



## **OFFICER REPORT TO LOCAL COMMITTEE (RUNNYMEDE)**

### **HEATHROW AIRTRACK OBJECTIONS TO THE TRANSPORT AND WORKS ACT ORDER 1992**

**1 NOVEMBER 2010**

#### **KEY ISSUE**

To comment upon a package of measures proposed by BAA to address the County Council's objections to the Airtrack scheme.

#### **SUMMARY**

Heathrow Airtrack is a proposal to provide a new rail link to Heathrow Airport Terminal 5 via Staines. To build and operate any new railway line, the scheme promoters need to secure powers under the Transport and Works Act 1992. In July 2009, Heathrow Airport Ltd, a part of BAA, submitted a draft order under this Act to the Secretary of State for Transport.

The County Council have traditionally supported the concept of this scheme, but is concerned about the localised impacts that the scheme may have. In Runnymede, the main concerns related to the level crossings, timetable and parking. Accordingly the County Council submitted a formal objection to the scheme, citing 20 separate grounds. A Public Inquiry into the scheme is expected to take place in Spring 2011.

The County Council has been working with the scheme promoters to evaluate the objections, identify and evaluate possible mitigation. This has resulted in a package of mitigation measures being developed to include a number of identified measures designed to mitigate the localised impacts and address the objections to the scheme. The County Council now needs to decide if the measures proposed, if finally offered, will be sufficient to allow the objections to be withdrawn, or if the objections should be maintained at the Public Inquiry.

## OFFICER RECOMMENDATIONS

The Committee is asked to:

- (i) give its comments to Cabinet and Council on whether the package being offered by BAA should be accepted. These views will form the basis of the report to Cabinet in November and Council in December
- (ii) review the comments previously agreed by this Committee in relation to the Heathrow Airtrack scheme following consideration of the updated information contained in this report.
- (iii) give its views to Cabinet and Council in relation to specific aspects of the Heathrow Airtrack scheme as set out in the report and **Annex A**.

## 1 INTRODUCTION

- 1.1 Heathrow Airtrack is a proposal to provide a new rail link to Heathrow Airport Terminal 5 via Staines. The County Council has traditionally supported the concept of this scheme, although has raised a number of concerns about the effect that the scheme may have. Accordingly, the County Council submitted a formal objection to the scheme, citing 20 separate grounds. A Public Inquiry into the scheme is expected to take place in Spring 2011.
- 1.2 A technical officer group was established to coordinate discussions about the different elements and impacts of the scheme. This group included representatives from borough and district councils (including Runnymede Borough Council and Spelthorne Borough Council), rail operators, the Highways Agency and other relevant stakeholders. Officers and senior Members have subsequently been in discussion with the scheme's promoters (BAA/Heathrow Airports Ltd) to see if the concerns raised could be addressed by changes to the scheme or compensatory measures.
- 1.3 Legal advice is that if a package is not agreed the promoters and the County Council will likely commit considerable resources to an evidence base that is not convergent and contend for different levels of mitigation - such an approach will increase the uncertainty that an acceptable level of mitigation will be secured in response to these objections.
- 1.4 Officers now believe that they have negotiated in principle the elements of an acceptable package subject to finalising the approach to the agreed evidence base, recording appropriate common ground and finalising an appropriate agreement. On this basis the Council could consider withdrawing its objections to this scheme, once the proper safeguards are in place in terms of the appropriate legal agreement.
- 1.5 The County Council would then need to decide if sufficient progress has been made to allow the objections to be withdrawn, or if the objections should be maintained at the Public Inquiry. The Transport and Works Order Act stipulates that Council must make this decision and as such affected Local Committees are being consulted to inform this decision.

