

Mrs G McDowell

Rt Hon Mark Harper MP
Secretary of State for Transport
Tyneside House,
Skinnerburn Road,
Newcastle Business Park,
Newcastle upon Tyne, NE4 7AR

By email only to nationalcasework@dft.gov.uk

22nd November 2022

Dear Mr Harper.

Compulsory Purchase Order 2022, Statement of Reasons, North Somerset Council (Banwell Bypass and Southern Link), October 2022

North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order 2022, made 6 October. The Highways Act 1980 and the Acquisition of Land Act 1981.

I am writing to object to the above CPO as part of the Banwell Bypass project so aggressively and inappropriately managed by North Somerset Council.

My interest in this issue

The land described in the compulsory purchase order, is in the parishes of neighbouring villages; I am a resident of Winscombe. The highway scheme this application relates to will affect residents of my own Winscombe and Sandford Parish and neighbouring Churchill and Langford Parish causing untold damage to our villages, our community and the environment.

We are rightly proud of our AONB and find it unacceptable that North Somerset Council is planning to build a new road through it. This scheme is opposed by the majority of residents in Winscombe and the overall number of objections registered to the planning application exceeded the number of supporters. I accept that a solution to traffic congestion in Banwell is needed, but this scheme does not address this problem. Indeed, it will make matters worse overall, thus this CPO is not the right solution and for that reason alone should be rejected.

Grounds of my objection

North Somerset Council asserts **a compelling case exists for compulsory purchase**, yet it has failed repeatedly to present the true impacts and costs of the development on residents of neighbouring villages or the environment.

Referring to the Statement of Reasons ("Statement") prepared by North Somerset Council (the Council):

1. The area covered

The Statement focuses only on Banwell apart from the section called “*Improvements to the wider local road network*” [4.13]. This describes improvements to the local road network in the surrounding villages proposed to mitigate increases in traffic as a result of the Banwell Bypass.” But there is no analysis of how effective these are expected to be, nor any criteria against which effectiveness can be measured. There is a cost-benefit analysis of the Scheme that does not include neighbouring villages of Churchill, Winscombe and Sandford that are all within just 3 km of the eastern end of the bypass.

2. Transport needs and benefits

The Statement describes [5.3] the A371 and A368 as *strategic routes providing critical connectivity through North Somerset*. The Council does not refer to a hierarchy of roads in North Somerset with the M5, A370 and A38 at the top level and inter-village roads at a lower level. Instead the Council promotes these older rural roads as strategic routes ‘across the corridor’ for business; as diversions from the top level roads and as transport infrastructure for the building of 2800 new houses at Wolvershill Village. We reject this misrepresentation of our village roads and lanes which were never designed to be strategic routes for through traffic between the M5 and the A38.

The Statement describes “*The existing volumes of traffic result in significant congestion and delay, particularly on the narrow sections of the A371 within Banwell.*” [5.3] and the benefits to Banwell of the bypass [5.5] and yet omits to describe the impact of the increased traffic from the bypass on the village of Winscombe [5.6]. Our town centre is highly restricted with tight radius junctions and a one-way constriction under a railway bridge (now the Strawberry Line cycle-path).

This poorly conceived bypass will simply transfer the admitted problems of Banwell to neighbouring villages of Winscombe Sandford and Churchill. Furthermore, since studies show that bypasses generate a considerable amount of new traffic the problems will be increased (see section 4 below). Add in traffic generated by a proposed large housing development (Wolvershill Village which is inextricably linked to this bypass) will increase the traffic count considerably, as the Council’s own planning application plainly shows...

The Statement describes *the significant overall decreases in journey times on the A368 (between Weston-super-Mare and Churchill) and A371 (between Weston-super-Mare and Sidcot) corridors*. [5.7]. This is incorrect as no mention is made of the predicted increases in journey times from Banwell to Sidcot along our roads, ie: between the eastern end of the Banwell Bypass and the A38.

Even the Council’s own plan contains traffic data which disputes their claims. More recently we have been told to expect increased journey times of up to 20 minutes through the centre of Winscombe. The Council has been aggressive towards local residents who have been repeatedly denied access to traffic forecasts. NSC was finally forced to release these through a successful appeal to the Freedom of Information Commissioners! The depressing revised forecasts were only revealed at a small Zoom meeting with the Council two months after the end of the public consultation on the main planning application. So, all the concerns of villagers were compromised by information presented by the Council which they knew to be false.

