is not deliverable because it is not economically viable it should not be in the Core Strategy.'*⁵⁶

The Council did not heed — and has not heeded — the warning. It states in the HPO of September 2010:

*'... the Core Strategy will contain an inner western route for the Hereford Relief Road. Work regarding viability and housing phasing are ongoing and will be included within the submission Core Strategy.'*⁵⁷

So far the Council has not undertaken to ensure that the viability study will be available by the time the Council conducts its poll on the road. In reply to a question to the Council Meeting of the 4th March 2011 asking

'How many weeks before the Council's advisory poll on the road will the "viability" study be available for public scrutiny and how will the public be informed of its availability?',

Cllr Jarvis replied only that

'Cabinet will be receiving a report at its first meeting in June regarding the further consultation, including a community poll, supporting information and timetable.'⁵⁸

Therefore there may be no change in the *status quo* — that the people of Herefordshire are repeatedly canvassed by the Council to validate a proposal for which no alternatives have been investigated, which cannot be guaranteed, or even demonstrated as a likelihood, but which is nevertheless treated as a critical element of the development plan.

Deliverability

Delivery of the road clearly depends at least in part on its economic viability. The Council plans to build the road in three phases within the plan period (technically, 2011-2026).⁵⁹ However, housing developers have already lobbied the Council to

*'develop land over two plan periods and increase the total amount of homes' (a 'strategic growth of 12000 new homes in Hereford') on 'viability grounds'.*⁶⁰

The Council states that it is prepared to entertain this alternative to the preferred option

'if funding or delivery of key infrastructure, such as the Hereford Relief Road, is not forthcoming within the current plan period.'⁶¹

The Council is prepared to further load Hereford with growth in order to secure its road despite the fact that future road network conditions are predicted to deteriorate with much less growth.

The population growth required in order to pay for the road through developer funding will of course impose other infrastructure demands such as schools, medical centres, community facilities, etc. What is not clear is how the Council will manage to deliver both the road and this additional infrastructure, or whether any account has been taken of the quality of life of the people in the county as a whole and in the new housing estates in particular if delivery of this additional infrastructure is jeopardised by the priority given to road building.

In reply to a question put to the Council Meeting of 19th November 2010 asking whether the Council could

*'provide clear financial detail demonstrating how Herefordshire could afford both the bypass and other infrastructure required',*⁶²

Cllr Jarvis, the member of Cabinet for Environment and Strategic Housing, stated that

'The delivery plan to accompany submission of the LDF will address this question, and will take account of recent and expected government announcements.'

This reply suggests that evidence on whether the road can actually be delivered will only be available to the public *after* the completion of the public consultation process — when the final version of the LDF goes to the Secretary of State for approval.

In reply to a question put the the Council Meeting of 4th February 2011 asking for

‘other examples where a local highway authority has provided a developer funded “alternative trunk route” for the Highways Agency, and if so, were any of these “alternative trunk routes” roads that had been dropped from the National Roads Programme after failing at a Public Inquiry?’,⁶³

Cllr Wilcox, Member of Cabinet for Highways and Transportation, cited the Birmingham Northern Relief Road as

‘an example of a major highway scheme funded by a combination of public and private sector contributions.’

He ignored the part of the question about paying for and building a road for the Highways Agency that had been dropped from the roads programme more than a decade before, simply stating that

‘The history of the funding of the national roads programme is not known.’

The Birmingham Northern Relief Road, otherwise known as the M6 Toll Road, is a 27-mile long dual three-lane motorway bypass of the M6 in the West Midlands conurbation. It is Britain’s first tolled motorway and opened in 2003.⁶⁴ It probably isn’t the most appropriate comparison for the Council’s road scheme — and, as yet, the Council has made no announcements suggesting that the Hereford Relief Road will be a toll road.