## 2 PUBLIC INQUIRY AND NEGOTIATION PROGRESS

- 2.1 A date for the Public Inquiry has yet to be set by the Department of Transport, but Spring 2011 is currently most likely, as it has been delayed until the outcome of the Comprehensive Spending Review in October 2010. A dual approach is being taken with ongoing negotiations with BAA to resolve the objections whilst appointing legal representation (Counsel) to guide the case and prepare evidence for a Public Inquiry.
- 2.2 The Transport and Works Order Act process allows for, and encourages, negotiations to continue with the different parties to resolve the objections prior to a Public Inquiry. County Council Officers have been in constant dialogue with BAA and their advisors about the County Council's concerns.
- 2.3 During the discussions with BAA and their advisors a package of measures has been developed to try to overcome the County's objections. It is considered that if the package were provided (or funded by sponsors, Government or other third parties), the County Council would be in a position to review its formal position on this matter.
- 2.4 To assess the traffic implications of the Airtrack scheme, the County Council has used both the Strategic Traffic Model for Surrey and a microsimulation model (covering Staines Town Centre and the Thorpe Road level crossings). These models have taken account of proposed timetable and level crossing downtime information prepared by Network Rail and provided by BAA. This data has been used in the traffic models to assess the existing situation and that with the Airtrack scheme in place, taking into account a number of scenarios. For example an assessment has been undertaken of the Vicarage Road and Thorpe Road level crossings and has been used to define the proposed package.
- 2.5 As a result of the dialogue with BAA to date, a package of transport improvements has been developed with an estimated value of £11.4 million. Both Runnymede District Council and Spelthorne Borough Council and have been consulted on measures they would like to see included in the proposed package.
- 2.6 Following a number of productive meetings with the Deputy Leader, the Cabinet Member for Transport and senior BAA officials, BAA/HAL have offered to fund this package of measures to address some of the County's objections. BAA has also provided further information and reassurance about the County Council's other points of objection.
- 2.7 As a result the remaining objections fall into 3 categories; those that are considered unlikely to be sustained at a Public Inquiry, those that are best pursued by other organisations and those that can be addressed by planning conditions or planning obligations. These are outlined in more detail in this report.

- 2.8 Officers now believe that the elements of an acceptable package have been negotiated, in principle, subject to; finalising the approach to the agreed evidence base, recording appropriate common ground and finalising an appropriate agreement. Instead of accepting this offer, the County Council could continue to pursue its objections to the Public Inquiry.
- 2.9 Legal advice has confirmed that, having regard to the likely benefits of the package, it is considered less likely and more uncertain that proceeding to Inquiry, (based on a divergent evidence base and interpretations of such evidence), will give rise to a better outcome for Surrey than working co-operatively with the promoter and seeking to justify the elements of the agreed package.
- 2.10 The determination of the mitigation required has been based upon the technical evidence and analysis undertaken to date and further information provided by BAA in respect of the County's objections. Further elaboration on these aspects is included in later sections of this report.
- 2.11 A report is planned to be taken to Cabinet (on 30 November 2010) recommending to Council that either the proposed mitigation package of measures being negotiated with BAA is accepted and all our objections are withdrawn (on completion of an appropriate legal agreement) or that the County's objections are maintained and that officers represent the County Council at the Public Inquiry should the need arise. This report will take account of the consultation and views of the Local Committee (Runnymede) (and other Local Committees in the west of the County affected by Airtrack) and the Transportation and Environment & Economy Select Committees.
- 2.12 The purpose of this report is to outline the scope of the package being discussed and to seek the Local Committee's view on the acceptability of this package, taking into account the objections not covered by the package and the reasons why these are not included.

### **3 LEVEL CROSSINGS AND UNDERPASS**

- 3.1 One of the main objections affecting Runnymede was that the scheme as proposed would cause unacceptable traffic problems at a number of level crossings, with increased down times. This could lead to traffic congestion and delays, poor bus reliability and access problems for the emergency services.
- 3.2 As such the mitigation package being investigated at the time of submitting the County Council's objection included the possibility for underpasses or overbridges at one or more of the 4 level crossings in Egham and Egham Hythe (Prune Hill, Station Road, Vicarage Road and Thorpe Road).

- 3.3 The assessment showed that underpass/overbridge solutions were not feasible at 3 of the 4 level crossings as follows:
- (i) **Prune Hill** - too remote from main traffic, pedestrian and cycle flow,
  - (ii) **Station Road and Thorpe Road** – too constrained in terms of gradients and adjacent properties (e.g. would require extensive compulsory purchase and hence would not be economically viable),
  - (iii) **Vicarage Road** - was identified as warranting further investigation.
- 3.4 A full engineering feasibility assessment was undertaken on the horizontal and vertical alignment of a proposed underpass at Vicarage Road. This involved the production of drawings, a road safety audit and determining estimated construction costs. The outcome of this work was that the underpass was developed to a point where a solution was physically possible, at an estimated cost of circa £25 million.
- 3.5 No height restriction would be needed, but the identified solution would not meet the standards required for a 30mph limit - the site constraints do not allow for sufficiently large radii, either in the horizontal or vertical planes. The solution is of sufficient standard for a 20mph limit; as such a 20mph zone would need to be introduced with appropriate traffic calming on the approaches to the underpass. This was confirmed via a Road Safety Audit and consultation with the Police. In addition the scheme would require the compulsory purchase of a number of properties.
- 3.6 The next stage was to assess an underpass in traffic terms. This has been undertaken through computer traffic modelling carried out in accordance with Department for Transport's (DfT) guidance and incorporating data obtained from local traffic surveys and the DfT's forecast data tool, to allow base and future forecast years and scenarios to be modelled. To ensure the model was robust, extensive survey data over a number of years was used. The surveys included; 12 hour manual and automatic traffic counts on key roads in the area, 12 hour junction turning counts at key junctions, roadside interviews, queue length surveys, pedestrian and car park counts. The model was calibrated to this observed data and validated to ensure it reflected current conditions and met DfT acceptability criteria.
- 3.7 The model takes account of committed development. Uncommitted planning applications cannot be included in the traffic model and would be inadmissible at a public inquiry. Traffic movements associated with increased economic activity in the area is included in the general traffic growth used in the assessment. In the case of mineral sites south of Egham these have not been specifically modelled. This is partly because gravel extraction at these sites is not yet committed development and partly because lorry movements associated with such sites tend to be spread across the working day. Consequently vehicle movements related to these development sites are unlikely to have a significant effect either on traffic flows in peak periods or at pinch-points on the highway network.
- 3.8 Six scenarios were developed to assess the existing highway network, with and without Airtrack, and also proposed changes to the highway in an attempt to mitigate its impact; this included a potential underpass and associated traffic calming. The scenarios were modelled for the forecast years 2016 and 2031.

