

National Highways  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6HA

20 December 2021

By email: [a358tauntontosouthfields@highwaysengland.co.uk](mailto:a358tauntontosouthfields@highwaysengland.co.uk)

CC: PINS & SCC, SWT, SSDC

FAO: Ms K Liddington

**Statutory Consultation on the dualling of the A358, Southfields to the M5:  
Report into the deficiencies of consultation prepared by the Community of Parishes.**

The Group representing 14 parish councils and Ilminster Town Council (the Community of Parishes) is submitting this report as it believes that the statutory consultation on the A358 Taunton to Southfields Dualling Scheme conducted by National Highways (NH) in 2021 did not meet acceptable standards for public consultation and is therefore an inadequate basis for considering the reactions of local communities to the proposed scheme. There were serious accessibility issues, as well as numerous errors and misleading statements contained within the documentation. The Community of Parishes (COP) also believes that the presentation of the proposed scheme misrepresented the true nature of the development and thus its impact on the local area.

**1. Consultation Duration**

Well before the start of the consultation COP tried to engage with National Highways over various aspects of the forthcoming consultation.

As early as 6 July, at a meeting in person, NH stated that it was only obliged to run the consultation for only 28 days, which COP said would be totally inadequate to give people sufficient time to read all the materials and come to an informed opinion. In an email to yourselves on 13 August COP emphasised that a much longer period would be more appropriate and that it was 'in your gift to defer deadlines'.

It is telling that when COP sent NH a 6-page document about various concerns it had with the scheme, you took over 9 weeks to respond. Yet when NH wanted responses from the community on an issue of great complexity you were not prepared to give parish councils sufficient time to ensure that as many people as possible were able to have their say. On issues of this scale and complexity most parishioners leave it to the Parish Council to represent their views, although Councils don't do that in isolation and need adequate time to canvass and consider villagers' views and provide feedback.

The length of time offered for consultation responses failed to take account of parish councillors' personal commitments and the conjunction with other important parish business unrelated to the NH proposals. For these reasons, reading/analysis time was likely to be in short supply. Parish Councils also wished to co-ordinate responses to the Consultation to reflect their overlapping concerns. This

involved detailed discussions, joint meetings and the iteration of a text which reflected a Community of Parishes response. This all takes time and as a result the 6-week consultancy period was unreasonably short.

## **2. Designing the consultation**

As a group representing a significant number of parishes covering a reasonably large population, COP was expecting that NH would have seen the advantage in engaging with us about how the consultation would be run and how we might help with that process. However, neither NH nor Somerset County Council (SCC) showed any interest in involving us. Indeed, when COP asked NH and SCC if it could contribute to the Statement of Community Consultation (SoCC) to contribute to the discussion about the length of the consultation and how it would be run, it was told that its length had already been set at 6 weeks. No rationale for this unilateral decision was given except that it exceeded the minimum 28 days required. We were also told that NH could not legally give COP the start date of the consultation. We can find no credible evidence to back up this assertion; COP believes that prior consultation was a matter for the exercise of discretion on NH's part, not one of legal embargo.

Whilst COP appreciates that Parish Councils are not statutory consultees, we fail to understand how either NH or SCC could have chosen to ignore our views given their knowledge of our strong interest in this development. COP does not believe that the best interests of our communities were served by the actions of SCC or NH and that, as a result, the subsequent consultation process was far from satisfactory and prejudiced the ability of our local communities to contribute their views. As explained below, the approach in respect of the A358 was inexplicably different from that adopted elsewhere by NH.

## **3. The Start Date**

Parish Councils repeatedly asked for the start date of the consultation to enable them to prepare to properly engage with their local communities. However, they were only ever told that it would take place in the autumn.

Eventually, at a meeting on Thursday 7 October 2021, we were advised that the consultation would start on 12 October. This gave stakeholders only 2 working days' notice. Despite our repeated requests for advance notice, we were ignored, despite the clear advantages to consultees having earlier notice.

The approach adopted for the A358 dualling is at odds with the statutory consultation due to be held for the A27 Arundel Bypass. The consultation date for that scheme was advised 2 months in advance of the date of 11 January 2022, undermining NH's claim that you could not give us advance notice for legal reasons. Furthermore, the consultation duration will be 8 weeks. Indeed, the recent Lower Thames Crossing consultation was also run for 8 weeks. COP is unable to discern any difference between the shorter A27 Arundel Bypass scheme and the A358 dualling consultation requirements that would explain the less helpful and engaged approach adopted in Somerset.

## **4. Consultation timing**

Part of the NH consultation was run during a time that involved half term for schools. Therefore, many households would have had more constraints on their time as well as possibly taking a holiday during that period.

For rural villages, the village hall is a hub and focus for numerous events, so its calendar is often booked up weeks in advance. Particularly in the run up to Christmas, halls had block bookings for pantomime

rehearsals and other festive events, so parishes were left with few options for holding village meetings to consider the proposals.

It is regrettable that in planning its consultation, NH also failed to take sufficient account of the impact to be expected by the Covid pandemic. As it happened, the West Country experienced the greatest surge in Covid cases in England in the run up to, and during, the consultation. In fact, there is at least one instance of the cancellation of a meeting due to your team contracting Covid. Furthermore, we understand that the senior project manager was absent for at least half of the consultation due to contracting Covid. The existence of, and the increase in, the Covid pandemic should have influenced NH's calculations about how to consult and for how long.

## **5. Excluding nature of the consultation**

In the SoCC it states:

*7.1 Our consultation will be focused on digital engagement and consultation tools. This is to ensure the consultation can go ahead and is not affected by any potential future restrictions and government health guidance relating to COVID-19. As such, in addition to making consultation information available online, we will be hosting events online and using a virtual exhibition during the consultation period where members of the project will be available at specific times to discuss the proposals.*

COP accepts that the Covid pandemic meant that there would be more focus on digital and remote means to communicate with the target communities. However, given that a large proportion of the rural community have poor digital connectivity, poor digital awareness, or both, greater thought should have been given to how to reach out to potentially excluded groups, including by holding more local meetings.

During the consultation, COP requested confirmation of the last postmark for postal responses that you would accept, as it was not stated anywhere within the consultation materials. The response from NH on 18 November was:

*We would urge you to post any hard copy responses as soon as possible to give the best chance of them reaching us on or before Monday 22 November 2021. We acknowledge that the postal system can be unpredictable so if you are concerned they may not reach us in time, please feel free to email me once they have been posted, so we can confirm they will be accepted.*

*Unfortunately, letters may not be postmarked on the day of/day after posting so we cannot commit to a particular postmark date to accept responses.*

This insistence by NH that responses had to be received before the end of the consultation period at 11.59pm on 22 November further shortened the already narrow consultation window and put those who were not so computer literate at a significant disadvantage. Furthermore, if people had to email to advise NH of posting, it makes no sense that they would use normal post. NH kept telling parishes that ours was a rural area, confirming that there are connectivity issues for people who rely on postal services and conventional modes of communication much more than those in a city environment.

