



# **SPALDING WESTERN RELIEF ROAD**

## **PHASE 2**

**Response and Actions arising from  
the Public Consultation – November 2011**

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# 1 Executive Summary

## 1.1 Purpose of this report

1.1.1 This report has further explored the concerns raised to the proposed Spalding Western Relief Road Phase 2, expressed by respondents to the Public Consultation. Whilst both route options gained some support there was also opposition expressed, especially to Option 2B. Full details of the consultation results are contained in the report titled 'Spalding Western Relief Road Phase 2 Public Consultation Report'.

## 1.2 Measures to overcome concerns

1.2.1 The following measures have been identified as those that should be included in future work on the scheme to help to address the concerns raised:

- Ensuring that the planning documentation clearly identifies the benefits and disbenefits of the route;
- Reviewing the operation of traffic signal junctions within Spalding and making adjustments and improvements to ease traffic flow;
- Include a junction between the relief road and the west section of Horseshoe Road. Include a central right turn lane and incorporate a central crossing point island to assist non-motorised users to cross the road;
- Ensure that the design work at the northern roundabout fully accounts for the safe movement of traffic, pedestrians and cyclists;
- Ensure that the ground investigation is sufficiently robust to eliminate the risk of poor ground conditions leading to future failure of the carriageway;
- Ensure that the impact on wildlife is carefully examined and any measures to mitigate, translocate or protect species is included with the Environmental Statement;
- Re-design the Bourne Road section of the scheme to avoid encroaching on the line of trees subject to preservation orders at Monks House.

## 1.3 Remaining concerns

1.3.1 The measures identified above should address many of the concerns raised. However, there are two further issues where we are unlikely to be able to implement measures that would completely satisfy the concerns. These issues are the impact on residential properties close to the road, and the loss of allotments. With both of these issues subsequent assessment and design work can provide measures to mitigate the impact. However, this work is not likely to be sufficient to overcome opposition entirely.

## 1.4 Recommendations

1.4.1 It is recommended that the measures identified above are included and a paper be taken to the Highways, Transport and Technology Scrutiny Committee in January 2012, followed by a paper to Executive Committee in March 2012, seeking adoption of a preferred route and authorisation to proceed with a planning application.

## **2 Introduction**

### **2.1 Purpose of this report**

2.1.1 This report should be read in conjunction with the report titled 'Spalding Western Relief Road Phase 2 Public Consultation Report'. The purpose of this report is to further explore the reasons behind the concerns raised to the proposed relief road Phase 2. This report will identify whether amendments and mitigation can be made to the proposals to overcome the concerns, or whether opposition is likely to remain to the proposals.

### **2.2 Actions**

2.2.1 Full details of the consultation responses are contained in the 'Consultation Report'. In general the consultation identified a greater degree of support for Option 2A as opposed to Option 2B. However, the support for Option 2A was not overwhelming and the level of opposition was almost as great.

2.2.2 The information from the consultation has been analysed further to establish the measures necessary to gain greater public support of either route option. For reasons stated at the consultation, and within the responses in Chapter 3 below, much of the opposition is related to the proximity of the road to residential properties and through allotments. The options for providing a relief road without having either of these impacts do not currently exist. It is necessary, therefore, to establish what can be done to the existing options to address the concerns of the public.

2.2.3 In total 366 questionnaires were returned. Of these 211 (58%) contained comments. The comments covered a wide range of issues and made various suggestions for alternative or improved options. These comments have been categorised into themes, to identify the common issues that were raised.

### **3 Key issues, responses and actions**

#### **3.1 Addressing the concerns**

3.1.1 Following the consultation the level of public support for the route is quite low. This is, nevertheless, just one consideration and decisions for the future development of the scheme also need to take into account the overall benefits in terms of traffic and environment within the town, plus the need to plan for the future. However, without the support of a majority of the public the route will be more difficult to deliver politically, and may generate opposition at the planning stages.

3.1.2 To address this potential barrier to the progress of the scheme the comments made within the consultation process have been examined to gain a greater understanding of the concerns about the routes. By understanding these concerns they can be addressed and mitigated, thereby making the scheme more in keeping with the way the public in Spalding would want it to develop.

#### **3.2 Responses to issues raised**

3.2.1 The following table identifies the key issues, in order of the number of times they were raised. The table then provides a response to these issues and recommends whether any action should be taken within the scheme's design.