- 3.9 The modelling work undertaken suggests that the replacement of Vicarage Road level crossing with an underpass and associated traffic calming, will not significantly reduce delays to traffic needing to cross the railway line in the Egham and Egham Hythe areas. The reasons for this are as follows:
- (i) The intention of the underpass would be to provide an unhindered route across the railway line for people who live and/or work locally. It is not possible to physically provide an underpass without associated traffic calming, along Vicarage Road, which restricts the number of vehicles that use this route,
  - (ii) When the underpass was modelled without the traffic calming in place (even though this is not acceptable on road safety grounds) the modelling showed an increase in vehicles were attracted to B388 Vicarage Road, that previously travelled via A320 Chertsey Lane. The aim of the underpass should not be to attract longer distance trips from higher classified roads, such as this or the A30, particularly as these routes are unaffected by the railway line,
  - (iii) The modelling shows that there would not be an economic benefit, which could be used to justify the compulsory purchase of a number of residential properties required to construct the underpass. It is unlikely that orders would be confirmed to purchase these properties in light of the economic case to date,
  - (iv) Traffic from the adjacent level crossings (Thorpe Road or Station Road) is not being drawn to the underpass.
- 3.10 As regards point (iv) observed roadside interview data, shows that the majority of vehicles, which cross Thorpe Road, Vicarage Road and Station Road level crossings are local, e.g. nearly 60% of trips that cross Thorpe Road level crossing are less than 3 miles (5km) in length. Consequently, for short trip distances, vehicles are not diverting away from their most direct route to travel via the underpass and avoid a level crossing. The cost (or journey time) of doing so remains greater than the existing route. This is also hindered by the fact that Egham is surrounded to the north by major junctions and the area is congested, not just at the level crossings. As such diversion for short distance trips is not predicted to occur.
- 3.11 Those vehicles that travel 3 miles via Thorpe Road to reach their destination in Staines will still travel via Thorpe Road level crossing and not Vicarage Road underpass because the shortest route in distance still remains that with the least cost (and journey time). For example, the traffic surveys on Thorpe Road (northbound), shows a concentration of origins in the Egham Hythe, and Pooley Green and Thorpe Lea areas with a concentration of destinations in the Staines area. The distance between Egham Hythe and Staines via Thorpe Road is less than 1.3 miles (2kms), but the distance for the same journey made via Vicarage Road level crossing / underpass is 2.8 miles (5km) and involves negotiating additional congestion on the network. Therefore, significant increased delay would need to be encountered before it would be worth trips diverting.

- 3.12 An initial economic assessment has been undertaken taking into account the results of the modelling process. Department for Transport rules require that the underpass needs to have benefits that exceed its circa £25 million costs. The analysis has shown that the scheme has disbenefits beyond the cost of the scheme and the considered view is that the case for an underpass scheme at Vicarage Road could not be sustained at the Transport and Works Order Act Public Inquiry.
- 3.13 A further important factor to consider is the scheme would require the compulsory purchase of a number of properties, which is likely to lead to its own public inquiry. It is usual for a scheme to demonstrate a positive economic benefit to achieve a successful compulsory purchase order at public inquiry.
- 3.14 Level crossing downtimes could be improved though new technology to improve the existing and future signalling operation of the level crossings. This issue has been raised by BAA with Network Rail for further investigation. The County Council would also impress upon Network Rail the need for signal upgrades in the Egham area, if possible, to improve level crossing downtimes. We will continue to work with Network Rail, the train operating companies and BAA on the fine detail of the timetables and the signalling arrangements
- 3.15 In summary the assessment indicates that a single underpass situated here is not considered the appropriate solution to the problem caused by the Airtrack scheme. To address the County's concerns in relation to level crossing downtimes and inform the mitigation package an assessment has been undertaken as to the number of vehicle trips that would need to be abstracted from the highway network to return vehicle delay to a pre-Airtrack scenario.

