

The City of Bradford Metropolitan District Council
(A650 Hard Ings Road Improvement, Keighley)
(Side Roads) Order 2017

-and-

The City of Bradford Metropolitan District Council
(A650 Hard Ings Road Improvement Scheme, Keighley)
Compulsory Purchase Order 2017

THE HIGHWAYS ACT 1980

-and-

THE ACQUISITION OF LAND ACT 1981

THE HIGHWAYS (INQUIRIES PROCEDURE) RULES 1994
COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007

National Transport Casework Team (REFERENCE: NATTRAN/YH/LAO/130)

In the matter of

a highway improvement scheme involving highway alterations to facilitate and widen
the A650 Hard Ings Road, Keighley, from its junction with the A629 Beechcliffe
Roundabout, generally eastwards to a point 75 metres west of its junction with
Bradford Road, Roundabout, Keighley in the
County of West Yorkshire

Proof of Evidence of :

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CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

presented as evidence in chief
on behalf of

The City of Bradford Metropolitan District Council

to

Local Public Inquiry – 30th January 2018

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1 PERSONAL DETAILS

- 1.1 My name is Richard Bruce a Principal Engineer within the City of Bradford Metropolitan District Council Highway Services whose address is Britannia House, Hall Ings, Bradford BD1 1HX. My evidence is given on behalf of the acquiring Authority.
- 1.2 I graduated in 1978 with a B.Eng (Hons) degree in Civil Engineering. I am a Chartered Engineer (C.Eng) and a member of the Institution of Civil Engineers (MICE) and the Chartered Institution of Highways and Transportation (MCIHT). I have 39 years experience in the development, design and delivery of highway engineering projects.
- 1.3 I am a Principal Engineer within the Council's Highways Service and project manager for the Hard Ings Road Improvement Scheme.

2 SCOPE OF EVIDENCE

Section 3 – Provides a background to the Scheme

Section 4 – Provides an introduction and history of the Scheme

Section 5 - Sets out the Scheme objectives

Section 6 – Provides a description of the Scheme

Section 7 – Discusses the Standards and departures for the Scheme

Section 8 – Describes alternative options considered

Section 9 – Outlines the public consultation undertaken

Section 10 – Discusses the Scheme justification

Section 11 – Describes land ownership and the Order Schedule

Section 12 – Describes the Side Roads Order

Section 13 - Describes the Traffic Regulation Order and Speed Limit Order required

Section 14 – Discusses planning considerations

Section 15 – Outlines the Scheme cost and funding provision

Section 16 – Describes the Scheme implementation

Section 17 - Discusses the environmental assessment, including traffic noise and vibration.

Section 18 – Discusses human rights considerations

Section 19 –Discusses the Public Sector Equality Statement

Section 20 – Summarises and responds to the objections

Section 21 – Contains my conclusion

Section 22 – Contains my declaration

3 BACKGROUND

3.1 At its meetings of 9 October 2012 (Core Document 1.2 refers) and 12 March 2013 (Core Document 1.4 refers) the Council's Executive Committee approved in principle the establishing of the £1 billion 'West Yorkshire Plus Transport Fund'. This approval was subsequently endorsed by full Council at their meetings on 16 October 2012 (Core Document 1.3 refers) and 26 March 2013 (Core Document 1.6 refers), respectively. The Transport Fund includes the Hard Ings Road Improvement, Keighley project.

3.2 After further scheme development the Executive at its meeting of 21 July 2015

(Core Document 1.8 refers) approved details of the Hard Ings Road Improvement Scheme along with the delegation of authority to manage the scheme programme to the Strategic Director Regeneration and Culture. This delegation included the making of Orders and negotiations to acquire the necessary land by agreement.

3.3 Following a period of negotiation with land owners the Executive reaffirmed its support for the scheme and gave authority to the use of Compulsory Purchase powers in various Committee meetings, namely those dated:-

- 12 January 2016 (Core Document 1.10 refers)
- 14 June 2016 (Core Document 1.12 refers) and
- 7 March 2017 (Core Document 1.14 refers)

Similarly the Executive gave authority to progress a Side Roads Order at its meeting of 14 June 2016.

3.4 In accordance with the decision of the Council`s Executive on the 14th June 2016, the Council -

on the 11th April 2017 made the “The City of Bradford Metropolitan District Council (A650 Hard Ings Road Improvement, Keighley) (Side Roads) Order 2017” and Plan showing highway alterations under sections 14 and 125 of the Highways Act 1980

and pursuant to the Side Roads Order -

on the 13th April 2017 made the “The City of Bradford Metropolitan District Council (A650 Hard Ings Road Improvement Scheme, Keighley) Compulsory Purchase Order 2017” and a Map showing the land and new rights to be

acquired ("Order") under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980. (Core Document 2.1 and 2.2 refers).

3.5 On the 11th April 2017 both the Order and Side Roads Order (Core Document 3.1 and 3.2 refers) were submitted to the Secretary of State for Transport for confirmation and which if confirmed, will enable the Council to rely on the use of compulsory purchase powers and highway alterations to be undertaken to facilitate a scheme to improve and widen the A650 Hard Ings Road, Keighley, from its junction with the A629 Beechcliffe Roundabout, generally eastwards to a point 75 metres west of its junction with Bradford Road Roundabout.

