

## Campaign for Better Transport Comments on bid: Bexhill-Hastings Link Road

14 October 2011

This project faces large amounts of long-term and very organised local opposition. Campaign for Better Transport has been working with the Hastings Alliance against these proposals since 2003 and, in that time, the council has not seriously considered any other options.

As detailed below, and in their separate submissions, consultant work has uncovered serious issues with the value for money claims of this scheme. After adjustments, the transport BCR falls from the promoters' estimate of 3.46 to just 1.34. With wider economic factors taken into account, the BCR becomes negative, and the consultants put a value on this of -1.24. This finding alone should lead to this scheme being rejected, particularly when the strategic case for the road is also very poorly presented.

Consideration of alternatives for this scheme has been inadequate, with the scheme tested against very limited public transport options, and a huge potential for smarter choices to improve travel in the area without the Link Road, which has been ignored by the promoters. A separate submission by East Sussex Campaign for Better Transport details a wide range of sustainable transport measures that were in the county's LTP1 in 2000, but which have been set aside thanks to an almost exclusive focus on this road proposal.

Consultation has also been exceptionally poor with this scheme. The original consultation in February 2004 offered only different routes, not alternative solutions, and recent 'consultation' work, via hand-picked focus groups that excluded opposition groups, has been little more than a PR exercise.

The promoters assess the risk of protestor action' at just 20% but, given the beauty of the valley, the extent of local concern and the potential significance of the site, we would consider this risk to be much higher. There is a very high risk of delay due to archaeological discoveries, due to the historic location of the valley, and the cost and risk of this has been underestimated by the promoters.

This scheme is also one of the most risky from a local authority finance point of view, with no third-party contributions yet secured to help with the £29 million local contribution to the costs. A separate consultant's report considers that: *"The financial hole represented by unidentified third party contributions is so large that no confidence can be placed in the scheme's deliverability."*

### **Selection of options and consideration of alternatives (Best and Final Bid sections 1.3)**

Work by consultants Urban and Regional Policy and MTRU, separately submitted, as well as a previous analysis by Denvil Coombe, has shown that the consideration of alternative options for this scheme has not followed Treasury Green Book and WebTAG guidance, resulting in an option generation process that favoured only a Link Road-based solution.

The Urban and Regional Policy report observes:

*“The late shift from congestion reduction to regeneration as the prime purpose of BHLT has effectively meant that the step of generation and consideration of options in relation to regeneration has been omitted.”*

Previously Denvil Coombe had noted:

*“Anything other than the Link Road will not meet with favour because it would not be the Link Road. That the Link Road is the solution is embedded in the objectives... and in the reasons why non-road-based solutions will not work. These arguments are self-fulfilling.”*

The MTRU report looks in more detail at the huge potential in the area for smaller scale smarter choices measures to have a much larger effect on traffic levels, and support for regeneration, than the £86 million proposed for the Link Road:

*“Even the limited test by the consultants shows huge potential for benefit from smarter choices – over 20% reduction in the AM Peak, more than enough traffic reduction to compensate for increases from new development.”*

### **Value for money (BAFB sections 2.5, 3.2)**

The consultants' reports also cast serious doubt on the value for money claims of this scheme.

Their detailed submissions show that the benefits of the Link Road would rely almost entirely on minor time savings for motorists, and that benefits counted from development should not be included in the analysis as it would depend on private sector investment that is described as unviable elsewhere in the BAFB. In addition, carbon mitigation costs are not included, and scheme costs have been reduced by large third party contributions, even though these are purely speculative and unlikely to be forthcoming.

After adjustment for these factors, the transport BCR falls from the promoter estimate of 3.46 to just 1.34.

The promoters have also made adjustments to the landscape value given in the BAFB (the value given by the promoters is in conflict with previous estimates by the DfT, and is several times lower than the consultants' estimate). With these values and wider economic factors taken into account, the BCR becomes negative, and consultants have put a value on this of -1.24.

### **Consultation process (BAFB section 5.1)**

No specific consultation about the Bexhill to Hastings Link Road has happened since 2004, when East Sussex County Council looked at different routes rather than asking if people wanted a road at all.

The council is relying on the planning application and compulsory purchase processes as evidence of consultation, despite these being processes they are legally obliged to follow anyway.

The council has completely avoided consultation this year, instead holding two invitation-only 'focus groups', from which local campaigners were excluded.