#### **4 OBJECTIONS AND PACKAGE OF WORKS**

- 4.1 This section of the report sets out the broad details of the proposed mitigation package and the objections addressed. The following section of this report then sets out those objections not covered by the package. A response to the comments previously made by the Runnymede Local Committee is shown in Annex A.
- 4.2 The County Council's objections are listed below:
- |                                   |   |
|-----------------------------------|---|
| (i) Timetable                     | (xi) Cycle parking, Spelthorne                  |
| (ii) Regulation 19 / Rule 17      | (xii) Parking, Spelthorne                       |
| (iii) Air quality                 | (xiii) Traffic impacts, Spelthorne              |
| (iv) Bridleway, Spelthorne        | (xiv) Car Park Impacts, Spelthorne              |
| (v) Rights of Way, Spelthorne     | (xv) Overhead rail line, Spelthorne             |
| (vi) Cycle routes, Spelthorne     | (xvi) Air quality, Spelthorne                   |
| (vii) Ecology, Spelthorne         | (xvii) Runnymede level crossings                |
| (viii) Landscaping, Spelthorne    | (xviii) Station stopping service (Ascot)        |
| (ix) Waste management, Spelthorne | (xix) Station stopping service (Virginia Water) |
| (x) Staines Station, Spelthorne   | (xx) Hithermoor Landfill Site Issue             |



4.3 The proposed package is listed below, followed by a commentary as to the objections each element addresses. The details of the package are to be developed in conjunction with BAA/HAL and will need to demonstrate that they are technically justified and meet the statutory planning tests (under UK planning law we can only require developers to provide mitigation for the additional impacts they cause).

- (a) Improve Runnymede Roundabout
- (b) Improve The Avenue/High Street/Vicarage Road junction
- (c) Carbon Reduction and Environmental (SSSI & Rights of Way)
- (d) Bus journey time improvements in the Egham and Staines areas
- (e) Cycle parking at all Surrey Airtrack Stations
- (f) Controlled parking zone around Chertsey and Staines Stations (if required).
- (g) Rusham level crossing - traffic management measures
- (h) Bus journey time improvements near to Addlestone level crossing

**(a) Improve Runnymede Roundabout**

There is significant congestion at this location that affects traffic movements in the area including traffic passing through the level crossings as this busy junction is situated within ½ mile of the Vicarage Road level crossing. It is important to note that 40% of all traffic using the level crossings use Runnymede roundabout in the same journey.

Reducing delay could compensate for the increased delay across the area at the level crossings once Airtrack is operating and mitigate the potential delays to traffic passing through this junction. Improving this junction could maintain journey times and balance the impact of the increase in level crossing downtime.

The proposal includes improvements to increase capacity by providing additional traffic lanes, improving traffic signal control, providing better pedestrian and cyclist facilities and improving road safety.

**Addresses Objection(s)**

Runnymede level crossings (objection ref xvii)

**(b) Improve the Avenue/High Street/Vicarage Road**

This junction is close to Runnymede Roundabout and the Vicarage Road level crossing and impacts on journey time and the ability to clear queuing vehicles. When the crossing opens queuing traffic from the level crossing is released (known as platooning) and often causes congestion, which restricts traffic movements at other junctions in the area. Airtrack will increase the downtime and therefore will increase the amount of platooning traffic exacerbating the problem. Improving and regulating traffic movements by measures such as traffic signals is anticipated to reduce this problem and is currently being investigated.

**Addresses Objection(s)**

Runnymede level crossings (objection ref xvii)

**(c) Carbon Reduction and Environmental Measures**

This element of this package includes walking and cycling improvements (including potentially footbridges) in the vicinity of the level crossings and travel planning measures. 60% of journeys across the level crossings are less than 5 km in length and improvements for pedestrians and cyclists could provide alternatives to some car journeys. Government Policy is such that trips of this distance should be considered by non-car modes and would be a consideration for the inspector at a Public Inquiry.

The measures would consider desire lines and barriers to movement and areas where there are safety concerns. An example would be to improve pedestrian and cycle links across the level crossings potentially via footbridges to key facilities such as local schools. These improvements seek to address traffic congestion by reducing certain car journeys and provide capacity for journeys that have to be made by car in the Egham and Staines area to mitigate the impact of Airtrack.