3.6 The Council has continued to try to acquire all the Order Land by voluntary means so that the exercise of compulsory purchase powers is only used as a last resort. In the event that the Orders are confirmed, it will authorise the exercise of compulsory purchase powers, to enable the compulsory purchase of land and creation of new rights to facilitate the Scheme and permit alterations to the highways affected by the Scheme, in order to ensure that all the land needed for the Scheme is acquired, should this not prove possible through voluntary means.

4 SCHEME INTRODUCTION AND HISTORY

4.1 The Council is seeking to promote an extensive highway improvement scheme along the A650 Hard Ings Road, Keighley, in order to improve traffic flows and reduce traffic congestion on the A650 and in Keighley Town centre.

Air quality and safety will also be improved and new cycling and pedestrian facilities will be provided to try and encourage the use of sustainable modes for local journeys. A location plan is included in Appendix 1.

- 4.2 The A650 Hard Ings Road is a strategically important route which links Bradford to Keighley and extends onwards to Skipton via the A629 and the Pendle area of Lancashire via the A6088. The A650 is mostly dual carriageway and was upgraded as part of the Department for Transport's trunk road improvements in the 1980's, except for a short section comprising Hard Ings Road, Keighley, which runs between Bradford Road and the A629 in Keighley. This short section of single carriageway lies midway between continuous dual carriageway running 9 miles between Cross Hills and Cottingley Bar, on the edge of urban Bradford. This is a key pinch point causing congestion not only on the main A650 but also impacts Keighley Town centre as drivers attempt to re-route to avoid this length of road.
- 4.3 Keighley is the principal town of Airedale. It is an important industrial economic base and is also establishing itself as centre for research and development. Increasing congestion levels will make the area less attractive for inward investment resulting in a detrimental impact on future economic growth.
- 4.4 There has been a longstanding desire to improve this section of Hard Ings Road. A previous Hard Ings Road dual carriageway scheme was withdrawn in 1996 by the Department for Transport, the then highway authority. At that time, this route was part of the national trunk road network. This particular

scheme was very much a different scheme to that being proposed now, being dual in its entirety to trunk road standards, with limited access and turning movements and much more onerous in terms of land take. A draft side roads order was withdrawn in 1996 by the Highways Agency after representations by the public and local businesses regarding the efficiency of the existing roundabouts at Beechcliffe and Bradford Road.

4.5 The dual carriageway scheme was then included in the 'Cumbria to Bradford' Design, Build, Finance, Operate (DBFO) Contract. In 1998, the Government, under a trunk road review, shelved many schemes, including the scheme for the A650 Hard Ings Road and although this section of road was de-trunked in late 2008 and vested in the Council as local highway authority, no further scheme of improvement has taken place until the current funding opportunity afforded by the West Yorkshire Combined Authority (WYCA) and through the West Yorkshire plus Transport Fund (WY+TF) (Core Document 6.1 refers).

4.6 The Scheme has been accepted as a qualifying scheme and prioritised by WYCA within the WY+TF programme. Initially, a long list of 120 projects were reduced into a medium list of 60. The prioritised package included 33 projects and the Hard Ings Road project was ranked at 14th across West Yorkshire. The Scheme has been developed and received Development Approval (Outline Business Case, previously known as Gateway 1, Core Document 5.1 refers) of the WYCA Assurance Framework governance process (Core Document 19 refers) in May 2015. In doing so, it has demonstrated that the Scheme will provide an acceptable level of value for money, has a clear set of

objectives and a realistic chance of successful implementation.

- 4.7 Further information on the selection process is included in the evidence to be submitted by Mr David Haskins on behalf of the West Yorkshire Combined Authority.

5 SCHEME OBJECTIVES

- 5.1 The Scheme is designed to improve traffic flows and reduce traffic congestion on the A650 and in Keighley Town centre. Air quality and safety will also be improved and the local environment will be enhanced through the use of high quality materials in the design of the Scheme. New cycling and pedestrian facilities (a shared use footway and Toucan crossing) will also be provided to encourage the use of sustainable modes of transport for local journeys.
- 5.2 Improving the A650, Hard Ings Road, fulfils the objectives of the West Yorkshire Plus Transport Fund and also those of the West Yorkshire Local Transport Plan. The objectives of the WY+TF are to maximise gross value added (GVA) benefits and ensure that at a package level carbon impacts were neutral (despite an increase in commuting from additional employment), and benefits (in terms of an increase in the number of accessible employment opportunities) were distributed across all partners, and that those benefits to residents from deprived areas were higher than the average. Other objectives that are included within the Strategic Economic Plan, SEP (Core Document 7 refers) are – air quality, safety, quality of life.

5.3 Despite the number of retail units, a leisure centre and Keighley Cougars rugby league ground which contribute to footfall in the area, there are no controlled pedestrian facilities along Hard Ings Road. Improved pedestrian facilities will help to overcome severance between the Town Centre (rail station, bus station and housing) and the industrial/employment land to the North of Hard Ings Road.

