

**ELY CROSSING**

*To:* Cabinet

*Date:* 13<sup>th</sup> December 2011

*From:* Executive Director: Environment Services

*Electoral divisions:* Ely North and East

*Forward Plan ref:* 2011 / 062                    *Key decision:* Yes

*Purpose:* To outline proposals to relieve congestion at the A142 level crossing at Ely.

*Recommendation:* Cabinet is recommended to note the results from the recent consultation exercise.

Cabinet is also recommended to approve:

- a. The development of a design and evaluation towards the submission of a planning application for the preferred route option B;
- b. the preparation of Draft Compulsory Purchase Orders, Side Road Orders and Navigation Orders associated with preferred route option B; and
- c. the acquisition of the options to purchase required land and rights to facilitate early scheme delivery.

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## **1. BACKGROUND**

- 1.1 The A142 through Ely carries 15,000 vehicles per day including 1,200 Heavy Commercial Vehicles (HCV's) which have to use the level crossing near the station as the existing underpass has a height restriction and is limited to usage by cars. The level crossing is currently closed an average of 8 times per hour during the day with an average closure time of 35 minutes per hour. HCV's waiting at the level crossing block the A142 and all traffic is caught up in queuing at various times during the day. Queuing is at its maximum during the morning peak with queues reaching a length of 380 metres southbound and 1.1 kilometres northbound, causing significant delays.
- 1.2 Network Rail's proposals for upgrading the Felixstowe to Nuneaton Freight Route which passes through Ely, indicates that there will be a possible 18 additional freight trains per day by 2014 which could increase level crossing closure times by between 4 to 6 minutes per hour, bringing a potential closure time to an average of 40 minutes per hour. Further closures up to 2020 are difficult to predict but the situation is likely to get significantly worse, particularly as passenger services increase. A scheme to remove the road/rail conflict created by the current level crossing would bring benefits for the strategic rail network and for road users.

## **2. SCHEME DEVELOPMENT**

- 2.1 A public consultation in 2003 showing a range of bypass options resulted in 70% support for what was termed Route B and East Cambridgeshire Environment and Transport Area Joint Committee in January 2004 endorsed Route B as the preferred option. A bid for Major Schemes funding was put to the Department of Transport in 2004, which was not successful, and further bids in 2006 and 2008 were submitted but again received no funding.
- 2.2 Senior members at the County Council and East Cambridgeshire District Council agreed earlier this year that further work needs to be undertaken to move this scheme forward as it is a priority given the extent of the level crossing closure and its impact on the economy of Ely. A seminar was held in Ely on 9 July 2011, which included representatives of the County Council, District Council, City of Ely Council, Network Rail and major stakeholders. Various options were discussed and 5 options (shown in Appendix 1) were considered as worthy of further assessment. These were:
  - Bypass Route B - estimated cost £28M
  - Bypass Route D - estimated cost £23M
  - The Underpass - estimated cost £15M
  - HCV Stacking Areas- estimated cost £1M
  - HCV Queuing Lane- estimated cost £2.5M

### **3. CONSULTATION**

- 3.1 A public consultation took place in October and November of this year. The consultation included five staffed exhibitions in and around Ely. Three further unstaffed exhibitions also took place. The leaflet/questionnaire was also available on the County Council's website. There has also been local press coverage. The consultation closed on Monday 11<sup>th</sup> November, however, we have continued to include any responses received. A copy of the leaflet showing details of the five options is attached as Appendix 2.
- 3.2 Consultees were asked three questions;
- a. Do you support improved access to the South of Ely?
  - b. Do you want to see traffic levels reduced around the station area?
  - c. Which of the Options do you prefer?
- 3.3 Respondents were also encouraged to add comments. Full results are still being collated and will be circulated to Cabinet before the Cabinet meeting.
- 3.4 Approximately 16,000 leaflets have been sent out and to date we have had in excess of 1700 consultation responses. The evaluation of the results show clear support for route option B with 81% of responses counted supporting option B. the Table below sets in percentage terms support for the various alternative options;

	% of total	Number of responses
Route B	81	<b>1368</b>
Route D	10	<b>169</b>
HCV Queuing	2	<b>30</b>
Underpass	4	<b>60</b>
Other	3	<b>43</b>
HCV Stacking	1	<b>22</b>

- 3.5 Six hundred and eighty four additional comments have also been received with 624 supporting route b and 60 supporting route D.
- 3.6 Of the 624 comments received supporting route B, 118 were on specific single points, however, many of the comments share common themes such as 311 respondents who suggested that option B is the only viable option and 88 respondents who asked for route B to be introduced as soon as possible. Thirty of the comments support route option B as they feel it would improve safety and relives congestion.
- 3.7 Of the 60 comments supporting route D, 17 suggest it is the only viable option and 3 would like to see it built as soon as possible. Other comments include concern about costs, environmental and visual impact of route B.

3.8 In addition to the public the consultation leaflet was also sent to Statutory Consultees to the planning process.

#### **4. PREFERRED OPTION AND NEXT STEPS**

4.1 An outline appraisal of the options has been undertaken using criteria agreed at the workshop in July (paragraph 2.2). These criteria with a summary table of results are contained in Appendix 3. The result of the appraisal shows that a bypass proposal will provide the best solution, and Route B is the option that will best meet the agreed criteria. It is therefore proposed that this be adopted as the preferred route option.