An EIR was submitted to the Highways Agency following up the question put to Cllr Wilcox, and asking for examples where a local highway authority has provided the nation with a developer funded “alternative trunk route”. The Agency replied:

*‘the situation you suggested in your question is not one that we recognise’ ... ‘The Highways Agency does not rely on local highway authorities to provide alternative routes to the strategic roads network, so no examples can be given.’*⁶⁵

They pointed out:

*‘Where a local authority wishes to provide, for example, a relief road which would have implications for an existing Highways Agency trunk road, it would be necessary for the council to make the case for the new highway, including identifying potential funding sources. At that stage the Agency would be consulted on the council’s proposal **but there is no guarantee that the proposals would automatically be accepted.**’*

Therefore, while the Council is prepared to enter entirely novel territory, it will still have to make a case and be armed with the so far ‘ongoing’ viability report. And even then, as the Agency states, *‘there is no guarantee’* of delivering the ‘alternative trunk road’.

In reply to question about

‘the impact of the potential non-deliverability of the relief road on the Core Strategy of the Local Development Framework and particularly on the amount of housing built around Hereford’ ,

Cllr Jarvis replied:

‘Without a relief road the core strategy would have to be revisited and it is clear that significantly fewer houses, including affordable housing, could be delivered without the necessary infrastructure.’⁶⁶

4. CONCLUSIONS & RECOMMENDATIONS

Conclusions

The Council’s case for the road is not supported by its evidence base.

The Council’s route to paying for it — focusing growth on Hereford — will make congestion worse, not better.

The potential for investment in sustainable modes to deliver better results has not been tested by the Council.

Given its insistence on the road and its public statements on sustainable modes, it is very surprising that the Council has not looked more closely at the thrust of its own evidence and gathered evidence relevant to managing traffic and promoting sustainable travel.

The public has not been well-informed on the case for the road or alternatives to road building; any supposed popularity cannot be relied upon, as was demonstrated at the end of 2011 in the response to the consultation on the Hereford Preferred Option.

The costs, including the riskiness of the undertaking, appear to be unacceptable given the modelled outcomes.

The entire development plan process has been jeopardised by the Council’s determination to secure a road.

These findings indicate failings in Council internal procedures and public communications.

Recommendations

The divergence between evidence and public statements points to lack of analysis and scrutiny within Herefordshire Council. It has the effect of misleading the public, which is unacceptable. The implications for accountability and governance in Herefordshire deserve further attention from both the public and the Council.

Procedures within the Council should be reviewed to ensure that policy development and decision making is properly based on robust evidence. At the very least this means that policy decisions should be made *after*

not before both the production and review of the evidence base. Evidence review should be carried out both within the Council and by the public.

Where a decision has far-reaching economic consequences and long-term environmental impacts, alternatives should be properly investigated and presented to the public.

The Council should not re-start consultation on the Local Development Framework, including its poll on the road, until:

- alternatives to road building have been properly tested and independently assessed;
- the viability study has been completed and made available to the public;
- consultation documents have been written to accurately reflect the evidence base and
- a public scrutiny process has ensured that this is the case.