5.4 The key Scheme objectives are:-

- greater certainty for business and commuters by reducing journey time variability, as well as reducing journey time.
- Reduced congestion on Hard Ings Road including the surrounding roundabout approaches leading to anticipated reductions in vehicle delays.
- Increased safety provision for cyclists and pedestrians through provision of dedicated pedestrian/cycle crossing facilities on Hard Ings Road and shared footway facilities for cyclists and pedestrians.
- Improved air quality for local residents through reduced congestion.
- Supporting the delivery of any proposed housing and economic developments in the short term as well as opening up long term development opportunities in the area through releasing transport constraints.
- Improving access between the Pendle, Craven and Bradford.
- The Scheme also supports the following West Yorkshire Local Transport Plan 3 (LTP3) objective (Core Document 8 refers).
- Economy – improving connectivity to support economic activity and growth

in West Yorkshire.

- Low Carbon – to make sustainable progress towards a low carbon sustainable transport system for West Yorkshire.
- Quality of Life – to enhance the quality of life of people living, working in and visiting West Yorkshire.
- Improving Hard Ings Road will also support LTP3 indicators in relation to improving journey time reliability, reducing CO2 emissions, and improving satisfaction with transport.

5.5 Further information is given in the proof of evidence to be presented by Mr Andrew Bradshaw, Fore Consulting on behalf of CBMDC's Transport Planning team and Mr David Haskins on behalf of the West Yorkshire Combined Authority.

6 SCHEME DESCRIPTION

6.1 The Scheme along for Hard Ings Road, Keighley, between the junctions with the A629 (Beechcliffe roundabout) and Bradford Road roundabout involves road widening to provide two running lanes in each direction for the full extent of this section of Hard Ings Road.

6.2 The Scheme also includes:-

- the installation of traffic signals and remodelling of the existing Beechcliffe Roundabout to improve the efficiency and capacity of the junction;
- an additional lane for traffic on the approach to Beechcliffe Roundabout on

the A629;

- installation of a signalised junction with pedestrian and cycle crossing facilities (Toucan crossing) at the junction of Hard Ings Road with Lawkholme Lane. The signals will be linked and co-ordinated with the proposed signals at Beechcliffe Roundabout and the existing signalised junction at Bradford Road to control traffic flow;
- Traffic light priority will be introduced at Bradford Road roundabout to assist with bus journey times.
- A shared, two-way cycle and pedestrian footway along the southern side of Hard Ings Road between Bradford Road Roundabout and Keighley Retail Park and between the proposed 'Toucan' crossing (at the junction with Lawkholme Lane) and Royd Way, providing a connection to an existing cycle network.
- New and replacement planting and landscaping (Core Document 9), including "green infrastructure", will be included in the Scheme to mitigate the visual impact of the road and provide replacement habitats for flora and fauna.
- Replacement street lighting.

A plan showing a description of the main engineering features is included in Appendix 2 (and Core Document 21 refers).

6.3 The preferred option is a composite design (comprising part dual/part single carriageway) and has benefits with respect to minimising land take, particularly adjacent to the building occupied by Fibreline, where there is a significant level difference between the carriageway and the existing car park. This option also

has the least associated cost implications when compared with other options considered, as well as showing an overall reduction of journey times.

- 6.4 The Scheme comprises sections of dual 2 lane and single 4 lane carriageway. Critical to the project is the operation of the Beechcliffe and Bradford Road roundabouts and the current priority junction at Lawkholme Lane. The Scheme has therefore been developed with a signalised junction at Lawkholme Lane, incorporating a Toucan crossing (to replace an existing pedestrian refuge). This retains the convenience of a right turn from Hard Ings Road into Lawkholme Lane and avoids the unnecessary re-routing of this traffic to U-turn at the Bradford Road roundabout. This also allows the no. 727 bus service to continue to undertake a right turn from Hard Ings Road into Lawkholme Lane (this is the existing bus route). There are also a significant number of right turning movements into the petrol filling station and the adjacent McDonalds restaurant from Hard Ings Road. Therefore, a right turn priority facility with a dedicated turning lane (to allow through traffic to proceed unobstructed) has been included within the Scheme.
- 6.5 The retention of a junction and conversion to traffic signal control at Lawkholme Lane maintains local accessibility and avoids the unnecessary diversion of local traffic, increased journey lengths and additional traffic loading at the Bradford Road junction leading to the necessary significant re-design of Bradford Road roundabout. There are many businesses located off Hard Ings Road who would be significantly affected in terms of access that would result with a full length dual carriageway option.

6.6 The capacity of Beechcliffe roundabout would also be improved by remodelling and the implementation of traffic signals on all arms and an additional traffic lane on the approach to the roundabout from the A629. Queues on the A629 will be much shorter due to the provision of an extra lane on the approach to Beechcliffe Roundabout. Two lanes have also been allocated for the exit into Hard Ings Road from the roundabout. This arrangement will increase the capacity of the junction and will operate effectively in the design year, 2026 (a future year, 9 years after the opening year 2017, used in the current traffic model). At present the single lane provision on Hard Ings Road causes congestion to back up onto and through Beechcliffe Roundabout and beyond at peak times.