Note: the Q number relates to the number of questionnaires in which the issue was raised. The L number relates to the number of letters and e-mails in which the issue was raised.

No	Issue	No of times raised	Response	Actions
1	Concern about the visual or noise impact of the road	55 Q 7 L	<p>The noise and visual impact of the road is clearly an important issue to many residents, particularly those that live nearest to the proposed route. Option 2B was particularly unpopular among this group, although 2A gained little extra support.</p> <p>These impacts cannot be avoided with the routes suggested. The current view is over flat farmland or allotments, intersected by low-trafficked roads.</p> <p>There is legislation that applies to noise and the visual impact of the route, but it is possible that mitigation measures in line with this legislation will not go far enough for many of these residents.</p>	<p>Within the Environmental Impact Assessment process, establish whether measures over and above those required by legislation would provide further benefit in reducing noise and visual impact.</p>
2	The scheme will not provide the stated benefits or relieve traffic congestion	33 Q 1 L	<p>There was a great deal of concern expressed that the proposed relief road would not relieve congestion, particularly for routes through the centre of town.</p> <p>The traffic modelling conducted for the relief road indicates that vehicle journeys between the western end of Spalding and the old or new A16 routes would use the relief road. These journeys would no longer need to cross the railway on Winsover Road or Hawthorn Bank, thereby reducing traffic at these points. The modelling also indicates that journeys starting or ending in Little London and heading towards Bourne would also use the relief road. The modelling also shows that the relief road achieves a reduction in traffic flows at key routes and across key level crossings.</p> <p>It can be expected that the usage of the relief road would increase as delays on the railway crossings increase.</p>	<p>Ensure that any relevant planning application documents clearly state the traffic case for the relief road.</p> <p>Extend the scope of the traffic assessment to provide clearer evidence of the benefits the relief road would achieve</p>

No	Issue	No of times raised	Response	Actions
3	Routes will be damaging to allotments and farmland	31 Q 3 L	<p>There is clearly concern that the relief road will pass through the allotment site and, to a lesser extent, high-grade farm land. To provide a relief road that will meet the objectives of being a convenient, attractive route for local journeys it needs to be within a reasonable distance of the edge of the town. With this in mind a route passing through the allotments is the only option. Within the design phase we are identifying land that could be used as replacement allotments. The County Council should seek to work with South Holland District Council to ensure suitable land is available.</p> <p>The relief road route passing through farm land is unavoidable. Within the design phase an assessment of the remaining parcels of land will be undertaken to ensure they remain accessible and viable.</p>	<p>Identify alternative land for allotment allocation.</p> <p>Ensure remaining farm land is accessible and viable.</p>
4	The relief road will direct more traffic onto Bourne Road and surrounding roads	24 Q 4L	<p>There was a great deal of concern expressed at the exhibitions and in the questionnaire responses relating to the relief road feeding more traffic onto Bourne Road and beyond to Monks House Lane and Winsover Road.</p> <p>Traffic using the relief road to enter or leave Spalding would be starting or ending their journeys within the western side of town, and not continuing on to cross the level crossings at Woolram Wygate, Park Road, Winsover Road or Hawthorn Bank. The relief road route would not be attractive to journeys that need to access the centre of Spalding from the south. The traffic modelling confirms this expectation.</p> <p>Whilst there will be increases in traffic on some routes and decreases on others, this is down to a re-distribution of traffic in the area, rather than attracting additional vehicles to the western side of the town.</p>	<p>Ensure that any relevant planning application documents clearly state the traffic case for the relief road and identify the origins and destinations of relief road traffic.</p>