It is worth noting that this consultation did not follow the same criteria as used for the proposed Lower Thames Crossing where posted mail was accepted in September this year so long as it was postmarked no later than the day **AFTER** the closing date. This allowed people to have the same time frame to respond as those using digital means. Additionally, with delays to the postal service due to Covid, you should have made allowances for this.

## **6. Preliminary Environmental Information Report (PEIR)**

COP asked for sight of the PEIR prior to consultation but this was refused. Given that the whole document is in the name of Highways England, not National Highways which was the rebranding from August, COP assumes that the document would have been available well before consultation start.

The Statutory Consultation presented 7 key documents, of which the PEIR is 792 pages long with 36 Appendices and over 150 Figures. The scheme is extremely complicated and the 6-week consultation period was too short to enable all the information to be assimilated. On issues of this scale most parishioners leave it to the Parish Council to represent their views. Besides the task of appraising the scheme documentation, Parish Councils had to draft a response, take steps to inform and engage with parishioners, and redraft until a consensual council position was achieved. Parish Councils were faced with a very significant task to critically review a near 1,000-page complex technical document plus accompanying data within 6 weeks. The voluntary membership of Parish Councils and other stakeholders includes many who have employment and/or other commitments, so reading and analysis time is confined to any free time they might have. In contrast, NH, with a complement of full-time and professionally experienced staff, needed over 9 weeks to respond to a 6-page document from COP. Parish Councils also wished to co-ordinate responses to the Consultation among themselves to reflect their overlapping concerns. This involved detailed discussions, joint meetings and the iteration of a text which reflected a Community of Parishes response. While this was successful, as 13 Parish Councils and Ilminster Town Council agreed a collective response, we believe more Parish Councils would have committed support had we more time to engage with them.

The use of Wards that cover large areas, mostly well away from the scheme, to study Population and Health led to conclusions that were nonsensical. For example, National Highways identified North Curry and Stoke St Gregory, two villages well connected to the A378 and some 3-5 miles from the scheme, as benefiting with a positive health outcome, while ignoring the adverse impact on West Hatch, Hatch Beauchamp, Ashill, Broadway, Ilton and Horton that adjoin the scheme.

Hard copies may well have been available at face-to-face events and deposit points, but it would have been impossible for anyone to trawl through 100s of pages of complex documents at such events. Indeed, if any one was doing so it might prevent access for someone else with Covid restrictions in place. Obviously, deposit points such as libraries have limited opening hours which may not be accessible to working people and the route into Taunton has been undergoing major roadworks and delays since September this year making journeys more arduous.

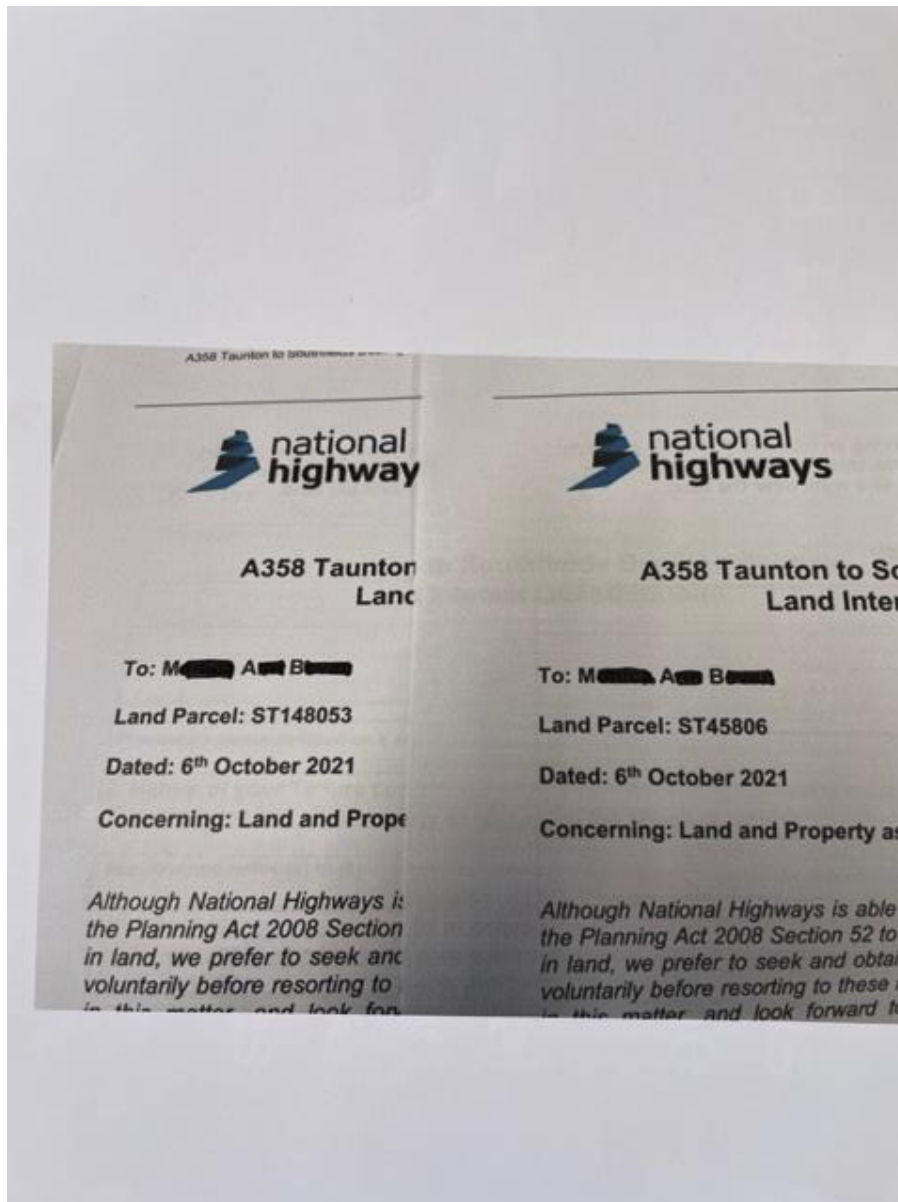
Furthermore, hard copies of the PEIR given to at least one Parish Council were incomplete. This was not established until the in-person event on 3 November several weeks into the consultation.

The first page of the Preliminary Environmental Information Report Non-Technical Summary has a table of contents showing page numbers. The actual pages have not been numbered; so again, making it difficult to navigate.

## **7. Land Interest Questionnaires: LIQs**

It has been reported to us that LIQs sent out caused much confusion and stress, especially to those older members of the community without good internet knowledge or skills. The content of the LIQs was unclear due to the use of technical jargon and the deadline for the return of LIQs was unnecessarily short.

Below is one example of a householder receiving 2 LIQs but for 2 different parcels of land.