**Site of Special Scientific Interest and Ecology within Staines Moor**

This package addresses the issues with the SSSI within Staines Moor, and would be achieved either by purchasing additional compensation land (sites have been identified) or by improving Staines Moor through more intensive management. This will mitigate the negative impact on the SSSI created by the construction of the Airtrack railway through Staines Moor.

**Rights of Way**

This package also deals with the rights of way in the area by stopping up the redundant stub ends of rights of way stopped up by the Transport and Works Order Act that cross the new railway line.

**Addresses Objection(s)**

Ecology, Spelthorne (objection ref vii)

Rights of Way, Spelthorne (objection ref v)

Runnymede level crossings (objection ref xvii)

**(d) Bus journey time improvements – Egham and Staines**

There are a number of bus services that have to cross two level crossings which serve an area of social deprivation to the south of the Egham and Staines. Without bus journey time improvements being included in the package the bus companies consider that these services may need to be re-routed with the level of delay created by the increased downtimes with the effect that the bus services will no longer serve the areas south of the level crossings.

Bus journey time improvements would mitigate the potential delays to bus routes with an origin/destination in Egham. Potential improvements are being discussed with the bus operators to mitigate the impacts of Airtrack on bus journey times. These could include measures to provide priority for buses at traffic signals and addressing pinch points in the road network e.g. where parked vehicles or restricted junctions impede bus flow.

**Addresses Objection(s)**

Runnymede level crossings (objection ref xvii)

**(e) Improve cycle parking at all Surrey Airtrack Stations.**

Airtrack will increase patronage at all of these stations, including Chertsey station. Whilst this is welcomed, there will be a propensity for these additional rail users to park and ride or be dropped off by car.

Increased cycle parking at stations can provide facilities for all users (existing and Airtrack related) to bring the level of increased trips back to at the existing level and mitigate the impact of Airtrack. Increased cycle parking has been shown in other parts of Surrey to encourage cycle use thus leading to a reduction in car journeys to rail stations. This will benefit all rail passengers not only those using the Airtrack service.

**Addresses Objection(s)**

Cycle parking, Spelthorne (objection ref xi)

**(f) Controlled Parking around Chertsey and Staines Stations.**

This element of the package is to fund the implementation of controlled parking zones around Chertsey and Staines Stations. Airtrack will increase patronage at all of these stations. Whilst this is welcomed, there will be a propensity for these additional rail users to park on adjacent roads where there is not controlled parking. This could affect the amenity of residents and could result in road safety issues. If the controlled parking zones are provided this mitigation could address satisfactorily the issue of Airtrack related traffic.

As a result this element of the mitigation has been included to address this situation should the problem arise following the implementation of Airtrack. If a problem does arise the funding will allow a consultation to be undertaken with Chertsey residents and the funding will be available to implement measures arising from this consultation.

**Addresses Objection(s)**

Parking, Spelthorne (objection ref xii)

Air quality, Spelthorne (objection ref xvi)

**(g) Rusham level crossing – Traffic management measures**

The existing level crossing barrier at this location is an automated half barrier with a corresponding minimum downtime when compared to the manual operation at the other three level crossings. Any significant increased traffic movements over this crossing may result in the method of operation being changed to manual control, which is likely to result in a detrimental change in the operation of other level crossings in the area. This would be due to human factors in controlling an additional crossing, which is some distance away from the other three crossings.

As such the package could include safety improvements along approach roads to this level crossing. The approach roads are narrow and not designed to cater for additional traffic movements and there are already personal injury accidents on the approach roads.

**Addresses Objection(s)**

Runnymede level crossings (objection ref xvii)

### **(h) Bus journey time improvements - Addlestone level crossing.**

There are bus services that have to cross this level crossing. The improvements would include measures to provide priority for buses at traffic signals and addressing pinch points in the road network in order to compensate for potential delays to bus services using the Addlestone level crossing.

#### ***Addresses Objection(s)***

Runnymede level crossings (objection ref xvii)

## **5 REMAINING OBJECTIONS NOT COVERED BY THE PACKAGE**

5.1 The following objections are considered at this stage not to be covered by the proposed package of works. The objections have been set out under the following categories:

- 1 Objections that are unlikely to be sustained at a Public Inquiry
- 2 Objections that are best pursued by other organisations
- 3 Objections that can be addressed by planning conditions or planning obligations

5.2 The objection related to **Regulation 19 / Rule 17** (objection ref ii) is considered to fall outside the above three categories. The County Council's objection relates to a request that the Secretary of State issue a formal Regulation 19 request for the additional information prior to determining the Transport and Works Order Act application. Irrespective of this objection Surrey County Council could send a letter to Secretary of State if considered by officers to be necessary prior to the public inquiry, to request that the Secretary of State direct the applicant to supply additional information that is required to be provided within the Environmental Statement.