Notes

- ¹ Herefordshire Council (2010) Shaping our Place 2026 Local Development Framework Place Shaping Paper Consultation January 2010 para 5.3; <http://www.herefordshire.gov.uk/housing/planning/43195.asp>. And see 'Other problems' below.
- ² Amey (2010) Hereford Relief Road — Study of Options September 2010, px; accessed at <http://www.herefordshire.gov.uk/housing/planning/35114.asp>
- ³ Herefordshire Council (2010) Shaping our Place 2026 Local Development Framework, 'Preferred Option: Hereford September 2010 Follow on consultation' para 4.27; <http://www.herefordshire.gov.uk/housing/planning/47521.asp>. This document will be referred to henceforth as 'HPO'. Numbers are paragraphs in the document.
- ⁴ See section 3 on 'OTHER PROBLEMS' below.
- ⁵ See section 2.5 'It's poplar!' below.
- ⁶ Herefordshire Council (2010) Press Release - 'Council agrees poll on Hereford relief road' http://www.herefordshire.gov.uk/council_gov_democracy/news/50583.asp accessed 110114
- ⁷ See <http://questionsquestions.wordpress.com>
- ⁸ Herefordshire Council (2010) Shaping our Place 2026 Local Development Framework, 'Preferred Option: Hereford September 2010 Follow on consultation' paragraphs 4.10, 4.11, 4.13, 4.23, 4.24, 4.30, 4.31, 4.32, 5.18, 5.29, 6.4, 6.18, 7.17, 8.17; <http://www.herefordshire.gov.uk/housing/planning/47521.asp>
- ⁹ HPO 2.5, 2.9, 4.5, 4.6, 4.7, 4.9, 4.10, 4.13 Policy H2
- ¹⁰ Jarvis and Blackshaw (2010) 'A VISION FOR HEREFORDSHIRE' covering letter circulated with the Draft Preferred Option for Hereford in September 2010
- ¹¹ <http://questionsquestions.wordpress.com/links/answers-to-questions-submitted-under-environmental-information-and-freedom-of-information-regulations/eir-transport/eir-414/>
- ¹² Amey (2010) p16
- ¹³ TPi (2010) *HEREFORD RELIEF ROAD Interim Forecasting Report Sustainable Option Packages FINAL* (Appendix 3 of Amey (2010) Study of Options) available on see <http://www.herefordshire.gov.uk/housing/planning/35114.asp>
- ¹⁴ JMP (2009) *Hereford Multi-Modal Model Forecasting Report*; Figure 5.2: 'Journey Time Route Locations' p. 48; <http://www.herefordshire.gov.uk/housing/planning/35114.asp>
- ¹⁵ Amey (2010), para 4.2.10
- ¹⁶ HPO 2.5, 2.9, 4.13, Policy H2, 4.22, 4.28
- ¹⁷ HPO 2.5, Policy H2
- ¹⁸ Department of the Environment, Transport and the Regions (1998) *A New Deal for Trunk Roads in England West Midlands Region*
- ¹⁹ JMP (2009)
- ²⁰ Palmer, D. and Gibson, H. (2010) *Hereford Multi Modal Study and Outer Distributor Road, FINAL PROJECT REPORT CPR656*, TRL; p3
- ²¹ <http://questionsquestions.wordpress.com/links/answers-to-questions-submitted-under-environmental-information-and-freedom-of-information-regulations/eir-transport/eir-418/>
- ²² HPO 2.9
- ²³ <http://questionsquestions.wordpress.com/links/answers-to-questions-submitted-under-environmental-information-and-freedom-of-information-regulations/eir-transport/eir-395/>
- ²⁴ Kavanagh, M.D. (1992) *The Highways Act 1980, The A49/A465 Trunk Roads (Hereford Bypass) Order 199 [and related orders], Findings of Fact, Conclusions and Recommendations*, File No: WMT 243/2/65/11/01; for ex. para 11.2.8.13
- ²⁵ TPi (2003) *Hereford Transport Review Local Multi-Modal Study Final Report*; para 2.26
- ²⁶ TPi (2003) Table 2.5
- ²⁷ Mouchel (2010) *Growth Point Connective Study Phase 1*; pdf p138; referred to by the Council as the 'DaSTS study'; <http://www.herefordshire.gov.uk/transport/47094.asp>
- ²⁸ Herefordshire Council (nd) *Local Transport Plan 2 2006/7 - 2010/11*, para 5.2.1
- ²⁹ HPO 2.5, 4.13 Policy H2, 4.16, 4.22
- ³⁰ HPO 2.5, 3.45, 4.8, 4.13 Policy H2, 4.33
- ³¹ HPO 2.5, 2.9, 3.22, 3.45, 4.9, 4.13 Policy H2, 4.14, 4.19, 4.33
- ³² HPO 2.3, 2.5, 3.45, 4.13 Policy H2, 4.16, 4.17, 4.33
- ³³ <http://questionsquestions.wordpress.com/links/from-council-meetings/answers-to-questions-submitted-to-council-meeting-on-19th-november-2010/>; Q6
- ³⁴ <http://questionsquestions.wordpress.com/links/from-council-meetings/council-meeting-4th-february/>; Q8

