
REPORT TO THE MEETING OF THE EXECUTIVE NOVEMBER 2022**PORTFOLIO: STRATEGIC PLANNING****REPORT FROM DIRECTOR OF PLACE****SUBJECT: LOCAL PLAN TRANSPORT ASSESSMENT****1 DECISION BEING RECOMMENDED**

- 1.1 That the Executive resolves to determine whether to pursue Option A or Option B, as set out in this report and authorise a drawdown of up to £200,000 from the Local Development Framework Reserve to fund the assessment but note that if Option B is agreed this may incur additional cost.
- 1.2 That authority be delegated to the Director of Place, in consultation with the Portfolio Holder for Strategic Planning, to manage the delivery of the assessment reporting into the Planning Policy Committee.

2 REASONS FOR RECOMMENDATION

- 2.1 At the meeting of the Executive held on 13 July 2022, with reference to commissioning a Local Plan Transport Assessment, and further to the consideration of the issue at a meeting of the Executive held on 13 June 2022, and the Overview and Scrutiny Committee on 6 July 2022, the Executive resolved to ask the Portfolio Holder for Strategic Planning and Director of Place to examine consultative options for consideration by the Planning Policy Committee.
- 2.2 The issue was considered by the Planning Policy Committee on 30 August 2022. This report has been prepared to report back on that paper and conclude a decision.

3 SALIENT INFORMATION**Introduction**

- 3.1 Once adopted, the Council's new Local Plan will set a long-term strategy for growth and development across the district, to the year 2040 and beyond. It will set out a framework for the scale, type and location of new development, including for housing and employment, over a period of 20-30 years.
- 3.2 Before being capable of adoption, the Council will need to submit its Local Plan to be examined in public. There are various legal tests that local plans must meet in order to be deemed sound and capable of adoption by the Council.
- 3.3 One of these soundness tests set out in national policy is that the Plan must be justified in the context of technical evidence and assessments. In practical

terms, this means that the strategy within the Plan must be appropriate in the context of identified opportunities, constraints and wider legislation.

- 3.4 A Transport Assessment is a fundamental component of the Local Plan evidence base. The purpose of such an assessment is to both inform the selection of a growth strategy that takes appropriate account of the capacity of the local transport network and the ability to sustainably accommodate additional demand generated by development (including by encouraging modal shift towards more sustainable means of travel), and which subsequently identifies the mitigation or improvements required to make the selected strategy sustainable.
- 3.5 The national Planning Practice Guidance (PPG) sets out detailed guidance on the preparation of transport evidence bases in plan-making¹

Progress on Transport Evidence Base To Date

- 3.6 The Council has previously commissioned initial transport evidence to support progress on the new Local Plan to date. This includes an initial appraisal of each of the submitted 'Call for Sites' and the broad strategies presented in its Spatial Options consultation against a wide range of transport criteria, such as proximity to existing transport infrastructure, including both roads and public transport.
- 3.7 This level of assessment was useful and proportionate to inform the progress of the Local Plan to date; however, it is limited in its usefulness to inform firm decisions on strategy and sites given such an approach has limited ability to consider the existing capacity of the transport network or mitigation to improve that capacity, and there is a non-perfect relationship between a development's proximity to transport infrastructure and its ability to access that infrastructure sustainably.
- 3.8 As a consequence, there is now a need to proceed to a more technical phase of transport assessment including a model-based assessment of potential strategies that identifies in detail the impact those strategies would have on the transport network and the mitigation required to make those strategies sustainable.

Comparison of Options for Progressing Work

- 3.9 The paper presented to the Planning Policy Committee on 30 August 2022 set out a comparison of the advantages and disadvantages of the two broad options for taking the necessary work forward. This was pursuant to a decision of the Executive on 13 July 2022, requesting that the Planning Policy Committee consider options for the Local Plan Transport Assessment on a consultative basis.

