

Agenda Item No.2

Unconfirmed minutes – subject to approval/amendment at the next meeting of the Environmental and Community Services Select Committee

Environmental & Community Services Select Committee

28 September 2017 – At a meeting of the Select Committee held at 10.30 a.m. at County Hall, Chichester.

Present: Mr Barrett-Miles (Chairman)

Mr Baldwin	Mr S Oakley
Lt Cl Barton	Mr Purchase
Mr Jones*	Mrs Purnell

*Arrived at 10.47am

In attendance by invitation: Mr Lanzer (Cabinet Member for Highways and Infrastructure) and Ms Goldsmith (Leader).

Apologies for absence were received from Mrs Brunsdon, Mr McDonald, Mrs Milson and Mr Patel.

Declarations of Interests

56. In accordance with the Code of Conduct, the following personal interests were declared, all in relation to Highways England's Consultation on Proposals for A27 at Arundel Improvement Scheme.

- Mr Marshall as a member of the Storrington Air Quality Management Group and Horsham District Council
- Mr S Oakley as a member of Chichester District Council
- Mr Purchase as a member of Arun District Council and Littlehampton Town Council
- Mrs Purnell as a member of Chichester District Council and Selsey Town Council
- Dr Walsh as a member of Arun District Council and Littlehampton Town Council

Minutes of the 7 September Meeting

57. Resolved – that the minutes of the Environmental and Community Services Select Committee held on 7 September 2017 be approved as a correct record, and that they be signed by the Chairman.

Highways England's Consultation on Proposals for A27 at Arundel Improvement Scheme

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a) Petition on A27 at Arundel

58. The Committee considered a petition that had been received regarding the A27 at Arundel to reject routes for the Arundel bypass through Binstead village and its countryside (5a); and recommend that other options, less damaging to the countryside and villages, should be considered, e.g. a shorter bypass (3,1).

59. The Chairman informed the committee of the process for the debate. The Petitioner would begin with a five minute opening statement, followed by statements by local community groups, followed by officer comments. The Committee would then move to Item 4b to hear statements from local members, and then debate items 4a and 4b.

60. The Lead Petitioner, Mike Tristram from Arundel Bypass Neighbourhood Committee advised that he rejected Option 5a on the basis that it would have an adverse impact on the residents of Binstead village and the surrounding South Downs National Park (SDNP), with a loss of both habitat and wildlife species. He believed that the evidence provided by Highways England (HE) in its appraisal for all 3 options contained factual errors, meaning that the suggested mitigation measures, and the cost of scheme delivery, were flawed.

61. John Henderson from Tortington Local Community group acknowledged the need for road improvements around the village of Tortington, but highlighted the concerns of local residents. His view was that the building of a high embankment carrying a 4 lane highway would have a big impact on the local landscape. He believed that both options 3 and 5a would sever the local community from Arundel, reduce recreational activities on Tortington Common and have a detrimental impact on vast areas of ancient woodland, the local community, and businesses.

62. Edmund Camerer Cuss from Walberton Parish Council believed that Option 5a would be a traffic disaster and highlighted concerns over an additional increase in vehicles, especially on Yapton Lane and through the Parish of Walberton. The only key benefit being with this option was ending the rat running of vehicles through the SDNP. He thought there were problems with the HE consultation data for both cost and benefits and believed that Option 5a would not be supported by the Planning Inspector. He requested that the County Council reject this option.

63. Kay Wagland from Arundel SCATE (South Coast Alliance for Transport and the Environment) acknowledged that existing infrastructure needed improving, but the group was opposed to both Options 3 and 5a as they would provide poor value for money and would be destructive to the countryside. They believed the areas South and West of Arundel had irreplaceable features and species and raised concerns over the encouragement of housing sprawls and whether flooding had been sufficiently mitigated. They also believed that the HE reports were inadequate. They urged the County Council to support Option 1, with further alignment and major designs to be looked at in the next stage.

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64. Derek Waller from OneArundel agreed that road capacity improvements were needed in Arundel, but in their view Option 1 would continue to separate the two halves of the town. Although they believed that Option 5a would be better value for money and divert the rat run of vehicles, the group also acknowledged that this along with Option 3 would have significant environmental constraints and impact on ancient woodland and the SDNP. They favoured supporting a by-pass and believed that Option 5a was the best route.