6.7 The two lanes allocated in each direction for the full length of Hard Ings Road will remove bottlenecks when vehicles merge into one lane, compared with the current one lane provision in both directions, and will provide for the predicted demand in 2026. This is currently the situation for vehicles exiting the Bradford Road roundabout onto Hard Ings Road westbound, merging into one lane adjacent to the ambulance station, causing congestion to back up on and through Bradford Road roundabout and beyond at peak hours. Modelling has demonstrated that with the retiming of signals, this junction will operate acceptably in the 2026 design year. Traffic light priority to assist bus journey times and other improvements in timetable reliability will be included within the adjustment to signal timings at Bradford Road roundabout. The introduction of traffic light priority at Bradford Road Roundabout will improve reliability and

reduce journey times for the no. 662 bus service which operates every 10 minutes between Keighley and Bradford. This is a popular bus route carrying an average of 19 passengers on each service into/out of Keighley Town centre. The no. 727 bus service operates every 2 hours via Beechcliffe roundabout in one direction only, on route between Royd Way and Lawkholme Lane. Therefore, there would be little benefit from any provision to assist bus journey times at this junction.

- 6.8 A two way shared facility for cyclists and pedestrians on the outbound side of Hard Ings Road, a Toucan crossing (as part of the Lawkholme Lane signalised junction) and a two way shared facility will also be provided on the inbound side of Hard Ings Road between Lawkholme Lane and Royd Way. This will provide a cycle route to join Hard Ings Road and the existing cycle route along Royd Ings Avenue through the underpass beneath the A629 dual carriageway, leading to the Skipton Road residential area. Enhancements to the existing local cycle network to be identified through a wider area cycle infrastructure study, will also compliment the traffic management measures to be delivered through the Scheme.

7 STANDARDS AND DEPARTURES

- 7.1 The requirements for the geometric layout of the Scheme comply with Department for Transport's overseeing organisation, Highways England standards and advice notes contained in the Design Manual for Roads and Bridges (DMRB) (Core Document 4 refers).

7.2 No departures from standards are required.

8 OPTIONS CONSIDERED

8.1 Several alternative options were considered as part of the initial design work.

- single 4 lane 14.6m wide carriageway (Do Minimum, L2);
- dual 6.75m wide carriageway (with sub options as the scheme was developed) (L3A);
- dual 7.3m wide carriageway (L4); and
- composite part dual 6.75m wide carriageway, part single 6.75m wide carriageway (L5).
- one-way system incorporating outbound only on Hard Ings Road and inbound only along Royd Ings Avenue.

8.2 Further details of how the options were developed and how the preferred option was selected can be found in the Gateway 1 document (now known as the Outline Business Case) – Link and Junction options reports (Core Documents 5.13 and 5.14 refers respectively), and discussed further in Andrew Bradshaw’s Proof of Evidence.

9 PUBLIC CONSULTATION

9.1 The Council has carried out a public consultation in relation to the Scheme. Precise details were provided as to why certain aspects of the Scheme design

were being considered and stakeholders, affected parties, local residents and businesses were asked for their comments.

- 9.2 The consultation ran from 12th September 2016 until 7th October 2016. Consultation leaflets were delivered to Council elected Ward Members, key stakeholders and approximately 2,225 residential and business properties. The distribution area which was chosen included properties that would be directly affected by these proposals.
- 9.3 To engage a wider audience beyond those who lived within the leaflet distribution area, a press release was issued and an advert was published in the Bradford Telegraph and Argus, on 12th September 2016, to ensure increased visibility.
- 9.4 A dedicated project website was set up which included information about the proposals, and electronic copies of the consultation material. A dedicated telephone information line, a Freepost address and email address were all available for people to ask questions and provide their feedback.
- 9.5 A public drop-in session gave members of the public and stakeholders an opportunity to view the plans and discuss the proposals with members of the Scheme project team. It was held at Victoria Hall, Hard Ings Road, Keighley on 29th September 2016 between 2.00 pm – 8.00 pm. All feedback received during the consultation has been considered by the project team during the finalisation of the Scheme and this has resulted in some minor amendments to

the Scheme design. A consultation feedback report was published on the project website and detailed individual replies made to respondents where appropriate. Further details of the consultation can be found in the Consultation Report (Core Document 10 refers).

- 9.6 Meetings have and are continuing to be held with affected and interested parties.

10 SCHEME JUSTIFICATION

- 10.1 Hard Ings Road forms part of a strategically important route in the major development area of Airedale. The A650 is mostly dual carriageway in the north western part of the Airedale area except for a short section, Hard Ings Road, which runs between Bradford Road roundabout and the A629 at Beechcliffe roundabout, Keighley. The capacity of the current two lane single carriageway arrangement is insufficient to accommodate the current volume of traffic at peak hours. The single carriageway section is a key pinch point on a strategic section of the District's highway network and is a main cause of congestion, and not only on the main route. These long delays make it less attractive for businesses around Hard Ings Road and also in Keighley Town centre. If this Scheme is not implemented, the traffic situation will worsen in the future, particularly on longer distance journeys.

- 10.2 Congestion along the Hard Ings Road corridor results in increased vehicle emissions, worsening air quality and high levels of pollution. Kerbside

monitoring on Hard Ings Road in 2004 recorded an annual mean of $33 \mu\text{g}/\text{m}^3$ (concentration of air pollutant per cubic metre) which although below the national standard ($40 \mu\text{g}/\text{m}^3$) is a cause for concern if congestion levels increase along the corridor.