No	Issue	No of times raised	Response	Actions
5	The relief road should use the existing road alongside South Drove drain, to Pode Hole	16 Q 5L	<p>Many respondents felt that a suitable route for the relief road already exists alongside South Drove drain, to join Bourne Road at Pode Hole. There are a number of barriers to providing a route along this alignment which means it would not be suitable as the relief road.</p> <ul style="list-style-type: none"> <li>• A route commencing at Pode Hole would be too far from the edge of Spalding to act as an attractive, convenient link over the railway.</li> <li>• Considerable structures would be needed for the route to pass over South Drove drain, to make use of the Phase 1 bridge over the railway. Alternatively new structures would be needed at the existing level crossing and Horseshoe Bridge (avoiding property and the Grade II listed structure).</li> <li>• The existing carriageway construction is neither wide enough or has sufficient strength to withstand the traffic demands of a relief road, probably requiring full reconstruction.</li> <li>• There is insufficient space at Pode Hole to construct an adequate junction without demolishing property and constructing new structures over the drain system.</li> <li>• The provision of this route is likely to be higher cost and less effective than Options 2A or 2B.</li> </ul>	None
6	The relief road should utilise Broadway	15 Q 1L	<p>Broadway was originally considered as a route for a future road providing access around the western side of Spalding. However, in the Development Brief for Holland Park, prepared by SHDC and consulted upon in 2007, the purpose of this route became the provision of access to the new development area. The site's Master Plan allows for the Broadway route to be extended through the development to link up to Phase 1, but that this route will be designed to be low speed and indirect.</p> <p>The Broadway is not, therefore, still available as a possible route for the relief road.</p>	None



No	Issue	No of times raised	Response	Actions
7	Scheme does not provide value for money or is a waste of money	15 Q	<p>There is a general concern that the scheme is not necessary or would not be effective and, therefore, a waste of money. Whilst the scheme will not be required to meet the Benefit Cost Ratio scoring that would be required if it were funded by Central Government, it will still need to demonstrate that it provides value for money.</p> <p>Work being undertaken by the modelling team will help to demonstrate this.</p> <p>One aim of the scheme's design work to date has been to ensure that the benefits of the relief road can be delivered in a cost effective manner, hence the link to the Phase 1 bridge over the railway, delivered as part of Holland Park and funded by the developer. The avoidance of demolishing residential properties will also contribute towards providing a cost effective solution, whilst junction design will concentrate on providing the necessary junction size for the forecast traffic flow.</p>	Ensure the modelling and Transport Assessment identify the benefits and disbenefits of the route.
8	The scheme wont work without, or would be better with Phase 3	14 Q 2 L	Throughout the process it has been identified that Phase 3, linking to B1356, is a long term aspiration. It is also acknowledged that greater benefits would be achieved by delivering the whole relief road route. Funding is available for the planning application stage of the relief road, but the construction phase is likely to rely on funding from developers, or other interested parties. This could place the relief roads construction ten-or-more years in the future.	None
9	Phase 3 should be built before or instead of Phase 2	13 Q 1 L	<p>The third phase is considerably longer than Phase 2 and would probably require two substantial structures, over Vernatts Drain and the railway. With the potential for Phase 2 funding being ten-or-more years away Phase 3 could be expected to be considerably further in the future. For these reasons Phase 3 is not being developed at present.</p> <p>Clearly if funding for Phases 2 and 3 became available sooner then they could be constructed in a shorter time frame.</p>	

No	Issue	No of times raised	Response	Actions
10	Phase 1 and 2 would be beneficial	12 Q	These comments were supportive of the proposals.	None
11	The road is not wanted or is not necessary	10 Q	These comments are answered in nos. 2, 4 and 7 above.	None
12	Traffic signal junctions in town should be improved or removed to reduce congestion	8 Q 1 L	<p>From discussions at the consultation there was a feeling from some members of the public feel that more capacity could be gained from the existing road network, rather than providing new roads. Delays at traffic signals were often cited as an example. The Pinchbeck Road / Woolram Wygate junction is currently undergoing capacity improvements. Capacity improvements are also being developed for the Pinchbeck Road / West Elloe Avenue junction.</p> <p>There is often scope to squeeze more capacity out of traffic signal controlled junctions. However this would not address the issue surrounding greater level crossing barrier down-time. The level crossing issue will be exacerbated because the trains will be longer and, potentially, travelling at low speed. This will increase the time during which a queue can build up, increasing the length of the queue and the time taken for it to clear.</p> <p>Amending traffic signal junctions will not assist those journeys that currently use Hawthorn Bank but would be diverted onto the relief road.</p> <p>The traffic signal junctions would be monitored and adjusted to gain the maximum available capacity when the rail level crossing down-times increase, but this would not fully mitigate the impact of the rail freight.</p>	Continuous monitoring of traffic signal and other junctions on main routes in Spalding and, where necessary, adjustments to maximise capacity.