65. *The Cabinet Member for Highways and Infrastructure thanked the petitioner and community groups for their comments, which he would take into account.*

66. The petitioner summed up by highlighting that Option 5a had opposition from many of the local groups and asked the committee to reject this option.

67. Darryl Hemmings, Planning and Transport Policy Manager added that all of the options would be beneficial in some way, but that Option 5a was considered by the County Council to be of the most economical benefit. It was acknowledged however, that each would have an adverse impact on the environment, as all areas involved road building in the SDNP. It was also noted that there were some technical data errors from HE and there was disappointment that no further detail over design mitigation measures had been given, but these were expected at the next stage. It was expected that ancient woodland mitigation would be to an acceptable level. Without any improvements there would be more congestion, peak spreading and higher use of vehicle rat runs. Local Plan improvements would only tackle development and not address current issues or traffic increase.

68. Matt Davey, Director of Highways and Transport emphasised that the A27 was an important strategic route from a regional perspective. Considerable work had been done on the consultation and he wished to remind members that the County Council was a consultee, not the decision-making body.

b) County Council's Draft Response

69. The Committee considered a report by Executive Director for Economy, Infrastructure and Environment and Director for Highways and Transport (copy appended to signed minutes).

70. The Committee invited the following non-committee local Members to address the Committee for five minutes and give comment:

- Dr Walsh – Highlighted concerns that the A27 was of national and regional significance and that if the County Council didn't give a firm decision on the preferred route then HE could withdraw funding. He believed it was essential that any new road should be built before or alongside future scheduled housing development over the next few years. He agreed that Option 3 was unacceptable and Option 1 did nothing to improve the current situation. He requested that the Committee and the Cabinet Member state Option 5a as a preference, believing that it was clearly the

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best option for delivery, economic improvement and with the least environmental impact.

- Mr Marshall – Acknowledged that the need for a by-pass was critical as the village of Storrington saw huge volumes of A27 diverted traffic; especially in view of the fact it was already a poor air quality designated zone. He asked that the Committee endorse Option 5a as a preference, as it would see the greatest reduction in traffic flows from all the options. He also thanked officers for recognising the importance of rural villages in their conclusions.

71. The Committee made comments including those that follow. It:

- Raised concerns that there were currently errors in some of the technical reports published by HE that should be addressed.
- Acknowledged the great need for improvements to the A27 at Arundel but raised concerns over the environmental impact in the South Downs National Park (SDNP), the loss of designated ancient woodland and impacts on existing wildlife species, some of which are protected.
- Raised concerns over the lack of detail about plans for compensatory habitats, including the location, area and type of habitat that would be created to mitigate the impacts of the highways improvements. The design and quality of the mitigation needed to reflect the quality of the habitat that would be lost.
- Questioned whether flooding was sufficiently mitigated and if the loss of flood plain would be adequately compensated.
- Welcomed that, of the options presented, Option 5a would have the greatest impact on the well-used 'rat run' through the SDNP and Storrington, and would also provide the greatest economic and road safety benefits. Option 5A would have less environmental impact than Option 3 but would have a greater environmental impact than Option 1. Concerns were raised over an increase in local traffic on north-south routes that link to A27, including Yapton Lane. A viaduct east of the River Arun was considered to be less visually intrusive.
- Raised concerns that without improving the A27, house-building would take place without adequate infrastructure in place to cater for traffic, especially for heavy goods vehicles. Also highlighted that in addition to improving the A27, there was also a need to invest in sustainable transport infrastructure improvements.

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- Highlighted the need to recognise the views of local elected bodies.
- Raised concerns that HE may withdraw funding if the County Council remain undecided or unclear in its response.

72. The Cabinet Member for Highways and Infrastructure added that he would take into account all members comments, especially concerning the environmental impacts and that there would be an emphatic decision in the consultation response to HE.

73. Mr Barrett-Miles made the following proposal, which the Committee considered: -

That the Committee supports the Cabinet Member's draft response, which identifies 5a as the Council's preferred option. The following areas of concern were identified in the text of the draft response, which the Committee would like the Cabinet Member to consider:

- The text in respect of the environmental mitigation should be tightened up, emphasising that the design should reflect the quality of the lost habitats.
- Additional emphasis should be placed on the required package of other measures (in respect of transport infrastructure), including the junction design towards the west end of option 5a and investment in the coastal rail service
- The need to clean up accuracy of Highways England's underlying data.
- The need to further investigate the impact on local routes.
- That the wording of para 6.17 replaces the last paragraph of the exec summary.