There were numerous incidents of householders receiving incorrectly addressed LIQs and also receiving the entire correspondence for their neighbours, albeit addressed to them. Here are a few quotes from various residents:

*Resident 1 - Even though we moved into H G C on the 14th December 2020 and the legal ownership was properly registered with the land registry, all postal mail was addressed to the previous owner and not to A or W G. We only received information from the Parish Council.*

*Resident 2 - The paperwork and survey for this flooding surveys were sent to wrong addresses and indeed I am still not sure they have even surveyed the correct water courses.*

*Resident 3 - Neighbour received forms (addressed to him) with information regarding our land.*

*Resident 4 - We received 14 huge packs (14!) from highways England that were totally confusing and all duplications. None of them related to our property so in order to complete them we had to*

*actually highlight our property with a red pen and say that our property wasn't included. It took me an hour to trawl through them all, they were totally confusing.*

*Resident 5 - David and I received eight separate identical property ownership questionnaires and packs of information, a couple of them highlighting our property but some including property details that were not ours, but the property down the road! Even though the first time a duplication arrived I sent it back and referred to our previous questionnaires, they paid no attention to this and still sent us 4 more packs! I agree, it was/is an absolute shambles.*

## **8. Traffic Modelling**

The traffic modelling used for the consultation is incorrect as the assumption (confirmed by yourselves during webinar) is that Nexus 25 has full occupancy. Given that on the other side of the roundabout Blackbrook Business Park has empty units plus a development plot of 35,000sq ft it is far from certain that Nexus will ever achieve full occupancy. In fact, within the local councils it is now acknowledged that uptake on Nexus is not going well. The claim that the new route would enable a mile-a-minute travel is misleading, since NH admitted during a webinar on 21 October that this could not be achieved due to traffic having to slow down at both ends of the A358 to negotiate roundabouts, with the certainty of congestion. This misleading information about the traffic associated with the new road may have coloured consultees' views of it and hence their response. Only if they happened to attend the webinar might they have discovered the truth.

A particular issue was the poor confidence level of the analysis as a result of having only limited data, most of which was collected in 2017. It was clear from webinar conversations that the number of variables that determine traffic flow within a rural network exceeds the capacity of the model itself. As the Technical Note states several times that refinement of current modelling is ongoing, and at 1.1.4 states that more information on the traffic impacts of the scheme is not due to be drafted until 2022, it is obvious that considerable detailed information on traffic has not been provided in the Statutory Consultation.

Further traffic related issues that highlight inadequacies include the following:

- a. Traffic flow in Figure 9.1 was banded, but around zero the band covered +/- 250 vehicles. This lack of fidelity highlighted the limited confidence in the model output.
- b. Other criteria beyond congestion should have been included when considering how the impact of increased traffic on communities and other road users are measured and adverse impacts mitigated.
- c. A statement is made (9.1.3) to the effect that an assessment is being undertaken to determine whether these routes are of a suitable standard to accommodate additional traffic, but details of this assessment were not provided.
- d. No information was provided on the interaction of vehicles to safely pass one another on narrow lanes and within villages. Nor was information provided on whether there are other traffic management measures which are necessary to reduce the potential for adverse impacts to all users (including pedestrians, cyclists and equestrians) which the additional traffic will be associated with, including reduced sense of safety associated with more interactions with traffic.
- e. The Technical Traffic Note provided no information on how impacts will be robustly assessed, taking into account the proposed stopping up of roads and subsequent redistribution of traffic on the local roads, to ensure solutions are developed on the basis of evidence.
- f. The results of the traffic model are yet to be fully provided and will probably conclude the need for mitigation works to the local road network outside of the current footprint of the scheme. Information regarding potential locations for mitigation works should have been provided.

## **9. Consultation Documents**

COP has evidence that when people requested hard copy documents there was significant delay in those being received. There are instances of letters being dated 11 October but not being received until 27 October, over two weeks into the consultation. Advance notice of the consultation would have allowed NH to have taken orders for consultation materials ahead of the start to allow them to be shipped to arrive at the start of the consultation.

There was a lack of attention to detail as demonstrated throughout the document with constant references to Highways England instead of National Highways and cover sheets to PEIR hard copies were labelled PIER.

Some information was not easily accessible e.g. elevation information of flyovers necessitated trawling through pages of documents plus photo montages were non-existent.

*Resident 6 - We also felt that the information we received via post was very unclear for the average lay person to understand and would potentially put people off trying to get their point across. We have been asked by neighbours around us to explain bits or help them find the relevant documents so it wasn't just us.*

*There were no landmarks to help see where it actually was. It wasn't clear what was the current route and what was the proposed route.*

*Resident 7 - The maps and consultation booklet are faulty as they show stocks lane floods in two places when it floods in three.*

*Resident 8 - The maps did not show elevations etc.*

The complexity of the paper and online questionnaire discouraged responses from individuals. Furthermore, even relatively tech-savvy users found the non-Word format of the questionnaire difficult to use.

## **10. On-line Consultation Documents**

The complexity of the online Questionnaire discouraged responses from individuals. The only alternative was to download a blank Questionnaire in a pdf format, which is not usable in most text editors. NH should have provided a blank Questionnaire in Word format, which is in common usage with many text editors.

Moreover, the questions posed in the questionnaire reflected the preoccupations of NH and not those already identified by Parishes. This could make it difficult for Parishes to choose a level of agreement or disagreement with a particular question. For instance, the failure to refer in Question 4c to Broadway Parish Council's demand that an off-slip road be provided at Broadway Street compromised its ability to choose how to respond.

Similarly, Question 4d asked, in the same ranking format, for a judgement of the changes proposed to Southfields roundabout. However, the relevant explanatory passage in the accompanying booklet provided only a highly summarised account of what was to happen and, unhelpfully, did not provide the graphic which would have enabled consultees to understand better what was proposed. Moreover, at no point in the consultation did NH reveal the key issue, namely that all councils in the area believe the only solution to the congestion that will otherwise occur at this point is to provide a grade-separated junction to ensure a free-flow of long-distance traffic between the A358 (West) and the A303 (East).

These examples of inadequate information compounding the difficulty of answering NH's questions reinforces the earlier point that, in consulting local communities, NH failed to explain the existence of alternatives based on a cheaper and environmentally less damaging, but still safe and strategically consistent design.

A common and significant theme was the poor accessibility to the main accompanying consultation document:

*Resident 9 - We thought it was hard to find the booklet that goes with the consultation especially as this is an easy IT issue to sort.*

*Resident 10 - Couldn't easily find a link to the consultation document on the NH website, even by following their own links!*

*Resident 11 - Couldn't easily find the consultation booklet online – had to email NH to ask for link.*

*Resident 12 - Page numbers referred to in the online questionnaire didn't match those of the online brochure to which the questions explicitly referred.*

The PEIR chapters were available as a download, but to obtain the accompanying data such as viewpoints you had to go to the virtual room. This was not 'signposted'.

It was not obvious that consultees should click on 'list view' within the virtual tour to bring up all the numerous documents. These should have been included in the list at the bottom of the consultation page with the other documents. The haphazard/random nature of this meant that consultees thought they had all the documents on the consultation page and didn't look further.