¹ <https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>

- 3.10 It is recognised that the Planning Policy Committee does not have decision-making powers under the Council's constitution and that procurement of works over a certain threshold are decisions reserved for the Executive. This report has therefore been prepared to summarise the outcomes of that process and facilitate a decision for progressing with the necessary work.
- 3.11 A comparison of the two options, as presented to the Planning Policy Committee, is provided below.
- 3.12 Two main options for the progression of this work have been identified. These are, in summary:
- Option A: To work with Essex County Council to commission the further phase of work using the County Council's partner organisation, Jacobs
 - Option B: To tender for a third-party consultant to prepare the further phase of work
- 3.13 The next phase of work requires a specialist consultancy to undertake a model-based assessment of the main spatial strategy options identified in the Council's emerging Local Plan which would inform the selection of a 'preferred' spatial strategy option by Council. The work would then continue to identify in greater detail the impacts of the Council's preferred strategy option on the transport network and to identify the mitigation required to support that option.
- 3.14 It is important to note that either option pursued will fundamentally require the engagement and endorsement of ECC Highways and Transportation, as is the Council's statutory duty to inform the preparation of the Rochford Local Plan. The engagement and endorsement of ECC Highways and Transportation will be fundamental to the Plan being found sound at Examination and in securing any external funding required to delivered mitigation.
- 3.15 Co-ordination and engagement with adjoining Local Authorities, including Southend-on-Sea City Council as a unitary authority, strategic transport bodies such as National Highways, as well as the promoters of strategic transport schemes such as the Lower Thames Crossing, A127 Task Force, A130 and Fairglen will also be required under either option
- 3.16 Progression under either option would be capable of delivering work satisfying those requirements, subject to the commentary below.
- 3.17 A model-based transport assessment requires the existence, or creation, of a transport model that consolidates real and observed traffic data into an integrated "model". Scenarios around the scale and location of development can then be passed through the model to identify the likely impacts of increased traffic numbers on key indicators such as traffic flows and junction waiting times over the plan period. Mitigation and improvements can also be

integrated into the model to assess the sufficiency of potential options for addressing those increased traffic numbers (such as junction improvements).

The scale of the work required is significant, including data collection, model construction and validation, scenario testing, and testing of potential transport mitigation schemes both committed and potential on a local and cross boundary basis, each requiring significant evaluation.

Cost Considerations

- 3.18 ECC as Transportation Authority and Highways Authority utilises the services of Jacobs who they are in partnership with under the existing Essex Highways contract. Under Option A, the contract would be between the Council and ECC who manage Jacobs under their existing contract. As partner to ECC, Jacobs provide elements of the Highways and Transportation service as a function which means that risk is managed between the Council and ECC, who manage Jacobs directly.
- 3.19 Essex County Council (ECC) already employs Jacobs to operate the South Essex Model, as well as the wider Countywide model. This model has been built based on observed traffic data across the area and is integrated beyond the Council's immediate boundary to include adjacent areas. ECC also work with the adjoining transportation and highway authority at Southend-on-Sea City Council to ensure consistency across Highway Authority areas. If a third party were to be employed by the Council under Option B, then there will remain an additional requirement to engage and agree parameters and outputs with ECC, and the additional cost for paying to validate those outputs against ECC modelling in order to understand the wider network implications and explore mitigation options.
- 3.20 Under Option A, the Council would not be required to financially contribute to the development of a model because it would be able to benefit from the existence of the established models at no cost. Jacobs have used their existing models to support similar Local Plan work in Chelmsford, Basildon and across North Essex, and an economy of scale would be achieved.
- 3.21 Under Option B, a third-party consultant would need to collect new traffic data and build their own model. The Council would be required to fund that work directly which based on testimonies from other local authorities is likely to take at least 3 additional months and cost a substantial financial commitment exceeding £50,000. As part of the review process, ECC as the Transportation and Highways Authority would need to commission Jacobs to validate outputs or build a model from scratch to assess the consultant's model, which would entail a duplication of effort. This approach could also hinder the options selection process due to the need for this additional reconciliation and could create additional costs for the Council at set points in the process
- 3.22 Whilst the tendering process under Option B may result in identifying a consultant whose reporting costs are lower than under Option A, testimonies

from other local authorities suggest that the additional costs in developing the model would exceed any potential savings.