74. A vote was held and the proposal was carried.

75. Resolved – That the Committee recommends that:

The Committee supports the Cabinet Member's draft response, which identifies 5a as the Council's preferred option. The following areas of concern were identified in the text of the draft response, which the Committee would like the Cabinet Member to consider:

- The text in respect of the environmental mitigation should be tightened up, emphasising that the design should reflect the quality of the lost habitats.
- Additional emphasis should be placed on the required package of other measures (in respect of transport infrastructure), including the junction design towards the west end of option 5a and investment in the coastal rail service
- The need to clean up accuracy of Highways England's underlying data.

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- The need to further investigate the impact on local routes.
- That the wording of para 6.17 replaces the last paragraph of the exec summary.

A27 Chichester

76. The Committee considered a report by Executive Director for Economy, Infrastructure and Environment and Director for Highways and Transport (copy appended to signed minutes).

77. Darryl Hemmings, Planning and Transport Policy Manager introduced the report giving an overview of the County Council's draft response. He advised that since the decision in February by HE to stop the scheme, a series of community workshops had taken place to identify a more community-led response. Parallel to this, discussions with HE, MP's and Chichester District Council had taken place to explore options for getting the scheme put back into the programme.

78. The Cabinet Member for Highways and Infrastructure added that there was a need for action and both the County Council and HE needed to be aware of what might happen if other schemes went ahead, without an agreed scheme for Chichester. It was important to maximise the benefits from whichever option was preferred.

79. The Committee invited the following non-committee local Members to address the Committee for five minutes and give comment:

- Mr Fitzjohn – Raised concerns over the significant adverse effect to the landscape, environment and historical buildings that a new road would bring and believed the County Council should continue with the Build a better A27 project which had community backing. He rejected Option A due to its short term solution and lack of value for money and highlighted the importance of standing by communities to find a long term solution, stimulate the economy and protect the surrounding landscape and environment.
- Mr Hunt - Highlighted the need for more detailed discussion on the impact of the scheme mitigation but believed that the County Council should support Option A otherwise the scheme could be pulled in its entirety leading to further years of gridlock. He stressed the need to move forward with certainty and accept the funding opportunity for A27 improvements in order to see economic growth.
- Mr Montyn – Believed that Option A was a short term solution, clearly not supported by local residents, didn't meet all the strategic objectives and would lose local road accessibility. He thought that the community led workshops had been an excellent initiative and urged support for Option B so that a solution that was long term, beneficial to the community, economy and growth could be found.
- Dr Walsh – Supported Option A, but agreed that it would need environmental improvements and built in mitigations in order to take

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forward. He also raised concerns that community-led engagement may not come up with the required solution or compromise that would be acceptable to HE and the opportunity for funding could be missed. He highlighted the importance of future proofing the road amidst emerging housing developments and the need to take a county-wide view of the options. He urged the County Council to support Option A.

- Ms Goldsmith – Believed that community engagement and support was key to finding the right solution and that Option B was the best way forward. She acknowledged that the community would have to live with the improvements for decades to come and that Option A would be at a high cost to the environment, impact air quality and was viewed as only a short term solution. She supported the opportunity to engage further with residents to seek a better solution and highlighted the long term rewards and benefits to the County this would bring.

80. *The Cabinet Member for Highways and Infrastructure welcomed the contribution from members and advised that he was minded to support Option B. He believed that the Build a Better A27 project was a very effective forum and had developed a range of issues and factors that could be fed into future consultation exercises. He believed a good degree of consensus from the community was achievable.*

81. The Committee made comments including those that follow. It:

- Raised concerns that the list of mitigations put forward against Option 2 that were raised by the Committee in 2016, had yet to be addressed by HE. Also that more detailed discussion was needed on the impact of the scheme mitigation.
- Raised concerns that Option 2 could impact on historical buildings, was not value for money, offered only a short term solution and would have a significant adverse effect to the landscape, air quality and environment. It was not supported by the local community, would lose accessibility for local residents, didn't meet all strategic objectives and would not be beneficial to local economy and growth.
- Welcomed the 'Build a Better A27' initiative set up by the County Council which had community support behind it. Also believed that bidding for funding to deliver the scheme in the RIS2 period would give a better opportunity to engage further with communities and stakeholders. Although raised concerns that a new solution or compromise that had community backing may not be acceptable to HE or fit in with its financial parameters.
- Raised concerns that the scheme may be pulled in its entirety if there was a lack of clarity and unity with the County Council's response and

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emphasised the need for the community to go forward with one voice that will benefit the whole region.