### **5.3 Objections that are unlikely to be sustained at a Public Inquiry**

#### ***5.3.1 Timetable (objection i)***

The County Council's objection is related to seeking assurance that the new airport services can be accommodated on the existing network without reducing existing services or the capacity of the rail network to allow for future growth in rail travel. This issue relates to the final resolution of the new timetable and additional platform capacity, for example at Waterloo.

These matters cannot satisfactorily be addressed by the Transport and Works Order Act objected to and is outside its scope, although levels of assurance may be sought from the Promoters of the scheme. It is also outside the County's statutory remit to pursue this objection. As such it is unlikely that this objection could be sustained at a Public Inquiry.

### **5.3.2 *Bridleway (objection iv) and Cycle routes, Spelthorne (objection vi)***

This is related to establishing a mutually acceptable solution to Bridleway 50 and Cycle Route T5, which has minimal impact on Staines Moor ahead of any Public Inquiry. In discussions with BAA an alternative route has been identified, which might be more attractive for horse riders and cyclists. However, BAA does not want to pursue this option as it is not part of the Transport and Works Order Act and no consultation has been undertaken on the alternative route. As such BAA have stated they would be prepared to defend their proposed route at Inquiry. Their view, backed up by survey evidence, is that the route is lightly used.

It is considered that there is little chance of this objection being successful at Inquiry. Accordingly, the objection could be withdrawn.

### **5.3.3 *Air quality (objection iii)***

It is recommended that this general objection should be withdrawn on the basis that it would be difficult to justify an objection relating to air quality impacts across Surrey. Localised air quality concerns at Staines are included in a separate objection (xvi) and are dealt with separately.

### **5.3.4 *Staines Station, Spelthorne (objection x)***

BAA have confirmed that the number of people that would use the proposed station would not justify the cost and there is not a business case for a new station. In addition BAA ran a consultation exercise on the scheme as a whole and did not receive support on the High Street Station. The Council can continue to object but as the station is not proposed as part of the Transport and Works Order Act the advice officers have to date is that this objection is unlikely to be upheld at the Public Inquiry.

## **5.4 Objections that are best pursued by other organisations**

### **5.4.1 *Hithermoor Landfill Site Issue (xx)***

On the current evidence the County's statutory remit to pursue this objection is somewhat tenuous. The reason for this is that Surrey County Council in its capacity as waste authority do not have a "locus standii" (or sufficient interest in the matter to which the application relates) to maintain this objection.

On the basis of the information contained in the Environmental Statement it is recommended that the County Council should remove its objection. Spelthorne Borough Council are, however, objecting in relation to Hithermoor.

## **5.5**

## **Objections that can be covered by Planning or Other conditions**

### **5.5.1 Waste management, Spelthorne (objection ix)**

The scheme will give rise to a substantial quantity of waste material and the County Council is concerned to ensure that there is reasonable control through the application of a planning condition such that any waste produced is dealt with to the satisfaction of the Environment Agency through the prior production and approval of a Site Waste Management Plan. The Environment Agency has confirmed that they have been in discussion with the applicants and that this issue may be dealt with by the submission of further details. The Environment Agency is the primary regulatory authority responsible for waste management activities, including the transport, treatment, and disposal of waste.

A Site Waste Management Plan should: describe each type of waste expected to be produced in the course of the project; estimate the quantity of each different waste type to be produced and identify the waste management action for each different waste type including re using, recycling, recovery and disposal. All waste must otherwise be dealt with in accordance with the Environmental Protection Act 1990 and the Environmental Protection (Duty of Care Regulations) 1991.

It is recommended that this objection be withdrawn as the Environment Agency has confirmed that a condition should be applied to any permission granted that meets their requirements for site waste management.

### **5.5.2 Traffic impacts (objection xiii) and Car Park Impacts, Spelthorne (objection xiv)**

These objections relate to very similar concerns and have been considered together to better represents the County Council's concerns.

The traffic modelling undertaken has shown that there are no significant traffic issues in Staines town centre post construction. There may be occasions when there is congestion for traffic leaving Staines but the proposed package is investigating options to reduce this occurrence.

There are, however, concerns over the impact of traffic in Staines town centre whilst the construction of the planned railway is being undertaken. BAA has modelled the effects of combining the traffic flows arising from the Elmsleigh car park linked to the Tothill car park with traffic accessing from Thames Street. The results have been presented to both the County and Borough Councils and show that the exit from the car park traffic signal controlled junction, which provides access to Tothill car park from Thames Street, may operate close to capacity during peak periods, but should be able to accommodate the additional flows when the ramp to the Elmsleigh is closed.