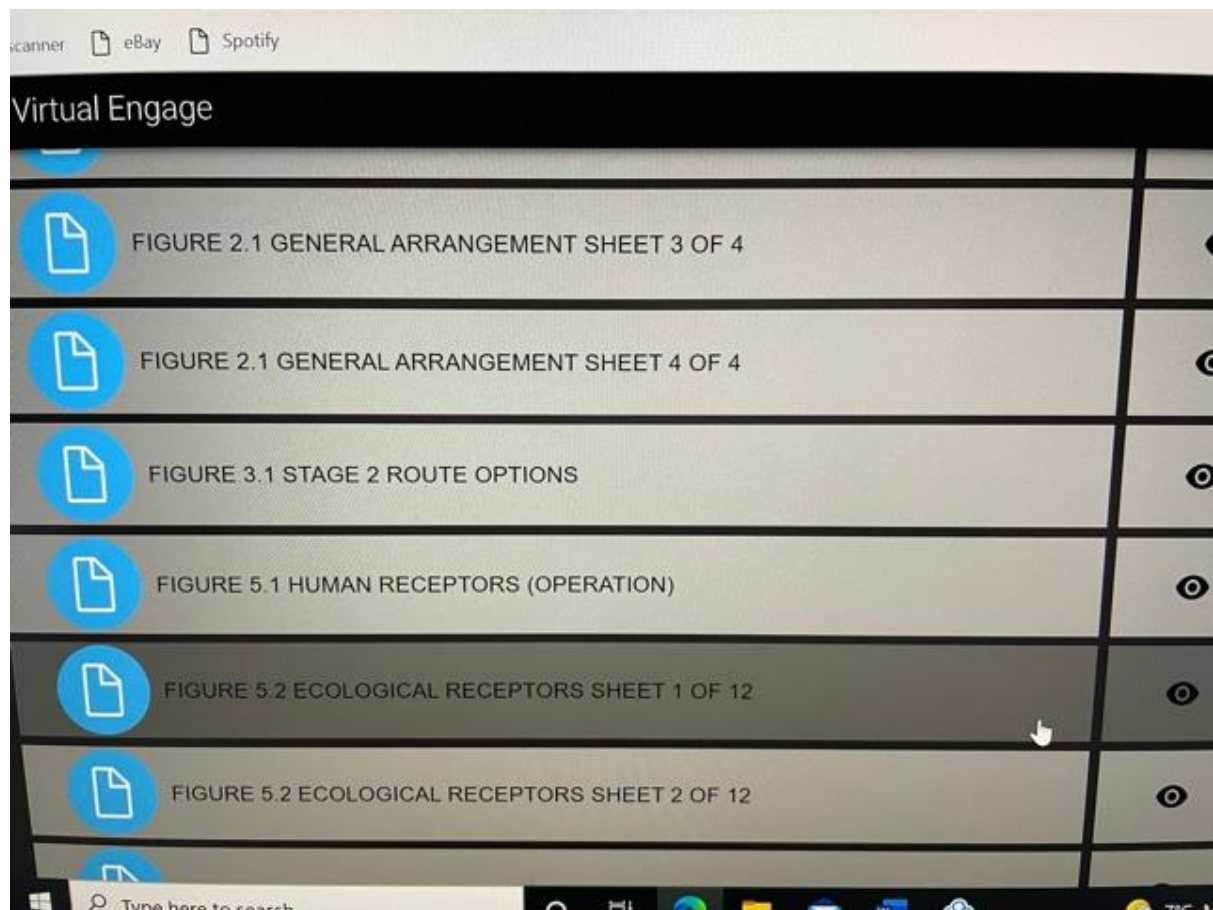
Promised information such as screen shots (in place of photo montages) were not emailed on time with a delay of over a week, further reinforcing the need for a longer consultation period. In any case, screenshots cannot replace properly regulated photomontages which allow proper comparisons along the route and are produced to set standards.

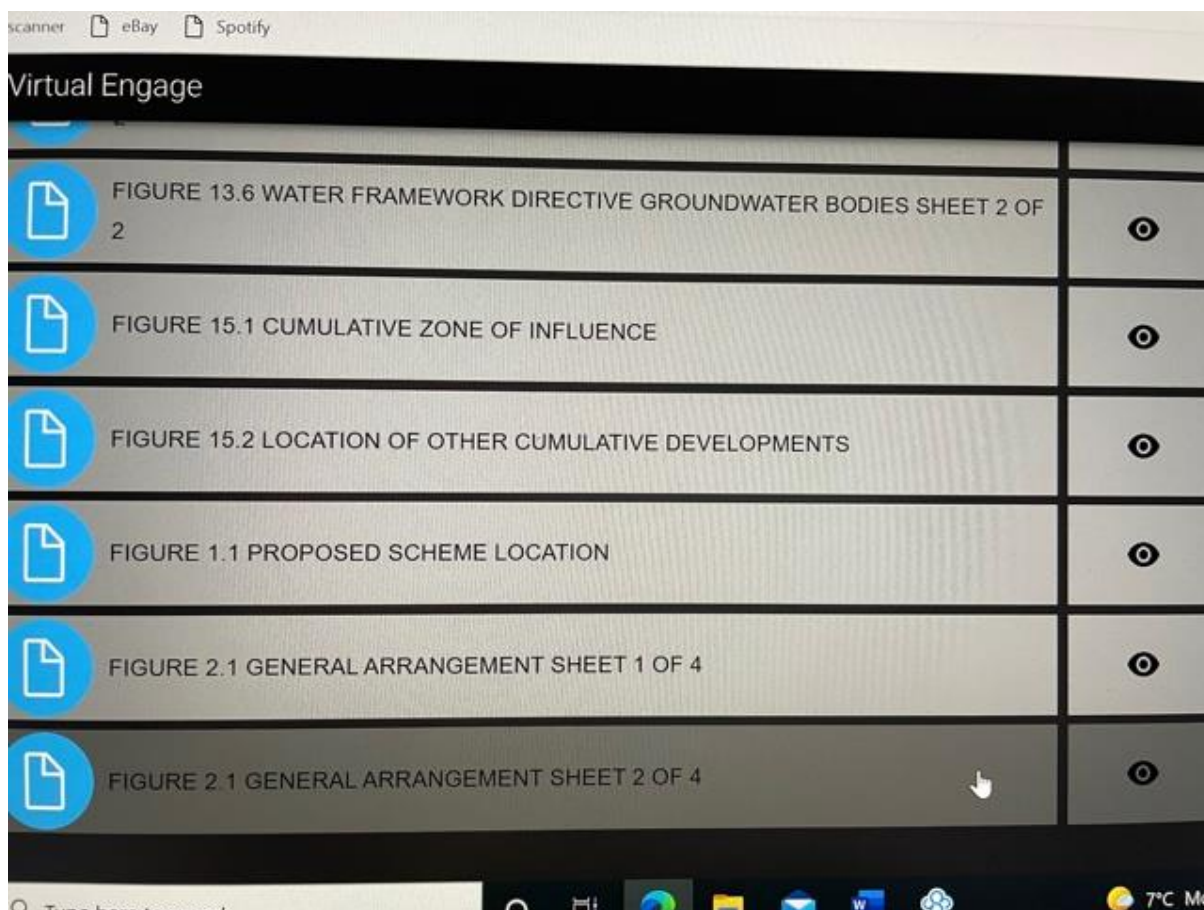
In the virtual room, unlike the face-to-face events, there was only the fly through video of the proposed scheme, a view few will ever see in real life, and not the real world perspectives that people will want to see to understand how the development will impact upon them and their quality of life.