- ³⁵ <http://questionsquestions.wordpress.com/links/answers-to-questions-submitted-under-environmental-information-and-freedom-of-information-regulations/eir-transport/eir-420/>
- ³⁶ see <http://www.herefordshire.gov.uk/housing/planning/35114.asp>
- ³⁷ TPi (2010)
- ³⁸ Amey (2010) para 5.1.3
- ³⁹ <http://questionsquestions.wordpress.com/links/answers-to-questions-submitted-under-environmental-information-and-freedom-of-information-regulations/eir-transport/eir-417/>
- ⁴⁰ TPi (2010) para 4.6
- ⁴¹ In the road poll press release and HPO 2.9, 4.3, 4.6, 4.13 Policy H2, 4.28
- ⁴² <http://questionsquestions.wordpress.com/links/answers-to-questions-submitted-under-environmental-information-and-freedom-of-information-regulations/air-quality-in-hereford/>
- ⁴³ Amey (2010) para 5.1.3
- ⁴⁴ HPO 4.2
- ⁴⁵ <http://www.herefordshire.gov.uk/housing/planning/38020.asp>
- ⁴⁶ <http://questionsquestions.wordpress.com/links/from-council-meetings/answers-to-questions-submitted-to-council-meeting-on-19th-november-2010/>; Q12
- ⁴⁷ Herefordshire Council (2010) *Shaping our Place 2026 Local Development Framework Place Shaping Paper Consultation* January 2010 para 4.1; <http://www.herefordshire.gov.uk/housing/planning/43195.asp> ;
- ⁴⁸ Herefordshire Council (2010) *Shaping our Place 2026*; p8
- ⁴⁹ Herefordshire Council (2010) *Shaping our Place 2026*; p10
- ⁵⁰ Herefordshire Council (2010) *Place Shaping Questionnaire*, Question 13.
- ⁵¹ Herefordshire Council (2010) *Shaping our Place 2026 Local Development Framework Results Report for Preferred Options documents*, December 2010; <http://www.herefordshire.gov.uk/housing/planning/34819.asp>
- ⁵² Herefordshire Council and NHS Herefordshire (2008) *Herefordshire Public Services Strategic Options Public Consultation*; p3; available under 'Strategic Options Consultation Report' <http://www.herefordshire.gov.uk/factsandfigures/residentsviews.aspx>
- ⁵³ Herefordshire Council and NHS Herefordshire (2008) , p7
- ⁵⁴ Herefordshire Council and NHS Herefordshire (2008) , p9
- ⁵⁵ <http://questionsquestions.wordpress.com/links/from-council-meetings/council-meeting-4th-march-2011/>; Q9
- ⁵⁶ HPO 4.40
- ⁵⁷ HPO 4.26
- ⁵⁸ <http://questionsquestions.wordpress.com/links/from-council-meetings/council-meeting-4th-march-2011/>; Q18
- ⁵⁹ HPO 4.27
- ⁶⁰ HPO 5.38
- ⁶¹ HPO 5.39
- ⁶² <http://questionsquestions.wordpress.com/links/from-council-meetings/answers-to-questions-submitted-to-council-meeting-on-19th-november-2010/>; Q10
- ⁶³ <http://questionsquestions.wordpress.com/links/from-council-meetings/council-meeting-4th-march-2011/>; Q13
- ⁶⁴ <http://www.highways.gov.uk/roads/projects/4722.aspx>
- ⁶⁵ Highways Agency (2011) 'Alternative Trunk Routes' dated 4th April 2011, ref CRS 654,292/HAIL 13139287
- ⁶⁶ <http://questionsquestions.wordpress.com/links/from-council-meetings/council-meeting-4th-march-2011/>; Q19