- 10.3 The Scheme also has the potential to open up the wider area for new development and improves connectivity with other commercial centres around Keighley. The Scheme will help to facilitate any potential housing development in the immediate area. In the Local Plan for the District (Core Document 11 refers), there are long term growth aspirations for housing development (approximately 4,500 dwellings within the Keighley area) and economic development to encourage investment from the digital, design, knowledge and service sectors. Keighley Town centre will see high quality mixed use development centred on the former Keighley college site, Market Hall, Cavendish Court and Cavendish Retail park.
- 10.4 Improving the A650 Hard Ings Road fulfils the primary objective of the West Yorkshire Plus Transport Fund (Core Document 6 refers), 'Increase employment and productivity by completion of transport schemes across West Yorkshire by improving connectivity' and also those of the West Yorkshire Local Transport Plan (Core Document 8 refers), which include supporting economic growth and improved quality of life through safer walking, and cycling and reduced air pollution.
- 10.5 Further scheme justification is given in the proof of evidence to be presented by

Andrew Bradshaw, Fore Consulting, on behalf of CBMDC's Transport Planning Department.

11 LAND OWNERSHIP AND ORDER SCHEDULE

- 11.1 The ownership of the Order Land is described and set out in the Order Map and Schedule (Core Documents 2.1 and 2.2 refers).
- 11.2 The Order seeks authority to use compulsory purchase powers to acquire land and rights to facilitate a highway improvement scheme. Reasons why land is required from each plot is described in the schedule in Appendix 3.
- 11.3 The reasoning behind why land required for working space in addition to land needed for the actual physical highway construction is coloured pink on the Order Map is given in Kate Okell's Proof of Evidence, paragraph 4.2.

12 SIDE ROADS ORDER

- 12.1 The Council has also made a Side Roads Order (Core Documents 3.1 and 3.2 refers) under Sections 14 and 125 of the Highways act 1980 and if confirmed it will enable the Council to carry out alterations to highways affected by the Scheme. The impact of the Scheme will result mainly in the stopping up and provision of new means of access to premises. All stopped up private means of access will be provided with a reasonably convenient and commodious

alternative means of access, unless there is no need for an alternative access to be provided. The Side Roads Order has been submitted to the Secretary of State for confirmation.

- 12.1 The Side Roads Order, subject to confirmation of the Secretary of State will empower the Council to stop up existing private means of access affected by the Scheme and to create new private means of access as a consequence of the main Scheme works.
- 12.2 The proposed alterations to existing highways and private means of access that would be affected by the Scheme are detailed in the Schedule attached to the Side Roads Order and shown diagrammatically on the Side Roads Order plan.
- 12.3 The Scheme will require alteration and replacement of private means of accesses and the Side Roads Order implements these alterations. A schedule of the required alterations to private means of accesses is included in Appendix 4.
- 12.4 The Side Roads Order and the necessary changes to the highways affected by the Order is an integral part of the proposed construction of the Scheme, which is designed to relieve traffic congestion.
- 12.5 No objections have been received to the Side Roads Order.

13 TRAFFIC REGULATION ORDER

13.1 Traffic regulation orders pursuant to the Road Traffic Regulation Act 1984 are required to impose waiting restrictions and restricted turns at Hard Ings Road. As part of the wider consultation that ran from 12th September 2016 until 7th October 2016 with local residents, businesses and statutory consultees, reference was made to the traffic regulation order. A plan of the draft Traffic Regulation Order proposals is included as Core Document 12. A decision as to whether or not to make the traffic regulation orders and subsequent formal consultation will be made dependent upon the progress of both the Order and Side Roads Order. Additional traffic regulation orders will also be made as necessary.

13.2 A Speed Limit Order will be necessary to implement a change from the current National Speed Limit to 50mph on the approach to the Beechcliffe Roundabout from the A629.

13.3 There are no other statutory orders associated with the promotion of this Order.

14 PLANNING CONSIDERATIONS

14.1 Under The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended), express planning permission will not be required for the Scheme. The scheme is not an Environmental Impact Assessment development.

- 14.2 Further information about the planning status and policy, including the Environmental Impact Assessment is given in the evidence to be presented by Michael Eaglestone, CBMDC Planning.

15 SCHEME COST & FUNDING

- 15.1 The cost of the Scheme including land acquisition costs, as well as the payment of compensation to persons whose interests may be expropriated by the Council exercising compulsory purchase powers is to be met by funding through the total estimated cost of the Scheme is £10.3 million, including land and compensation.
- 15.2 The Scheme is currently programmed for delivery by 2019. Funding is secured within the WY+TF. Growth Deal funding is allocated to projects subject to WYCA's Assurance Framework process being satisfactorily achieved. Funding is available to cover all reasonable project development and delivery costs associated with this key Scheme.
- 15.3 Funding is covered in more detail in the evidence from Dave Haskins, WYCA.

16 SCHEME IMPLEMENTATION

Scheme Programme and Implementation

- 16.1 Construction of the Scheme is scheduled to commence in Early 2019 with a potential 12 month construction period.
- 16.2 It is intended that the Scheme will be delivered by an award of a Contract to a contractor appointed by the Council through a competitive procurement process in accordance with the Council's financial and procurement rules and relevant statutory provisions and that the Scheme implementation programme is to be finalised with the appointed contractor.