BAA have provided further information to verify the input and output data, which is currently being assessed. If verified the Thames Street junction should be able to accommodate the additional car park flows, during the reconfiguration of the ramp, without having a significant impact on the operation of the adjacent highway network.

Notwithstanding this the construction of the scheme would be undertaken in phases under a construction management plan provided as part of a planning condition. This would set out the timing of works and temporary traffic management measures during construction.

#### **5.5.3 Landscaping, Spelthorne (objection viii)**

This objection related to a concern that insufficient landscaping proposals have been submitted in the Transport and Works Act Environmental Statements to address the issue of the Civil Aviation Authority's Safeguarding of Airports in preventing bird strike to aeroplanes.

Following a meeting with BAA in March, the County Council have been assured that the landscaping and ecological proposals could be achieved without conflict with the Safeguarding Policy. The landscaping proposals will be subject to a condition that will be discharged Spelthorne Borough Council.

#### **5.5.4 Air quality, Spelthorne (objection xvi)**

Air quality in this objection is related to the potential traffic issues during construction. The contractor for the works would have conditions within the construction contract to ameliorate these effects, which are usually monitored by the local Environmental Health officers during construction. In addition the construction of the scheme would be undertaken in phases under a construction management plan.

#### **5.5.5 Overhead rail line, Spelthorne (objection xv)**

This objection was to ensure that BAA should fully demonstrate that the shortest possible and practical length of overhead electric lines on Stanwell Moor be agreed subject to BAA providing full technical information of the change over process.

BAA have been advised by Network Rail as to the appropriate transition length for the changeover from third rail to overhead electrification and do not wish to incur the cost of constructing an unnecessarily long transition. Consequently the transition length will be as short as reasonably practicable and the recommendation will be to withdraw the objection.

#### **5.5.6 Station stopping service - Ascot (objection xviii), Virginia Water (objection xix)**

The Transport and Works Order Act process cannot specify which stations will be served or which timetable will operate. Accordingly, there is no basis for maintaining an objection about Ascot or Virginia Water stations. Officers will continue to work with BAA and the rail operators concerning the timetable as a whole to ensure that Surrey is well served by Airtrack.

## 6 OPTIONS

- 6.1 In respect of recommendation (i) of this report (*“give its comments to Cabinet and Council on whether the package being offered by BAA should be accepted. These views will form the basis of the report to Cabinet in November and Council in December”*) The following options are open to the Committee:
- (i) Confirm support for the process of agreeing or finalising the package as set out in the report,
  - (ii) Provide comments or additional suggestions for the package as set out in the report for consideration by Cabinet at its meeting on 30 November.
- 6.2 The Local Committee may alternatively wish to consider giving its views to cabinet and council on whether it considers that sufficient progress has been made for the County’s objections to be withdrawn and the proposed package to be agreed to. If the Cabinet and Council decided not to agree to the proposed package and maintained the County’s objections, the County’s objections may be pursued to public inquiry
- 6.3 The Local Committee is also asked for its views on the comments previously agreed by this Committee in relation to the Heathrow Airtrack scheme following consideration of the updated information in **Annex A** of this report.

## 7 CONSULTATIONS

- 7.1 Reports on the Airtrack scheme have previously been taken to the Local Committee (Runnymede), including at its meetings on 2 October 2009 and 28 January 2010.
- 7.2 The Local Committees in the west of the County and the Transportation and Environment and Economy Select Committees are being consulted on the proposed mitigation package in order that comments can be reported to the Cabinet at its meeting on 30 November and Council on 14 December 2010.

## 8 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 8.1 The scheme could bring economic benefits to Surrey as set out in the reports to Cabinet (29 September 2009) and County Council (15 December 2009). The scheme could offer an improved service to airport employees to travel to work sustainably. It may also promote Surrey as a location for businesses by providing direct rail access to Heathrow.
- 8.2 An offer has been received from BAA, which in broad terms offers funding in excess of £11 million, to develop and to deliver the package. The details of the exact terms will be the subject of a detailed legal agreement, (yet to be finalised) but will provide for flexibility in delivery of the package elements.



8.3 Legal advice recommends that officers evaluate the technical evidence and on the basis of this record technical agreement thereafter in a Statement of Common Ground leading to an enforceable agreement.

8.4 The value of the package is based on current estimates. The package would be developed and delivered on a phased basis to ensure that the cost of the works do not exceed the funding provided by BAA as the County Council will not be funding the package.

## **9 EQUALITIES AND DIVERSITY IMPLICATIONS**

9.1 In general terms, improving rail services has positive equalities and diversity implications because it improves mobility for people without access to a car and in addition would improve leisure and work opportunities.