This mal-practice, lack of transparency and repeated obfuscation is clearly undemocratic. This has been a theme running through the whole of NSC's management of their plans for the Banwell Bypass and their dealings with their constituents. It seems they had an aim (which I maintain is a poor designed solution to an acknowledged problem) and were determined to bulldoze public opinion to achieve it.

3. Economic needs and benefits

The Statement claims the scheme *will unlock new residential and employment opportunities and address longstanding local transport issues* [5.10] but there is no mention here of the negative impacts of the increased traffic from the Scheme or the local transport problems of Winscombe from which bus services have just been axed due already to Council's inability to support these important routes. In this rural village some elderly are now marooned and unable to maintain their normal medical and recreational journeys.

It is suggested that "*Transport user benefits of the Scheme (travel time, travel cost and wider public finances) are large; totalling around £130.6 million* [5.11]."

I submit this figure is incorrect as no account has been taken of costs incurred by the increased traffic and congestion at other points on the routes between the A370 and A38, ie: through Winscombe Sandford and Churchill. There will be at least a two and a half times increase in traffic through Winscombe from the impact of the Banwell Bypass itself plus the development at Wolverhill Village. I hope you admit, this is unreasonable and unacceptable.

4. Congestion

It is claimed *overall, there is a beneficial change in noise impacts* The net present value of change in noise is around £3.2 million [5.12] but the noise pollution will be transferred to the centres of Churchill, Winscombe and Sandford villages due to the increased traffic and this will counter the gains made in Banwell. There are no plans to measure, monitor or mitigate the impact of the bypass on air and noise pollution in Winscombe, Sandford and Cheddar. Such action is reserved exclusively for Banwell.

5. Economic benefits

Analyses suggest that while *there are some adverse economic impacts, the initial benefit cost ratio ("BCR") for the Scheme is 2.83, meaning that for every £1 in cost, £2.83 is returned in benefit*. [5.14]. The adverse benefits of the scheme are not fully assessed as the analyses have focused on Banwell and does not include an evaluation of the negative impacts on Winscombe and Sandford, or Churchill including local businesses who fear a dramatic loss of trade from the congestion outside their premises.

The Statement indicates *the free-flowing Bypass and removal of traffic from the A371 through the centre of Banwell will improve journey quality and reduce travel time variability...* the Scheme would provide significant monetary benefits that justify the cost of the Scheme." [5.15]. This however does not include the disbenefits of noise and congestion in the villages of Churchill, Winscombe and Sandford. May I ask you please to consider that cost-benefit analyses should include the wider implications of the Scheme.

The Council has already had to accept that there will be a shortfall in funding and has agreed to meet this gap. Given the time and cost of the compulsory purchase programme, plus likely delays in construction at a time of escalating cost, it is hard to understand how tax payers money can be made available so readily to support a project that has so many deliberately unanswered questions.

6. Planning

The order states that *“Subject to the consideration of the planning application by the LPA, the Council (in its capacity as promotor of the Scheme) is not aware of any reason why the planning permission would not be granted [8.5].”* The Council has a conflict of interest regarding the Scheme being both the promoter and the adjudicator. It also benefits from a source of funding though it is my understanding that there will be a gap (as yet in my view not properly ascertained) the Council will have to plug. It is essential that the case and costs for compulsory purchases and planning approval are exposed to independent scrutiny.

7. Public sector equality duty.

According to the Order, *“None of the impacts identified in the Equality Impact Assessment (EqIA) relate to land acquisition [10.2].”* An Equality Impact Assessment (“EqIA”) for the Scheme has however only been undertaken in Banwell. There are likely impacts of the scheme, relevant to EqIA, that are related to aspects other than land acquisition. The Equality Impact Assessments have not been undertaken in Winscombe Sandford or Churchill which will be adversely affected by the scheme.

Sir, I have demonstrated so many issues that show North Somerset Council has mis-managed the process and demonstrably failed in its duty to residents regarding the clarity of costs, the harm to businesses and the environment, and so has not presented a compelling case for compulsory purchase. I respectfully implore you to reject their abjectly poor application.

I accept that this letter will be forwarded to the Council and were the case to become the subject of a local Public Inquiry, it will be copied to the Inspector conducting the Inquiry and I welcome that outcome. I suspect in the fullness of time it might even be part of a judicial review.

Yours faithfully

Gillian McDowell