No	Issue	No of times raised	Response	Actions
13	The relief road should be built as soon as possible	7 Q	These comments were supportive of the proposals. Whilst there is a desire to obtain planning permission and build the relief road the likelihood is that funding may delay construction for ten-or-more years.	None
14	Horseshoe Road should not be cut in half	6 Q 1 L	<p>The consultation sought to ascertain the importance of maintaining access to Horseshoe Road from the relief road. Businesses and residents, particularly on the west side, considered access to be vital. The alternative would be a long diversion via Pode Hole. The relief road could be used to ease the flow of goods vehicles over Horseshoe Bridge, which require access to local businesses and farms.</p> <p>Access to the east side, for vehicles, would be less beneficial. Access to the east side can be gained via Broadway. Providing access from the relief road to the east side would result in a staggered cross roads junction which, combined with the location on the inside of a bend, could be expected to have a poor accident record.</p> <p>On balance it would be appropriate to provide a priority junction between the west side of Horseshoe Road and the relief road. This should include a ghost island right turn lane on the relief road. Consideration should also be given to providing a refuge for pedestrians and cyclists (and possibly equestrians) to provide a route to both ends of Horseshoe Road.</p> <p>A junction with the east side would be less desirable because this may lead to high usage of Horseshoe Road between Broadway and the relief road. A turning head would need to be provided on Horseshoe Road close to the relief road.</p>	Develop junction and crossing facilities at Horseshoe Road and assess their impact on the overall proposals.

No	Issue	No of times raised	Response	Actions
15	The new roundabout will be too close to Monks House Lane	6 Q 1 L	The proximity of the proposed junction to Monks House Lane is closer than would be ideal. However, with the lack of alternative routes through to Bourne Road (see answers to nos. 3 and 5 above) the location for the junction is virtually fixed. Whilst not ideal, the two junctions could be made to work together without creating delays or hazards.	Ensure future design work takes account of the safe operation of the two junctions.
16	Cycle, bus and pedestrian routes into and through town should be improved	6 Q 2 L	<p>The proposed relief road will include an off-road pedestrian / cycle route along its length, and provision for crossing the relief road at Horseshoe Road. At the southern end these will link into routes provided as part of the Holland Park development. At the northern end (Bourne Road) these will tie into existing footpaths and provide safe access for cyclists to rejoin the carriageway.</p> <p>These comments are pre-empting the Non Motorised User audit which is being prepared as part of the Transport Assessment. If the NMU audit identifies further facilities are required they will be included within the proposals.</p> <p>With regard to facilities in the wider Spalding area, these would need to be included within Lincolnshire County Council's ongoing improvements through the Local Transport Plan or local highways budgets.</p>	Include NMU facilities within the scheme design and ensure they tie into existing and proposed facilities.

No	Issue	No of times raised	Response	Actions
17	Developers will be the main beneficiaries of the road	6 Q	<p>It is reasonable to surmise that Phase 2 of the relief road may be used by drivers accessing the proposed Holland Park development. However, the road is not being promoted to serve this purpose. Phase 2 was not a requirement of the planning application for Holland Park. Within the planning process for Holland Park, Broadway is deemed to provide adequate access to routes to the north.</p> <p>There is potential for further development in the area and, potentially, access to the relief road from such a development would be possible. However, this is not the prime purpose of the relief road and it is not being designed with further development being one of its objectives.</p>	None
18	The exhibitions were not worthwhile and didn't provide enough information	4 Q 1 L	<p>There was a feeling expressed at the exhibitions, and by some respondents, that the exhibitions did not provide enough information. This is perhaps down to expectations about the level of detail developed at the time of the exhibitions. Public consultation was conducted at an early stage in the project and, because of this approach, has not been able to develop full proposals and full details, thereby leaving some questions without certain answers. However, the early consultation does allow the views expressed by respondents to be fully considered and to influence the future of the scheme.</p>	None
19	Developer may delay Phase 1 / Phase 1 should be delivered ASAP	4 Q	<p>Lincolnshire County Council is not in a position to fund Phase 1, nor in a position to directly influence the delivery timescale for Phase 1. Being a requirement of a property developer, such an investment may be considered unlikely to come forward during a suppressed property market.</p> <p>Phase 2 would not be constructed before Phase 1.</p>	None