Construction Stage Traffic Management

- 16.3 It is intended to carry out the Scheme works with minimum disruption to pedestrians, residential and commercial premises occupiers and road users. Access to properties will be maintained at all times during business hours. Any unavoidable disruption to accesses will take place only outside of business hours of the affected property and discussions with affected parties will take place in advance of and during the works.
- 16.4 The main priority is that there is minimal disruption while these important works are being undertaken. Through traffic will be maintained at all times during the daytime. There may occasionally be the need to close a road during the night

for certain disruptive works. Advanced notice will be given of these works and suitable diversion routes will be sign posted. There may be periods where temporary traffic lights are required.

16.5 Hard Ings Road, the A629, Bradford Road and Beechcliffe roundabouts are designated as 'permit streets' and works on them will be subject to regulation under the Yorkshire Common Permit Scheme. The permit scheme replaces part of the existing New Roads and Street Works Act noticing system. Anyone carrying out works in a permit street must apply for a permit, which sets out how the work will be undertaken to minimise disruption.

16.6 Construction will take place primarily during the daytime and through traffic will be maintained during this time. There may be rare occasions where a road closure may be required (for example for road re-surfacing) and these works may be done during evening or overnight, with signed traffic diversions in place. However, working hours will be tailored to the requirements of the site. Working hours are expected to be 8.00 am to 6.00 pm Monday to Friday and 8.00 am to 1.00 pm on Saturdays. Certain works in sensitive areas such as junction approaches will be restricted to off-peak hours, e.g. between 9.30 am and 15.30 pm, and on occasions, Sunday working may be necessary to carry out other disruptive works. Disruption to residents, businesses and road users will be kept to a minimum.

17 ENVIRONMENTAL ASSESSMENT

- 17.1 Land use adjacent to Hard Ings Road includes an allotment, rugby ground, cricket ground, housing, retail park, commercial premises, two petrol filling stations and a leisure centre. It is not considered that any of these sites are sensitive areas and the Scheme will not have an adverse impact on the environment since the land use within the site will not significantly differ from existing conditions.
- 17.2 An ecological appraisal has been undertaken to assess the possible impact to local flora and fauna from the Scheme. The recommendations being to retain woodland and trees where possible on a replacement 3:1 basis with log piles and tree felling to be undertaken outside bird nesting period (March – August inclusive). It is also intended to undertake a further survey over the summer months for any potential bat roosting. A copy of the Ecological Assessment is included. (Core Document 13 refers).
- 17.3 Air quality is not an issue of concern since
- Existing concentrations have been identified to be below the objective level annual mean of $40\mu\text{g}/\text{m}^3$ for NO_2 (Air Quality 2002 and amendments, Core Document 14 refers).
 - The Scheme will smooth traffic flows, reducing congestion, stop start driving and vehicle idling, this should improve air quality.
 - The highway widening works are not on the side of the road adjacent to residential properties and do not bring residents in closer proximity to

transport related pollutants.

- Green infrastructure will be added as part of the Scheme. Whilst it is unlikely that this element of the Scheme will significantly reduce pollution concentrations, it is considered that there are other benefits associated with health and wellbeing to be gained from the addition of green infrastructure to schemes.

17.4 The impact of the Scheme with regard to air quality has been assessed in accordance with the DMRB (Core Document 4.4 refers - Volume 11, Section 3, Part 1, HA 207/07, Air Quality), for the base year 2014 and a future design year 2026, used in the current Aimsun traffic model. The concentrations of NO₂ or PM₁₀ do not exceed the air quality objective of an annual mean of 40µg/m³ either pre or post Scheme implementation. A copy of the Detailed Assessment of Air Quality is included as Core Document 15.

Scheme Traffic Noise and Vibration

17.5 The differences between pre and post-Scheme basic noise levels are all less than 1 dB LA_{10,18h} and therefore this Scheme is not a statutory Noise Insulations Regulations governed scheme and the highway authority will not have a statutory obligation to make any offers on noise insulation under The Noise Insulation Regulations 1975 (as amended). As a result of the installation of the signalisation, there is some potential for compensation claims by local residents if conditions for the physical factors under Part 1 of the Land Compensation Act 1973 are met.

- 17.6 In light of the above, the Council intends to carry out noise measurements prior to commencement of the Scheme, which could be used to assist in the assessment of any future claims for compensation. It is also intended to undertake noise measurements during construction and after Scheme implementation.
- 17.7 Permissible construction noise limits will be agreed in advance with the Council's Public Health Department and will form part of the construction contract specification. Contractors' method statements for individual activities will be required prior to execution including compliance with noise requirements. On site monitoring of construction noise will be carried out throughout the construction period.
- 17.8 Further information on Scheme traffic noise and vibration is included in the evidence to be submitted by Mr Tim Summers, Environmental Studies, Leeds City Council.

18 HUMAN RIGHTS

- 18.1 In processing the Orders, the Council has complied with all relevant legislation and regulations which provide an opportunity for those affected to object to the Orders and have their representations considered at a public inquiry. The land and rights needed to be acquired to facilitate the Scheme including interference with private property rights has been kept to the minimum necessary to carry

out the much needed highway improvements and associated mitigation measures. The public interest can only be safeguarded by the acquisition of the land and rights needed and other ancillary measures but will not place a disproportionate burden on affected landowners.

18.2 The Council believes that the Scheme is in the public interest and that this outweighs the harm caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed for the Scheme and that any interference with rights protected by the Convention is considered to be justifiable in order to secure the public benefits that the Scheme will bring to the community.