## **10 CRIME AND DISORDER IMPLICATIONS**

10.1 To minimise impacts to response times it is understood that emergency services could provide and route vehicles either side of the crossings to avoid the need to pass over the crossings.

10.2 In addition it is understood Network Rail has a procedure in place whereby the emergency services can contact them if they are aware of one of their vehicles heading in the direction of a particular crossing. In this instance level crossing signallers would be able to halt trains and raise the barriers to allow emergency services to cross the level crossings.

## **11 CONCLUSION AND REASONS FOR RECOMMENDATIONS**

11.1 The submission of the Transport and Works Order Act application and subsequent addendums has enabled the County Council to make a formal response based on the information provided.

11.2 The County Council has traditionally supported the concept of this scheme, but are concerned about the effect that the scheme may have, particularly on level crossings in the area. Accordingly, the County Council submitted a formal objection to the scheme, citing 20 separate grounds. A Public Inquiry into the scheme is expected to take place in Spring 2011.

11.3 The County Council have been working intensively with the scheme promoters to understand fully the impact of the Scheme and to develop a package of mitigation measures, which might address these concerns. The County Council now needs to decide if sufficient progress has been made to allow the objections to be withdrawn, or if the objections should be maintained at the Public Inquiry.

**12 WHAT HAPPENS NEXT**

- 12.1 The Local Committee's comments will be reported to Cabinet at its meeting on 30 November 2010 and Council on 14 December 2010. In light of the comments received Cabinet and Council will consider the acceptability of the proposed package.
- 12.2 If the mitigation package is considered acceptable the package will be developed with the aim to reaching agreement with the promoters of Airtrack. The County's objections will then be withdrawn.
- 12.3 If the mitigation package is not considered acceptable officers will continue to negotiate with the promoters of the scheme. If the objections are not withdrawn the County Council will prepare for the Public Inquiry.

**LEAD OFFICER:** Iain Reeve  
Assistant Director, Strategy, Transport and Planning

**TELEPHONE NUMBER:** 020 8541 9375

**E-MAIL:** iain.reeve@surreycc.gov.uk

**CONTACT OFFICER:** Lyndon Mendes  
Team Manager Transport Policy and Projects

**TELEPHONE NUMBER:** 020 8541 9393

**E-MAIL:** lyndon.mendes@surreycc.gov.uk

**BACKGROUND PAPERS:** Heathrow Airtrack Transport and Works Act Cabinet Report 29 September 2009,  
Council Report 15 December 2009  
Pooley Green Underpass Modelling Report

## ANNEX A – Responses from Runnymede Local Committee (28 January 2010) following objection to the Airtrack Transport and Works Order Act

The table below sets out the comments previously made by the Committee with an officer response:

Comments	Officer Comment
<p>Given BAA's environmental impact study noting a significant impact on traffic movement in the area it was vital that Surrey County Council should press for the costs of an underpass as mitigation.</p> <p>The County Council's current position was that this must be resolved before withdrawing the objection. As such the recommendation on Runnymede level crossings (xvii) referring to a mitigation package should be strengthened.</p>	<p>A detailed assessment of an underpass at Vicarage Road has been undertaken both in engineering and traffic/economic terms. This assessment has shown that a single underpass at this location is not considered the appropriate solution to the problem (see section 3 of this report).</p> <p>To address the County's concerns in relation to level crossing downtimes an assessment has been undertaken as to the number of vehicle trips that would need to be abstracted from the highway network to return vehicle delay to a pre-Airtrack scenario. This level of vehicle abstraction is being used to assess the proposed mitigation package.</p>
<p>That the evidence to the Inquiry and in negotiations at the implementation phase of services should include a reference to movement of freight trains as these do not run to fixed timetables like passenger services.</p>	<p><b>Clarification:</b> This should state freight trains do run to fixed timetables but are not published like passenger services as they don't have station stops and may not run if there is no freight being delivered.</p>
<p>In addition that the Station stopping service objection point should not be lost when the secondary stage of franchise operation was reached and the actual train timetable consulted upon by the train operators and Rail Regulator.</p>	<p>Advice received on this issue is that this is not an issue for the Transport and Works Order Act and as such the County could not sustain this objection at a Public Inquiry.</p>
<p>Objection (xvii) it should be noted that the impact on level crossings included Station Road Addlestone as well as Station Road Egham and that this be highlighted at the evidence stage of the Inquiry.</p>	<p>The proposed mitigation package is to consider bus priority measures across the Addlestone level crossing. The improvements would include measures to provide priority for buses at traffic signals and addressing pinch points in the road network in order to compensate for potential delays to bus services using the Addlestone level crossing.</p>