No	Issue	No of times raised	Response	Actions
21	Lack of confidence because of delays to A1073	4 Q 1 L	A number of people at the exhibitions expressed a lack of confidence due to the delays to the opening of a section of the A1073. These delays occurred through a particular set of ground conditions. During the development of the relief road a thorough ground investigation is being conducted, the output of which will be independently checked. The results of this work will be fed into the design. Where there are any doubts resulting from the ground investigation, further survey work will be undertaken.	Continue with ground investigation and interpretation.
22	Wildlife needs to be protected	4 Q 2 L	A key requirement for obtaining planning permission will be the Environmental Statement. This will need to demonstrate that the impact upon wildlife has been adequately assessed and, where necessary, action taken to protect species. Surveys are currently being undertaken to identify any affected species, which will feed into the Environmental Impact Assessment.	Ensure the recommendations of the Environmental Impact Assessment are included within the scheme
23	Concern about the impact on the town's infrastructure from further development	4 Q	<p>These concerns relate to wider issues about the expansion of Spalding and the ability of local infrastructure and services to meet the demands. Spalding has been identified as an area for housing growth. These are primarily issues that fall within the remit of South Holland District Council.</p> <p>However, as a highway authority, Lincolnshire County Council has recognised that the expansion of the town, along with the increasing level crossing down-time will put a strain on the road network, hence the development of the Phase 2 proposals at this time.</p>	None

No	Issue	No of times raised	Response	Actions
24	A bridge over the railway is needed in the town	3 Q	<p>The option of a bridge over the railway was explored in the Stage 1 Workshop Report prepared by Jacobs in March 2010. The report assessed the impact of a railway bridge on surrounding properties and found these to be considerable. As an example a bridge at Winsover Road would require the demolition or blight of 84 properties.</p> <p>The Jacobs report concluded that 'the cost and political sensitivity of impacting on this number of properties is unlikely to be acceptable'. This option was not progressed further.</p>	None
25	Re-route railway, station and provide P+R or multi storey car park	3 Q	<p>This Option was again explored in the Stage 1 Workshop Report. This report estimated the cost of the diversion to be around £82m. In addition, the railway diversion would need to be promoted by Network Rail, who are not currently pursuing this. This falls outside of the measures that Lincolnshire County Council, as Highway Authority, could deliver.</p>	None
26	Scheme is damaging to Monks House and the preserved trees	2 Q 4 L	<p>This option was reported more through written responses than questionnaires.</p> <p>The route shown during the consultation provided an alignment that avoided compromises to the design standards on the approaches to the proposed roundabout. Options are currently being developed that could utilise the existing traffic signal crossroads, albeit in a modified form. This will have some design compromises and will require departures from standard, but would avoid the removal of trees subject to a preservation order.</p>	Develop designs which avoid taking land from Monks House or preserved trees.

In addition to the issues above, there was a range of further comments, as listed in the consultation report. These comments were made by one or two respondents and many of which were a variation on the themes above. Whilst not being addressed directly in this report individually, the responses above cover the relevant issues.

## **4 Conclusions**

### **4.1 Consultation result**

4.1.1 The response to the consultation has been mixed. Whilst there is clearly some support for Phase 2 of the relief road, there is also a strong element of opposition. Much of this opposition comes from residents whose property is in close proximity to the proposed relief road routes, but this does not account for all opposition.

4.1.2 The following paragraphs outline the work that can be done to address many of the concerns raised by responds to the consultation.

### **4.2 Key actions**

4.2.1 Many of the concerns related to issues for which sufficiently detailed answers are not yet available. The consultation was conducted at an early stage to ensure that the public are aware and can influence the scheme effectively. This has meant that not all the details were available at the time because the assessment and design of the route is an ongoing activity. For this reason some of the responses in Chapter 3 are activities that were already underway or planned.

4.2.2 With regard to other actions, these are being adopted during the scheme's development, prior to the planning application, to ensure that the scheme meets with the concerns of the consultation response.