Campaign for Better Transport's full report on consultation:

[http://www.bettertransport.org.uk/system/files/BHLRconsultationCfBT\\_Oct11.pdf](http://www.bettertransport.org.uk/system/files/BHLRconsultationCfBT_Oct11.pdf)

The Department for Transport will be aware of the large numbers of postcards submitted to the DfT from local people opposed to the scheme.

## **Delivery issues:**

These issues may jeopardise the scheme going ahead at all, or delay any spending on the scheme until after the Spending Review period.

### **Planning process and statutory orders (BAFB section 3.3)**

The main planning process for this scheme is currently with the Secretaries of State, after a Public Inquiry held in 2009.

#### **SEBs**

It does not appear that this scheme has yet applied for any of the required licences or consents from the Statutory Environmental Bodies. These represent a considerable risk to the timetable for this scheme, as the road would skirt a site of great conservation value, an SSSI and contains sites of archaeological interest.

In the risk register for the scheme, these risks are assessed (items 115 to 120). However, even though items are assigned up to 50% probability, the likely total cost of all of these risks is listed as £660,000, and the most likely delay as 12 weeks. We would consider these risks to be vastly underestimated by the promoters.

### **Third party funding and how LA contribution will be funded (BAFB sections 4.3, 4.7, 4.10)**

The total local contribution for this scheme is now £29 million, an increase of nearly £20 million. However, East Sussex Council shows just £200,000 in confirmed third party contributions in its proposals. This £200,000 is in fact SEEDA funding already received by the council and is not 'third party' in the strict sense in any case.

In the absence of third party contributions, the council's most recent idea was to propose a windfarm development to help with the finances. However, this did not take off and was dropped from the final proposals.

The BAFB admits that developer contributions through S106 agreements would be very hard to enforce for developments built long after the road is in place. They are now in a position that the entire local contribution will be borne by ESCC. It says (section 4.10):

*"The local authority contribution required as set out in paragraphs 4.3 and 4.4 will be prioritised and allocated from current and projected medium term resources available. There are no plans to rely on income or third party contributions."*

In their report for the Hastings Alliance, consultants Urban and Regional Policy highlight the lack of Third Party funding for this scheme as a defining problem:

*"The financial hole represented by unidentified third party contributions is so large that no confidence can be placed in the scheme's deliverability."*

## **Consideration of the risks of campaigning and peaceful protest action (BAFB sections 3.8, and 5.3)**

The BAFB section 3.8 counts the threat of protestor action as 'low risk (20%)' and the potential delay as '2–10 weeks'.

Given the long-term and committed campaign against the road, which has strong public support, we would increase this risk estimate to 'very high risk'. We would estimate it to be between 95–100%, and would anticipate there to be protest camps established, legal cases to ensure the evictions of the camps, specialist bailiff-led evictions, regular large scale demonstrations and possible disruption to work.

Outside the existing campaigns against the road, there are peaceful direct action campaigners active in the Bristol area already, and this scheme is also extremely likely to attract significant attention from campaigners against climate change, as the scheme would lead to an increase in carbon emissions.

We consider the potential delay of 10 weeks to be a reasonable estimate if protests or direct action occur, but consider that 2 weeks is unrealistic. We would estimate it to be a minimum of 8 weeks and a maximum of 15 weeks.

In Annex 3.8 of the BAFB in the scheme Risk Register<sup>1</sup> the estimate of direct costs due to protestor action is considered to be between £50,000 and £1,000,000 with £200,000 given as the most likely cost. Given the 'low risk' ESCC consider the total cost estimate of delays due to protest action is given as £106,700.

We consider this figure to be wholly unrealistic. We would estimate the potential direct cost of protestor action to be between £1-2 million. We have arrived at this figure by examining the costs of recent other protests against the A4146 Stoke Hammond and Linslade Western Bypass in 2005 as a comparison.

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Campaign for Better Transport

Campaign for Better Transport's vision is a country where communities have affordable transport that improves quality of life and protects the environment. Achieving our vision requires substantial changes to UK transport policy which we aim to achieve by providing well-researched, practical solutions that gain support from both decision-makers and the public.

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<sup>1</sup> <http://www.eastsussex.gov.uk/NR/rdonlyres/4CE9D2F2-9E82-4B71-9597-5A327F1EA438/0/38RiskRegister.pdf>