18.3 The Council therefore affirms that in the preparation and submission of the Orders to the Secretary of State for Transport for confirmation, the Council has had regard to the rights of the individual and property of the individual as contained in Human Rights legislation and contests that any interference with private rights of the individual is outweighed by the public benefits which the scheme would generate.

19 PUBLIC SECTOR EQUALITY STATEMENT

19.1 In formulating and promoting the Orders, the Council has had regard to its statutory duties and obligations under the Equality Act 2010, and in particular, to its obligations under sections 149 and 150 of the said Act, in taking into account the differential impact the Orders will have on various groups of

persons with different characteristics and has done so by reference to the Council's preparation of the Council's "Equality and Diversity Statement" (Core Document 16 refers), West Yorkshire 2016 "Transport Strategy, Integrated Sustainability Assessment" (Core Document 17 refers), and the Council's "Hard Ings Road Equality Impact Assessment" (Core Document 18 refers).

20 COMPULSORY PURCHASE ORDER OBJECTIONS

20.1 Two objections have been received by the Secretary of State for Transport in respect of the Orders as follows -

20.1.1 - Fibreline Limited in respect of premises known as and situate at Victoria Park Mills, Hard Ings Road, Keighley, West Yorkshire BD21 3ND submitted on behalf of Fibreline Limited by Walker Morris LLP whose office is situate at Kings Court, No 12 Kings Street, Leeds LS1 2HL, on 21st May 2017.

20.1.2. – Mr Tariq Ghafoor trading as "Hard Ings Motor Company", situate off Hard Ings Road, Keighley, West Yorkshire, submitted on behalf of Mr Tariq Ghafoor by Gateley Hamer Limited whose office is situate at One Eleven, Edmund Street, Birmingham B3 2HJ, on 13th June 2017.

20.2 The Council has considered the letters of objection and remains satisfied as to the justification of the Orders and the extent of the Order Land.

20.3 Hard Ings Motor Company (plot Ref. 9).

Land is required for the highway widening and works will include the reconfiguring of private accesses/egresses, re-grade the forecourt and modify the boundary treatment. The objection relates to the acquisition process and the need to include all land in the CPO powers. A response is given in the proof of evidence to be presented by Kate Okell, Axis Property Consultancy.

20.4 Fibreline Limited (plot Ref. 12)

Land is required for the highway widening and works will include the reconfiguring of a private (vehicle and pedestrian) access and the re-grade of the existing car park or the provision of a road level car park, and the construction of a highway retaining and parapet wall. The objection relates to their ability to continue to operate from the premises and the usability of the office space, after the construction of the Scheme. A summary of the objection is below together with my response. A copy of the objection letter from Fibreline is included in appendix 5 (and Core Document 22.1 refers). A detailed response to the objector was sent on 25 July 2017. A copy is included in Appendix 5 (and Core Document 22.2 refers).

20.5 Objection – Fibreline raises objection to the proposed road widening scheme, which would have a significantly detrimental impact on the ability to operate from their premises.

20.6 The Council has offered to undertake accommodation works to help mitigate the impact of the scheme on the Fibreline property, including the possibility of

widening the entrance and providing a new ramp to the existing low level car park or a road level car park option, and the provision of a relocated pedestrian access.

20.7 The Council has received further queries from Fibreline and has provided detailed responses in letters dated 27th June and 04 August 2017 explaining how access to and from the premises will be retained during the construction phase. A copy of these letters are included as Core Documents 22.3 – 22.6.

20.8 **Objection – There are likely to be very significant effects on the usability of office premises due to loss of light, noise, vibration, safety, security and general amenity concerns. The resultant loss of amenity within the offices due to increased vibration, noise, loss of light, overbearing impact on amenity, safety and compromised security could render the only existing office space serving the business unusable, which could in turn threaten the entire Fibreline operation in Keighley.**

20.9 The Council instructed a noise survey into the potential impact of noise on the Fibreline premises in June 2016. The survey was undertaken by Mr Tim Summers and further information about it is set out in Mr Summers Proof of Evidence.

20.10 In summary, the noise and vibration survey concluded that there will be a small increase in both noise and vibration levels, although these are expected to be at a low level and will be largely imperceptible. A full copy of the report was provided to the objector in September 2016 and included in appendix 7 to Tim

Summers' Proof of Evidence, referred to in paragraph 3.13, page 7, and clarifications to the objector's queries were provided in an email dated 2 November 2016.

20.11 The Council instructed a daylight survey in September 2016. This survey was undertaken by Mr Mike Scanlan and further information about it is set out in Mr Scanlan's proof of evidence. A copy of the report was sent to the objector in January 2017.

20.12 In summary, the report concludes that *the proposed road widening...."will result in a small diminishing of daylight amenity currently enjoyed by the windows / rooms of the Fibreline office building. However, notwithstanding a measurable reduction in Vertical Sky Component and Average Daylight Factor values, the daylight amenity will remain daylight design guidance compliant, insofar as target values will still be met and / or reductions of existing values are within a permissible threshold and would not be noticed by the room occupants."*

20.13 A supplemental Sunlight Amenity Impact Report is included as appendix 3 to Mike Scanlan's Proof of Evidence.

20.14 In terms of safety, the proposed parapet will be designed to provide vehicle containment unlike the existing dry stone boundary wall, which provides little protection from an errant vehicle. The proposals therefore provide an improvement to the safety of occupants to the building.