In many instances, people experienced 'crashes' when using the virtual room.

The screen shots below demonstrate the random and haphazard nature of NH's ordering of documents within the virtual room. Why was this not put in numerical order? Not doing so made things difficult for people to find documents.







On trying to save documents from within the virtual room it was not obvious that consultees had to click on the eye symbol – most people are used to clicking on the name or file symbol – and then open it before downloading. Even if one worked this out the system could be temperamental.

### **11. Consultation Webinars and Webchats**

The webinars were pretty much a one-way process as none of the attendees were permitted to speak and could only submit written questions. If those questions were answered, there was no right of reply or ability to follow up with a supplementary question as would have been the case at a public meeting. These webinars were a far less satisfactory and less inclusive forum.

COP understands that there were difficulties joining the webinars and that when people rang the number given by NH for help it went straight through to their main switchboard to be asked if you had broken down! This wasted valuable time and meant some people were unable to join, or were late joining.

*Resident 13 - I had technical issues with one of the webinars (server unresponsive) so I emailed the address provided. I sent my email expecting an immediate response on 21 October, because I needed help right away. I got a reply on 8 November. I missed some of the webinar and that denied me asking some questions. I was sent a link to watch it again and a copy of the slides but that was a long time after.*

The webchat had no save or print facility so no record of the answer to questions could be retained. Offers to send a print via email were often not fulfilled.

## **12. Consultation content**

Many major controversial issues raised by Parish Councils during the 2021 Community Forums were excluded from the Consultation. The word Expressway was not used at all in any consultation material; rather the term 'high quality dual carriageway' was used. This is misleading as this is the same description given to the Sparkford to Ilchester scheme, a standard dual carriageway permitting at-grade left-in, left-out junctions at West Camel and Downhead. Similar junctions have been excluded from the A358 scheme. No evidence was provided that an Expressway is the most appropriate standard to be applied nor any comparison made in terms of performance, cost and environmental impact to the scheme designed to a trunk road design standard. Traffic analysis provided did not present the worst-case scenario of peak holiday traffic thereby obscuring the inability of the scheme to resolve one of its major objectives. The public were also denied the opportunity to assess the Parish Mitigation Proposals as National Highways excluded them from all statutory consultation material, including DCO preparatory documents like the PEIR, and any reference to or detail of the parishes' mitigation proposals.

The consultation provided no detailed information on the impact of the scheme on those communities adjacent to the road. This is a requirement of DMRB GG 104 that arises from statutory legislation (Section 3(1), Health and Safety at Work etc. Act 1974).

At the start of the consultation, there was concern at the large scale of the proposed dualling, showing huge grassed/landscaped central reservations throughout the route. At a webinar on 21 October, NH asserted that such central reservations were standard and could be found along the M5. An attendee disputed that claim, stating that in fact there were concrete blocks separating opposite flowing traffic. You promised to send links pinpointing the locations demonstrating the large landscaped central reservations. After a week NH was chased for the information. Eventually, on 18 November, 28 days after the initial commitment, you eventually responded:

*Firstly, regarding central reservations, we are proposing to install a concrete safety barrier in the central reserve of the dual carriageway as part of our design for the scheme.*

This contradicts what was said during the webinar and more importantly means that the video fly-through, one of NH's major promotional tools for the scheme, was misleading. It is inappropriate and unhelpful to change such a fundamental design feature less than a week before the end of the consultation. The video fly through also showed the scheme with fully matured planting something that will take decades to achieve and so won't be representative of what most people will see in their lifetime.

No equivalent fly-through or representation was provided to show the route during the hours of darkness showing the lighting proposed.

The consultation placed its traffic analysis in a separate document named A358 Technical Traffic Note. From the four Community Forums, NH knew that there was considerable local interest in the impact of the scheme on the local villages, the local rural network and local connectivity to, from and over the proposed route. The latter could be seen via large display boards, but no similar displays were provided for the impact on local villages and local rural network. This made it particularly difficult for villagers to assess the merits of the scheme against the demerits and relate these to their own circumstances.

The information regarding local villages and the local rural network was contained in a poorly presented schematic map, Figure 9.1. The chosen colours – shades of pink and shades of green –

made it very hard to interpret modelled traffic flows. Figure 9.1 covered a large area and no blow-ups were available to zoom in on traffic flows through villages adjacent to the scheme and to identify which would experience the greatest change in traffic. The accompanying text was very generalised and gave no detailed information on known local concerns.

NH did not provide details on proposed speeds and it is worrying that SCC are assuming that in some areas e.g. Village Road flyover, the speed will be 100kph. Without important information such as this, it is difficult for people to make sense of the proposals and to form an informed view on them.

Modelling was based on Google maps as demonstrated when your designers met with a householder during the consultation period and were surprised by the actual dimensions of the dualling so much so that they questioned the viability of a link road between Capland and Village Road.

*Resident 14 - ... they all looked absolutely panicked by actually measuring it out. ... one of the designers, said it was really useful as he felt he understood the impact of trying to also add in a link road in such a tight space. Other designers had remarked how different things had looked when they went on site visits.*

Such incidents undermine the confidence consultees can have in the information with which they are provided. This points to poor planning and preparation, no doubt made worse by the rush to get the consultation done. In a Teams meeting in June when asked whether or not NH had actually been to villages along the route, your chief traffic modeller claimed they could not visit due to Covid. However, by June people could travel for work purposes and travelling on your own in a car would have been the perfectly possible.

The consultation documents were incomplete as we know that there were 4 design options for the Bickenhall flyover (various landowners were presented with them), yet only 2 were ever presented during consultation. Furthermore, NH went on to claim to a landowner that the Parish Councils preferred option 3 over option 4 but failed to mention that only 2 options were ever presented to them.

Among the consultation documents, as well as the webinars, false or misleading claims were made. For example, the claim the dualling would achieve traffic travelling at a mile-a-minute, or that the A378 would be able to connect to the A358 when in fact it already does. In relation to the mile a minute claim, you admitted both in a webinar as well as in a one-to-one meeting that this claim was not achievable as traffic would need to slow down at either end. You highlighted the positive health outcome in North Curry and Stoke St Gregory, two villages well connected to the A378 some 3-5 miles distant, while ignoring the adverse impact on Hatch Beauchamp, Ashill, Broadway, Ilton and Horton, which adjoin the scheme. Again, you were attempting to cast a favourable light on this project and in doing so were misleading the public as to its true impacts.