### **4.3 Resolvable concerns**

4.3.1 The majority of the concerns raised by the consultation responses can be taken into account in future design stages or assessment work, to create a scheme that is more acceptable to residents and businesses. The measures to be undertaken include:

- Ensuring that the planning documentation clearly identifies the benefits of providing Phase 2, combined with Phase 1, whilst being clear about the disbenefits. This must include the traffic and environmental benefits;
- Reviewing the operation of traffic signal junctions within Spalding and making adjustments and improvements to ease traffic flow. This work would need to compete for funding against other Local Transport Plan priorities and local improvement schemes;
- Include a junction between the relief road and the west section of Horseshoe Road to provide access to residents and businesses. This junction should include a central right turn lane and incorporate a central crossing point island to assist non-motorised users to cross the road;
- Ensure that the design work at the northern roundabout and, in particular, its proximity to the Monks House Lane junction, fully accounts for the safe movement of traffic, pedestrians and cyclists whilst also ensuring that traffic queues do not hinder the neighbouring junction;
- Ensure that the ground investigation is sufficiently robust to eliminate the risk of poor ground conditions leading to future failure of the carriageway;



- Ensure that the impact on wildlife is carefully examined and any measures to mitigate, translocate or protect species is included with the Environmental Statement;
- Re-design the Bourne Road section of the scheme to avoid encroaching on the line of trees subject to preservation orders at Monks House.

4.3.2 It is recommended that these actions are included within the future development of the scheme. This will ensure that the scheme has been adapted to meet the concerns of the consultation respondents.

#### **4.4 Residual concerns**

4.4.1 There are some areas where a route along either option would not be able to be made acceptable to some respondents. The main issue will be the placing of the route in an area where, at present, residents have views over open countryside. The other key issue is the effect on the allotments.

4.4.2 The noise and visual impact is being assessed within the Environmental Impact Assessment, in particular taking account of the Countryside Act and the Town and Country Planning Act, as well as other relevant legislation, regional and local policies. The EIA will identify any necessary mitigation measures which will be included within a design being put forward for planning. At this stage, prior to the environmental assessment work, it is too early to identify what these mitigation measures will be. However, it is likely that they will not be sufficient to remove all the opposition from neighbouring residents. During the assessment and design stages an assessment of mitigation measures over-and-above those required will be undertaken to ascertain whether these offer any additional benefit.

4.4.3 With regard to the loss of allotments, this cannot be avoided if the route is to pass through to Bourne Road without demolishing residential properties. The land on which the allotments are located leased to South Holland District Council who, in turn, lease the plots to individual plot holders.

4.4.4 Both route options would sever the allotment site but Option 2B would impact on a greater number of plots. The next design stage will concentrate on refining the alignment of the routes and identifying a drainage strategy and locations for balancing ponds, which could be used to store surface water before being discharged. This work will be combined with agricultural assessments which will identify the viability and access requirements for remaining farm land. Through this process alternative land will be identified which could be used as allotments. Lincolnshire County Council will seek to allocate land for this purpose and support South Holland District Council in the provision of alternative plots. Any replacement plots are not likely to be completely satisfactory to plot holders, many of whom have spent many years getting their plots into their current condition.

4.4.5 With both of these issues subsequent assessment and design work can provide measures to mitigate the impact. However, this work is not likely to be sufficient to overcome opposition entirely.

## **5 Recommendations**

### **5.1 Route selection**

- 5.1.1 The first question to be answered is whether we should continue further with the scheme. Although the scheme has a strong degree of opposition, the overall benefits of the scheme make it worth pursuing. Although it is acknowledged that the full benefits of the relief road would not be realised until Phase 3 is constructed, the delivery of a successful planning application for Phase 2 is an important step in the long term delivery of the aspiration.
- 5.1.2 Before making a final decision on the preferred route it will be necessary to undertake further geology, ecology, archaeology and design work to ensure that these aspects do not identify factors that would influence the route option. It is also necessary to follow through the actions identified in Chapter 4 and incorporate these into the recommended preferred route.
- 5.1.3 Based on the comments above it is recommended that investigation and design work is continued. When sufficient detail is available a paper should be prepared for the Highways, Transport and Technology Scrutiny Committee to seek approval to present a paper to Executive Committee. The paper to Executive Committee would seek approval to adopt the preferred route in order that the land can be protected from development and approve taking the scheme forward to planning application.
- 5.1.4 Prior to submitting the HT&T paper, project risks in relation to ground conditions, ecology, archaeology need to be closed off. This will confirm that there are no issues that would make the preferred option unviable. A paper could be submitted for scrutiny at the January 2012 HT&T Committee, followed by a paper for Executive Committee in March 2012. Following these approvals further design work would need to be concluded prior to submitting the planning application.