20.15 In terms of security, the Council also does not believe the gap between the building line and the proposed parapet wall to the retaining wall will be close enough for a person to climb across without the aid of ladders/planks at a part of the building that is clearly visible from the road. However, we have previously advised that if this is a real concern, improved security measures could be considered as part of a compensation package.

20.16 In terms of 'general amenity'. This is responded to in the Proof of Evidence to be presented by Michael Eaglestone, CBMDC Planning, referred to in paragraph 4.3, page 5.

20.17 Objection – The consequences of increased traffic flows would be more frequent and faster moving vehicles across 4 lanes of traffic and a potential result in an increase in noise and disturbance from these vehicles. Persistent noise disturbances over a sustained period during working hours could be detrimental to health, productivity and the company's ability to retain and hire staff.

20.18 This is responded to in Tim Summers' Proof of Evidence, referred to in paragraph 3.10, page 7.

20.19 Objection – Our clients object to the principle of the A650 Hard Ings Road improvement scheme, which is not justified. Traffic Data collected between 2000 and 2015 shows that the Annual Average Daily Traffic (AADT) on Hard Ings Road has not significantly increased.

20.20 Justification for the Scheme is outlined in Mr Bradshaw's Proof of Evidence, paragraphs 8.1 to 8.4, pages 30 and 31. Details of the justification were also provided to the objector in the Council's formal response dated 25 July 2017, included in appendix 5 (and Core Document 22.2 refers).

20.21 Objection – There were no alternative options for retaining and improving the two lanes and improving the Beechcliffe and Bradford Road roundabouts.

20.22 Alternative options are discounted in Mr Bradshaw's Proof of Evidence, sections 8.5 to 8.18, pages 32 to 36.

21 CONCLUSION

21.1 The Council is promoting –

The City of Bradford Metropolitan District Council (Hard Ings Road Improvement Scheme, Keighley) Compulsory Purchase Order 2017, so as to secure the much needed highway improvement Scheme and is supported by -

The City of Bradford Metropolitan District Council (Hard Ings Road Improvement, Keighley) (Side Roads) Order 2017, to enable related highway measures to be undertaken in support of and as a direct consequence of the proposed highway improvements to Hard Ings Road, Keighley.

- 21.2 Confirmation of the Orders would enable the implementation of the highway improvements and associated landscaping.
- 21.3 The Scheme is of central importance to the enhancement of the highway network and connectivity within Keighley and the wider area.
- 21.4 It is expected that the Scheme will act as a driver for further economic activity, boosting prosperity in Keighley.
- 21.5 In the event that the Orders are confirmed by the Secretary of State for Transport it should be noted that there are no barriers to the implementation of the Scheme, funding for the Scheme is in place and there are no planning obstacles to prevent the Scheme being implemented.
- 21.6 If however this opportunity to secure the much needed highway improvements is not taken, the funding to acquire the Order Land and to implement the Scheme may well be lost and the Council would not in such circumstances be in a position to achieve the desired objectives to improve the highway network connectivity and free flow of traffic and pedestrians in the vicinity of the proposed highway Scheme
- 21.7 It will be evident that the Council considers that it has advanced a compelling case in the public interest for the compulsory acquisition of all of the Order Land to support the Scheme.

- 21.8 Negotiations have taken place and shall continue with those holding remaining land interests, in order to achieve the maximum possible permissions and land take by way of voluntary agreement.
- 21.9 The Council is satisfied that the Orders have been promoted in the public interest and that it is fully compliant with the strategic planning and corporate policy planning and highway frameworks of the Council.
- 21.10 Moreover, the Council considers that the Order and the Side Roads Order, if confirmed, would strike an appropriate balance between public and private interests. The rights of owners of interests in the Order Land under the Human Rights Act 1998 (including the rights contained in Article 8 and Article 1 of the First Protocol) have been taken into account by the Council when considering whether to make the Order and when considering the extent of the interests to be comprised in the Order. In addition and having regard to the provisions of the Highways Act 1980 and Government guidance, the Council considers that the acquisition of the Order Land will facilitate the carrying out of the Scheme and the implementation of the Side Roads Order and will bring about and achieve the desired objectives of the Scheme.
- 21.11 Accordingly, the Council contends that it has advanced a compelling case in the public interest in promoting the Orders and that the Orders, if confirmed, would strike an appropriate balance between public and private interests.

21.12 The Secretary of State for Transport is therefore respectfully invited to confirm the Orders.

22 **Expert Declaration**

22.1 I confirm that my duty to the Inquiry as an expert witness overrides any duty to those instructing or paying me, that I have understood this duty and complied with it in giving my evidence impartially and objectively and that I will continue to comply with that duty.

22.2 I confirm that my expert evidence includes all facts which I regard as being relevant to the opinions I have expressed and that attention has been drawn to any matter that would affect the validity of those opinions.

22.3 I am not instructed under any conditional fee arrangement and have no conflict of interest.

22.4 I confirm that I have made clear which facts and matters referred to in this proof of evidence are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

22.5. I confirm my report complies with the requirements of The Institution of Civil Engineers and Chartered Institution of Highways and Transportation Codes of Professional Conduct.