*Resident 15 - We haven't had any reassurance or specific information around sound barriers or noise pollution or actual pollution or wildlife relocation plans or hedgerow destruction etc. and it doesn't feel as if they even have a plan to counteract the huge loss of trees in their plans.*

*Resident 16 - We were never informed about the option schemes despite it proposing under option 1 [for Capland Link road] to purchase land off us and [next door]. We only found that out at the public event and then couldn't get our 1 to 1 booked for another 2-3 weeks due to half term and the team then getting covid. So it just feels like enough time wasn't allowed for and this will lead to a poorer process.*

*Resident 17 - We have had them lie to us over the reasoning of why the lanes have to be closer to our homes, first it was ancient woodland, then it was road layout, and then it was method of construction. So, it's very clear they'll say whatever they have to in order to avoid scrutiny.*

Except for the clear benefits of a Henlade bypass, conclusions reporting the scheme benefits on local communities were weak and subjective using phrases 'likely slight beneficial', 'considered to lead to slight beneficial effect', 'improving the perception of connectivity'. The consultation should not have used subjective analysis as a means of painting a positive picture of the scheme.

The Technical Note does not reveal what analysis underpinned the detailed review, so it is not possible to determine if an appropriate range of factors was used nor whether appropriate weight was given to those factors. Added to this, there was no engagement with either the local highway authority or local communities to assist with determining which routes should be included in the model.

The conclusion in Chapter 12 concludes that *"At a population level, the health outcome is likely to be neutral across all wards except for North Curry and Stoke St Gregory, which is positive."* It is difficult to understand how this can be the case when Figure 11.5 Operational Noise Significantly Affected Receptors clearly shows North Curry heavily affected by noise, so the above statement is highly misleading particularly as the number of properties with direct permanent significant adverse effects are nearly four times those with direct permanent significant beneficial effects. Furthermore, this is an area not covered by your other noise contour maps and therefore hides information and misleads the public. Another claim is that there will be *"improved accessibility from the overall reduction in the number of vehicles passing through communities"* yet this does not tally with the increases in noise due to increases in traffic this scheme will generate as per Figure 11.5. In addition, Appendix 11.4 show predicted noise levels in table form which demonstrates that there are lots of properties in North Curry where noise will increase, meaning there are 2 sources saying this thereby contradicting your commentary and the bit most people will see.

### **13. Air Pollution**

No mention is made in this section of the recent change in World Health Organisation WHO guidelines for particulates and nitrogen dioxide. The WHO have concluded that there are no safe levels of these pollutants and has cut its guideline levels significantly, which are now a quarter of the UK's legal limits for nitrogen dioxide and one fifth the UK's limit for PM2.5s.

While these are not legal limits, they are important and should be mentioned and the impact of the road assessed against them as they are a better measure of impact on human health.

It is also of concern that virtually no monitoring has been done, or is proposed, along most of the A358 or the local road network nearby. Most of the air pollution monitoring points are along the M5 or in Taunton. There are only 5 monitoring points along the existing A358 and these all lie within not much more than 1km from the M5, with point 62 being the furthest east.

Given the large increase in noise pollution for people along the route east of Henlade, and also off the route, particularly at North Curry, Broadway and Horton, it's highly likely these communities will see an increase in air pollution. This does not appear to have been properly addressed within the PEIR.

#### **14. Face to face events**

There were only 3 face-to-face events, the second of which was in a room that was far too small (12.2m x 10.3m and an area of 126m<sup>2</sup>) with viewing materials cramped. People were forced to queue outside (15 mins or longer) and some people left on arrival as parking had run out and they saw the queues. There were instances of people waiting excessively before getting any attention from staff:

*Resident 18 - I attended Monks Yard on October 23rd. It was a very small location with poor ventilation. I had to queue to speak to anyone. In fact, I gave up trying to speak to some because they spent so long talking to certain people and ignoring the rest of us. I was there for 90 minutes and only managed to speak to two people.*

*I also thought they were very arrogant in their attitude to anyone questioning anything and just repeated "put any comments you have in the questionnaire". I really felt they weren't interested in any opposite opinion.*

*Resident 19 - The available team came over as poorly briefed and prepared when discussion was initiated. They really did not display knowledge of the locality as we and others introduced our particular questions. It was not easy to raise a point when the person (we were passed to 4 people in succession!) did not seem to have any on the ground reference. The documentation and maps they had were ideal to start a face to face query but then it was hard to take a question forward without some feedback from them. Having to repeatedly to describe everything ourselves was poor preparation by them. Some answers were just fobbing us off - "I'm new to the team".*

Furthermore, as already explained, only one event was held outside normal working hours and that event was held at one end of the consultation route. This will have excluded a number of consultees in other local communities, especially those in employment, and could not possibly give a true representation of the local community.

The staff at the face-to-face events were unable to answer many basic questions eg the difference between a road and a lane. Or, depending on who one asked, you got contradictory answers. The lack of consistent and accurate information prejudiced consultees' understanding of the scheme and thus their ability to provide informed responses.

*Resident 18 - I asked if we could cycle on the proposed road and was directed to a woman who was their cycling expert who said no, I later asked another person who said yes and a further person who said "why would I want to? "*

*Resident 20 - The consultations that we have attended just haven't had enough detail - eg which side and where exactly does the road widen around Capland Court - we've had misleading info from different consultants. I was told it widens both sides, X was told it widens all to our side. It's a shambles really and I'm still none the wiser. The diagrams etc included in any correspondence are just so complicated to interpret.*

*Resident 21 - I went at about eleven thirty in the morning and the queue outside. It was taking a long time to get in so I left and returned about four thirtyish. It was packed and took some time to see various senior consultants. People were wearing masks but there were no open windows and it would have been difficult to keep a distance between people. If I had had time pressure that day it would have been impossible to get adequate information.*

*The event took considerable investment in time and patience.*

*Resident 22 - The first consultation at Taunton race on Tuesday 19 October. The road to the racecourse was closed and traffic diverted. The Second one at Monks yard was very busy. The staff did not seem to know what was happening with the road, for instance the environmental people did not know what and where the wildlife corridors would be or how the fencing would work.*

*Resident 23 - My comment would be that in an area of an ageing rural population many elderly and disabled people felt disenfranchised from the process as:*

- 1) they were house bound so could not attend the 'events',*
- 2) there was a heavy reliance on people going to the consultation events which effectively removed their voices,*
- 3) for those who do not use emails or web-sites and had lived in the area all their lives, much of the detail was lost,*
- 4) for those with arthritic hands or limited ability to use the written word the consultation documents were complex and leading in their questions,*

#### **15. Lack of engagement**

It was disappointing that despite being repeatedly invited (in one instance giving 2 months' notice) to meet the residents of at least one village NH claimed it did not have the time or resources to meet with all PCs and that it would not be fair to only meet some. However, since NH determined the length of the consultation and knew the number of PCs involved, such meetings could easily have been factored into your planning and timescales. Such an approach would have received a positive response from parishes and would have strengthened local understanding of the scheme and the value of individual responses to the consultation.