4.2 Further detailed evaluation of the preferred route and the other options will form an integral part of the planning process. The design of the scheme, based upon the preferred route, will run concurrently with the Planning and Orders process in order to move this scheme towards delivery as soon as possible.

4.3 As part of the development and planning application for the scheme, further high level community involvement is required and it is likely that this will take place in spring 2012. The public will be asked for comments on the draft planning application which will include the choice of route options, outline design, detailed evaluation of the environmental impacts, and visual effects. Comments will be reviewed and feed into both the detailed design work and final planning submission.

4.4 Cabinet will be asked to consider this scheme again in June 2012. At that point, approval of the option to be taken through the planning process will be sought as well as approval for the publication of Draft Orders and the submission of a planning application incorporating the emerging detailed evaluations and the feedback from the high level community involvement.

4.5 The following timeline is proposed for the scheme on the basis of the preferred option:

- |  |                |
|--|----------------|
| • Public Consultation  | October 2011   |
| • Cabinet approval for Submission of planning Application and Draft Orders | June 2012      |
| • Submit Planning Application  | September 2012 |
| • Publish Draft Orders   | September 2012 |
| • Public Inquiry   | April 2013     |
| • Commence Construction  | April 2014     |
| • Open Bypass  | September 2015 |

## **5. FUNDING**

- 5.1 The estimated cost of route B is £28 million. The cost of taking the preferred route through to its statutory approvals is estimated to be £750k.
- 5.2 Funding is being investigated from a number of sources including:
- Central Government
  - Network Rail
  - European Union
  - Developers
  - Community Infrastructure Levy
  - New Homes Bonus
  - Local Enterprise Partnership Funding

- 5.3 Securing a funding package, backed by prudential borrowing (or Tax Increment Financing) will be concurrent with the scheme approvals process.

## **6. PLANNING PROCESS AND DRAFT ORDERS**

- 6.1 Should Cabinet support the taking forward of preferred option B to planning it is anticipated that a planning application could be ready for submission in September 2012. Given the scope of the application it is considered that a full Environmental Impact Assessment (EIA) would be required leading to an Environmental Statement to accompany the application.
- 6.2 The EIA assessment would include, but is not limited to, investigating the proposals against 14 main areas; as the scheme is developed it is probable that additional areas of investigation would be undertaken to ensure a robust application is submitted.
- 6.3 Given the scale of the proposals it is likely that a planning application would require a high level of Community Involvement. This would involve taking the detailed proposals, including high quality visuals, back to the public prior to the submission of planning application. It is likely that this public consultation would take place in April/ May 2012.
- 6.4 A Side Roads Order would be required of all of the schemes for the extinguishment of Highway, Diversion of Public footways and the making of new Highway. A Navigation Order will be required to allow highway rights to be made over the river Great Ouse. This Order requires a Statutory Instrument to be made and as such an additional six weeks are required by central government for preparation.
- 6.5 Should Cabinet approve the development of the scheme, officers will negotiate all land acquisition and rights for construction as soon as is practicable.

## **7. ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING**

### **7.1 Supporting and protecting vulnerable people when they need it most**

Improved transport connections to Ely will reduce delays IN gaining access to many vital services.

### **7.2 Helping people live healthy and independent lives in their communities**

Reduced queuing will improve air quality and reduced traffic in the station area will promote walking and cycling

### **7.3 Developing the local economy for the benefit of all**

Reduced queuing and congestion will improve access to Ely and will be beneficial in economic terms, and for leisure and tourism. The freeing up of the rail route will bring much wider economic benefits as it is a strategic east-west route (especially for freight) and north-south.

### **7.4 Ways of Working**

There are no significant implications for this priority.

## **8. SIGNIFICANT IMPLICATIONS**

### **8.1 Resource and Performance Implications**

The report sets out the outline programme for delivery of the proposals. This will require management resource which is available from existing capacity within the Major Transport Infrastructure Delivery team.

### **8.2 Statutory, Risk and Legal Implications**

The scheme will require planning approval and Compulsory Purchase, Side Roads and Navigable Waterways Orders. The risk is to be managed during the lifetime of the scheme by the Major Transport Infrastructure Delivery team.

### **8.3 Equality and Diversity Implications**

It is unlikely that any significant impacts would result from the Equality Act 2010 assessment.

### **8.4 Engagement and Consultation**

Local Member, District and public support is essential for a successful scheme. A seminar was held in July 2011 for major stakeholders which

was very supportive and public consultation was held in Oct/Nov which supported taking forward preferred Option B.

A further consultation focusing on visual and historic setting and detailed design of the scheme will be required to support the planning application. It is anticipated that this consultation will take place in April/May 2012 with its finding feeding directly into the final scheme.

## **9. RECOMMENDATION**

- 9.1 Cabinet is recommended to note the results from the recent consultation exercise.
- 9.2 Cabinet is also recommended to approve:
  - a. The development of design and evaluation towards the submission of a planning application for the preferred route option B;
  - b. the preparation of Draft Compulsory Purchase Orders, Side Road Orders and Navigation Orders associated with route option B; and
  - c. the acquisition of the options to purchase required land and rights to facilitate early scheme delivery.

<b>Source Documents</b>	<b>Location</b>
A142 Ely Southern Bypass Annex E Submission- major schemes bid. Ely Master Plan Local Transport Plan 3	ET 1121 Castle Court Shire Hall Cambridge