- Suggested that HE needed to be challenged over the possibility of a Northern Bypass and the case for exceptional circumstances in reference to any building in the SDNP.

82. Resolved – That the Committee recommends that:

The Cabinet Member write to Highways England to state a preference for Option B: that the County Council informs Highways England that no scheme to improve the Chichester stretch of the A27 should be taken forward in the RIS1 period (2015-20) and that it will continue to work with the local community and key stakeholders to develop a scheme supported by the community as a whole and to bid for funding to deliver that scheme in the RIS2 period (2020-25).

Forward Plan of Key Decisions

83. The Committee considered the Forward Plan October 2017 to January 2018 (copy appended to signed minutes).

84. Resolved – That the Forward Plan be noted.

Date of the Next Meeting

85. The Committee noted that its next scheduled meeting will take place on 15 November 2017 at 10.30am at County Hall, Chichester.

Highways Maintenance Term Contract – Update

86. The Committee considered a verbal report by the Director of Highways and Transport.

87. Matt Davey, Director of Highways and Transport provided an update on the progress of the new contract. Key points were:

- The current contract with Balfour Beatty expires in July 2018 and the County Council was currently in the negotiations phase with bidders, which included intensive dialogue over details of submissions and resolving issues. There has been good progress so far with a positive response from bidders.
- The bidders have a basic specification to begin with, but along with the contract detail this can be changed where necessary, once the contract has been let. During the process, bidders are asked to submit savings cards which include ideas or changes they may want to make. The County Council then has the option of whether it wants to make these contractual or not. If this was done at the start of the process then there would need

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to be a change in policy, but once final offers had been received then these proposals will be put out to members

- The Committee previously expressed the following concerns which had been addressed:

What the implications would be if the contract length period be shortened to 5 to 7 years – *This had been put to bidders, but they remain committed to a longer term contract that would enable greater efficiencies. Any change to the contract length now would involve starting the tender process again, adding 9 to 10 months to the contract start date.*

Concerns over outsourcing, the use of a single contractor, supervision and monitoring of the contract and a request for the successful contractor's attendance at Committee, as and when required – *The process of protecting employee's rights was currently under discussion but with no decision as of yet. The TFG had considered that the single contractor model was the most effective and a new structure for the client-side team would be implemented to ensure the appropriate supervision and monitoring. The requirement for the contractor to attend the Committee has now been built into the new contract.*

88. The Committee made comments including those that follow. It:

- Raised concerns over cuts to front line services, the effect that outsourcing may have on joint working, internal policing and the expected level of cooperation, particularly within the role of Highways Managers. Mr Davey advised that a reduction in the Highways budget meant that the same service needed to be delivered, but with less funding. The County Council recognises that there may be a loss of knowledge if staff were TUPE'd across (Transfer of Undertakings (Protection of Employment) Regulations), but that bidders had been advised that the same level of service was expected to be provided by those staff. Feedback from other local authorities who have done this had shown they haven't experienced any issues. At the end of the process there would be a clearer decision on network management.
- Questioned when detailed decisions such as grass cutting, gritting and other optional services would be made and whether the Committee would be able to scrutinise these areas. Mr Davey advised that some of these areas were already set out in policy and any changes would need input from both the Committee and the Cabinet Member. The challenge was to still maintain good customer service, but this was being addressed with the bidders. With optional areas such as outsourcing it was important to manage the risks and benefits, but the decision would be made in consultation with the Project Board as bidders needed to be given enough time to work these into their proposals. *The Cabinet Member for Highways and Infrastructure added that the TFG would be consulted on the final tender.*

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- Highlighted the importance that the Committee be given the opportunity to scrutinise whatever contract is the final proposal and welcomes the use of Key Performance Indicators (KPI's) in measuring performance in the event of outsourcing staff. *The Cabinet Member for Highways and Infrastructure added that he is happy to come back at the end of the dialogue period to update members at the Committee meeting on 30th November.*

89. Resolved – That the Committee:

Notes the update, with a request that a further report be brought back to the Committee at the end of the dialogue phase, to include the future management of the contract, including Key Performance Indicators (KPI's).

The meeting ended at 3.09 pm

Chairman.