*Resident 24 - Perhaps parish based open discussions and consultations would have gone some way to answering this. (In relation to people not being able to attend face to face events).*

Throughout NH's engagement with local people it used aggressive and intrusive behaviour, from illegally using drones directly over private properties, photographing horse riders without permission to aggressive attitude during their webinars.

In many instances there was no direct engagement with local businesses. The only engagement was with the likes of the CBI and Chambers of Commerce who did not represent the majority local view.

#### **16. Slowness to respond to questions**

The response to questions raised during the consultation period were excessively slow – 28 days in one instance - or not answered at all. When challenged NH said that, while it had received a lot of questions, it had insufficient staff to deal with them. A list of Public Rights of Way (PROW) closures was requested during the Walkers, Cyclists, Horseriders (WCH) webinar on 1 November, was only answered on 18 November and the information still incomplete. This should have been easily accessible information included within the consultation documents from the start.

Wrong information was also given out by your staff, e.g. giving the date of the final face to face event as a day later than already advertised.

This would all tend to suggest that you were poorly prepared for the consultation and didn't have the resources or time to run it to an acceptable standard.

#### **17. Inadequate representation of cost**

Omission of the Benefits Costs Ratio (BCR) during consultation is a significant failing of transparency, (It was stated in the consultation that '*An update of this value for money assessment is currently underway based on the latest scheme proposal*'). In fact, despite numerous requests for updated scheme costs throughout the consultation period, the information was not provided. All consultees were told that the old information referred to the contract awarded to Taylor Woodrow (at £328million).

The contract was awarded before the revised scheme with the addition of such structures as the Bickenhall flyover, the central concrete barriers, etc. and the increased costs of building materials worldwide.

The cost of the project was never mentioned or explained in the consultation documents (there was reference to cost of £250-£500mil on straplines). The only reference to the value for money assessment was on page 12 of your traffic modelling document and we do not consider enough prominence was given to this:

*An update of this value for money assessment is currently underway based on the latest scheme proposal. The most recent value for money assessment from when the preferred route was announced indicated that the benefits of the proposed scheme would be 21% higher than the scheme costs.*

At the 23 September meeting, NH acknowledged that this was 'tight' and that this figure was out of date. It would have been appropriate for consultees to have been provided with the costs of the scheme and that these might outweigh any economic benefits, not counting other issues.

#### **18. Lack of adequate wildlife/habitat surveys**

Even after the conclusion of the statutory consultation, wildlife and habitat surveys were still being carried out. Householders have still not received their own individual survey reports. Without the public being fully aware of the true environmental impacts of the scheme it is impossible for them to know if the proposed mitigation is going to be adequate.

Archaeological surveys have barely started and winter time is a bad time to be carrying out these invasive surveys as it can cause major disruption to crop planting.

There was no environmental management plan to review, even in outline.

#### **19. Misrepresentation of our views to PINS**

COP believes that NH misrepresented to the Planning Inspectorate (PINS) in its meeting with them on 29 September COP's relationship to NH and its attitude to the discussions which have been held. COP has sent PINS a detailed rebuttal of these unwarranted and unhelpful suggestions, copied to NH.



## **20. Shortcomings identified by Somerset County Council**

You will have received the response to the consultation from Somerset County Council. They have listed numerous instances of missing information or lack of clarity over your strategy and we endorse these observations. Some examples of these cited omissions are below:

1.1.7 *Figure 9-1 should be revised to show all increases and decreases in traffic flow on the local network, perhaps by splitting into up to 250 vehicles above and below zero, instead of masking most of these in a wide band around zero, and an additional figure to show percentage increases included. Other criteria beyond congestion should be included when considering how the impact of increased traffic on communities and other road users should be measured and adverse impacts mitigated.*

1.1.9 *Confirmation from a modelling perspective is **also required** to support the option taken forward to detailed design so that the implications on the local road network can be fully assessed.*

1.1.13 ***It is not clear** at this stage what the strategy is for the existing dual carriageway section from Mattocks Tree Green to Henlade.*

1.1.16 *It is noted that the study area includes Bickenhall Lane Waste Transfer Station (WTS) which is operational. **It is not discussed** in Chapter 10 of the PEIR*

4.2.2 ***There is a lack of clarity** without reference to other drawings as to what sections of the off-line cycle route are vehicular or non-vehicular.*

4.2.4 ***It is not clear** what is proposed in relation to footpath number T 2/4 given that the footpath will be intersected by the proposed Bickenhall overbridge.*

4.3.1 *There are sections of T 14/8 which will need stopping up/diverting **but are not shown** as such on the drawing.*

4.3.2 *The permissive path to the Fivehead River underbridge showing as being stopped up has no formal permission in place, meaning there is nothing to formally stop up. The strategy for WCHR in this location requires more discussion to ensure a connected network. The Neroche Herepath in this location has no formal status hence any proposed route using the underbridge will ideally need to connect to Bickenhall Lane, or other possible solutions explored. The proposal is not accepted in its current form.*

5.5.1 *Unfortunately, the Technical Note does not reveal what analysis underpinned the detailed review, so it is not possible to determine if an appropriate range of factors was used nor whether appropriate weight was given to those factors. **Added to this, there was no engagement with either the local highway authority or local communities** to assist with determining which routes should be included in the model. Figure 4-2 is useful but would be more helpful if the flows were presented by direction which is especially important on the local roads.*

5.9.2 *A statement is made to the effect that an assessment is being undertaken to determine whether these routes are of a suitable standard to accommodate additional traffic [9.1.3] but details of this assessment **have not been provided**.*

5.9.5 *The criteria of “congestion” is not always the most appropriate one to determine the need for an intervention. **There is no definitive description of congestion and** within traffic model outputs reporting will be a function of the capacity which has been coded into the model.*

5.9.6 *Therefore, **the criteria should be extended to include for example whether there are sufficient opportunities for vehicles to safely pass** one another on narrow lanes and whether there are other*

traffic management measures which are necessary to reduce the potential for adverse impacts to all users (including pedestrians, cyclists and equestrians) which additional traffic will be associated with, including reduced sense of safety associated with more interactions with traffic. The County Council would wish to inform the methodology of this assessment.

14. **Other criteria beyond congestion should be included** when considering how the impact of increased traffic on communities and other road users should be measured and adverse impacts mitigated. Such criteria would need to consider the overall level and impact to specific localities and how these outputs are used to define triggers for solutions/ mitigation. SCC should be consulted about these criteria.

5.10. **The assessment appears to be based on intuition** as opposed to model outputs

5.11.3 The **note is silent** upon how impacts will be robustly assessed, taking into account the proposed stopping up of roads and subsequent redistribution of traffic on the local roads, to ensure solutions are developed on the basis of evidence.

6.2.2 However, **the consultation material does not specify the design standards** that have been applied to the proposals to date, therefore the County Council would welcome formal confirmation of the design standards.

6.2.4 **The results of the traffic model are yet to be agreed** and may conclude the need for mitigation works to the local road network outside of the current perceived footprint of the scheme. It would be prudent therefore to ensure that any potential locations for mitigation works are contained within the red line boundary of the scheme, and form part of the DCO application with the associated powers should consent be granted.

6.4.1 Paragraph 4.3.2 – The study area for non-designated built heritage resources is **considered inadequate**. Please see the comments against paragraph 6.5.6 of Chapter 6.

6.6.24 The values assigned to Grade II Registered Parks and Gardens and to non-designated built heritage resources of regional and county interest (candidate assets for the Somerset Local Heritage List) **are challenged**. Please refer to the comments against paragraph 6.3.3 and Table 6-2.

6.6.25 The baseline data for non-designated built heritage resources (standing buildings and structures) **is likely to be incomplete** for the scheme boundary and a 250 metre buffer study area, and would on the current model be incomplete for non-designated built heritage resources of local heritage list potential within a 1 km buffer study area.

6.6.37 it should be borne in mind that deciduous trees are without leaf for 6 months of the year and individual trees, small clumps or narrow belts do not provide a good screen during this period. **This needs to be taken into considered** for the assessment.

12.6.27 **Public bridleways are also affected by the scheme.**

12.6.30 Other Routes with Public Access (ORPAs) only represent a minority of unclassified roads. **All local roads should be considered** available for NMU use and not be overlooked as part of the baseline. **Not all of the path network is truly connected for all NMUs, therefore many classified and unclassified roads form essential parts of NMU journeys**, complementing the path network.

12.9.46 & 47 **This is a very narrow assessment of the effect** of the scheme and it is suggested that the routes within the 500m buffer should be considered from a direct amenity effect, not indirect. **Taking a too narrow approach when looking at effects can leave a very non-sensical or illogical network**

**remaining and does not fully recognise the broader effect** on the use and relevance of routes when they are disconnected or significantly diverted by a scheme such as this. Suggestions have been made where a broader approach would be to everyone's benefits (see Appendix A).

12.9.50 This should also reference connections to the Neroche Herepath 12.9.55 **This should not disregard** the Neroche Herepath, despite a section being under temporary closure currently.

12.9.61 **This is not the case** all structures as some are excluding cyclists and horse riders.

12.9.83 This suggests the scheme improves journey times and thereby the sense of connectivity. **It is not clear what network and which users this is referring to.** It is assumed it is only referring to the dual carriageway and not the local road and path networks which experience some severance, albeit that it is acknowledged that the scheme should enable active travel modes where currently at-grade crossings act as a deterrent.

6.14.7 It is noted that the carbon assessment of the scheme **has only been undertaken** at a scheme level.

6.14.8 ..that an intervention to sequester the **carbon impacts of the proposed scheme is not considered feasible** and has not formed part of the green-house gas emissions preliminary assessment. The County Council wishes to understand how the carbon emissions for the scheme will be accounted for and either offset or sequestered.

6.14.10 ... **it is unclear if this** takes into account that extent to which the additional network capacity will result in additional emissions across the wider local highway network in Somerset.

6.14.11 **It would have perhaps been helpful** if a more realistic estimate or even over-estimate of construction emissions had been considered within the PEIR.

3.5.1 Further discussions **will be required** with regards to the retention of the dual carriageway as a result of these proposals.

3.5.4 **Further detail is required** regarding the southern carriageway as it is anticipated that it will be grubbed out.

3.6.3 National speed limit, 100kph design speed would be acceptable. **This cannot possibly be intended for the Village Road link??**

**Further information is required** regarding alternative routes for those settlements in and around West Hatch.

3.11.1 **Please confirm the design speed.** The road is assumed to be derestricted although speeds are likely to be much lower due to the characteristics of the road and surrounding area. The assumption is 50/60kph which would be acceptable.

3.11.10 It is recommended that **traffic calming measures** are provided within the village if required to overcome those concerns and that the Minor Improvements team are consulted to see if there are any proposals independent of the A358 dualling project. **This is the first time this has been mentioned. HBPC has not been consulted on this. The issue will be the increased volume of traffic through the village which in many places is single lane.**

3.12.1 **No details have been provided** at this time for the underbridge. Please provide further details for widths and head heights. It is assumed that this route would accommodate ridden horses, cyclists and pedestrians. It is recommended that the Public Rights of Way team are consulted.

3.14.1 Please confirm the design speed. The road is assumed to be derestricted and the assumption is **100kph** although speeds are likely to be lower due to the characteristics of the road between ch.600 and ch.1290 where 50/60kph may be acceptable. **100kph - This speed would be totally unacceptable.**

3.21.2 ... but **no details have been provided** to assess acceptability.

3.22.1 **No details have been provided** at this time why Radigan Lane might be stopped up. Further information is required.

4.5 Field Access 4.5.1 There are a number of field accesses along the existing A358. **No details have been provided** at this time for alternative arrangements.

4.6 Environmental Constraints 4.6.1 **No details have been provided** at this time about any environmental constraints that may affect the works to both the dualling of the A358 and the surrounding highway network.

4.8.1 **No details have been provided** at this time for any highway lighting requirements. Locations such as Mattock's Tree Hill are likely to require additional lighting.

5.3.2 Public rights of way T 2/12, T 14/25, and CH 1/UN **should be shown** as public bridleways, not footpaths.

5.4.6 Public bridleways CH 1/25, 26, & 27 and CH 2/23, 24 25, & 26 are currently shown as public footpaths. **Please amend**, and it is contended that they should all be stopped up as part of the current proposal. **It is also not clear** what is intended for the stub of unclassified road highlighted in orange below. It is unlikely that the Council would wish to retain this section of road.

5.4.7 **Please provide detail** as to what mitigation is intended for NMUs between Horton Cross and the B3168/Station Road. Ilminster is a significant population and it is important a safe connection between Horton Cross and Ilminster is delivered.

## **Conclusion**

COP considers that statutory consultation process to have been inadequate and thus a flawed basis on which consultees could provide informed responses. The volume of issues raised by individual parishes means that COP urges NH to re-run the consultation, taking into account the lessons learnt and the constructive suggestions COP has made. This would allow NH time to present accurate and representative information to ensure that consultees were fully informed as to the true impact this scheme will have on local communities, individual households, farms and businesses and walkers, cyclists and equestrians. Only then will they be able to give an informed response.

This document is on behalf of:

Stoke St Mary Parish Council  
Hatch Beauchamp Parish Council  
Ashill Parish Council  
Ilton Parish Council  
Horton Parish Council  
Pitminster Parish Council  
Corfe Parish Council

Ilminster Town Council

West Hatch Parish Council  
Beercrocombe Parish Council  
Broadway Parish Council  
Donyatt Parish Council  
Curry Mallet Parish Council  
Combe St. Nicholas Parish Council  
Neroche Parish Council