- 3.23 The LDF Reserve profile has notionally allocated up to £200,000 for the Local Transport Assessment based on engagement with ECC. Option B would require a larger allocation from this reserve to account for the additional costs of collecting data and building a model relative to Option A. As the methodology for the remaining work would be highly similar, there are unlikely to be significant cost savings possible across the modelling and reporting phases to compensate for these additional costs.

Timetable Considerations

- 3.24 Under Option A, ECC have an existing framework with Jacobs that means they can directly commission the work envisaged.
- 3.25 Under Option B, a procurement process will need to be operated which based on the likely cost would result in at least an additional 2 month lead-in period to allow for the brief to be advertised for the minimum regulatory period of five or more weeks and then for a selection process to run its course.
- 3.26 As set out above, under Option B, a third-party consultant would need to collect new traffic data and build their own model. Based on testimonies from other local authorities, this process is likely to take at least 3 additional months relative to Option A, where a model already exists for this purpose. The surveys will also need to be undertaken during “data neutral” periods, which could impact on the programme, whereby data would need to be collected outside of school holidays and festive periods whereby traffic conditions would not necessarily represent normality. This would be required to ensure that the data gathered is reflective of typical conditions to enable robust conclusions to be drawn evidentially.
- 3.27 The time taken to model scenarios and report on findings is considered to be consistent between the two options at around 3-4 months at the Preferred Options stage, allowing for iterative feedback. The timetable beyond the Preferred Options stage to the Submission of the Plan is considered to be consistent across the two options, though again option B may require additional time to review outputs.
- 3.28 In summary, under Option A there is a likelihood that the time from decision to appoint to being in receipt of the Preferred Options Transport Assessment would be around 4 months. Under Option B, allowing for procurement, data collection and model development, the time from decision to proceed to being in receipt of the Preferred Options Transport Assessment would be around 9 months, owing to the validation of outputs as referred above and below.
- 3.29 These assumptions are also not inclusive of any additional timetable delays that may be created under Option B by the need for additional review stages by ECC on a third-party consultant’s modelling and work that would not be

required under Option A. The potential length of delays is difficult to estimate but is expanded upon below.

Practical Considerations

- 3.30 ECC is the Transportation and Highways Authority for the Rochford District and the wider County. In the context of local planning, ECC have a clearly defined statutory role to support the delivery of sustainable development through the plan by supporting the preparation of a robust transport evidence base.
- 3.31 As a statutory consultee and prescribed body under the Duty to Co-operate established under the Localism Act 2011, the Council and ECC are obliged to work together on this basis.
- 3.32 Under either Option, the Council will need to work with and consult ECC to ensure that the transport evidence base is robustly prepared and aligns with ECC standards.
- 3.33 A transport evidence base that deviates from ECC standards has a number of risks. These include both minor risks, such as requiring additional work late in the process to align, and major risks, such as the Local Plan being found unsound, undermining or foregoing bids for investment in infrastructure which would ordinarily need to be supported by ECC, or assumptions being made in the plan around new infrastructure that subsequently cannot be delivered. For example, all infrastructure proposals in the A127 corridor would be developed with the South Essex Model, so identifying mitigations in a separate model would incur the risk that later business cases contradict with the Local Plan process findings. ECC also liaises with strategic bodies such as National Highways and so wider model reconciliation with national strategic transport models has already occurred.
- 3.34 Experience from across the County shows that both options can deliver a transport evidence base that is supported by both the Council and ECC. However there are some practical advantages and disadvantages as detailed below.
- 3.35 Option A has practical advantages in the sense that the existing modelling and relationship between the consultant and ECC means that a large degree of alignment has already occurred prior to the inception of any work. Less human resource is therefore required to consider the outputs of the work.
- 3.36 Option B has practical disadvantages in the sense that new modelling will need to be created that will need to be extensively examined by Essex County Council to ensure they are satisfied it is robust. Any issues of misalignment will need to be rectified which could create further delays. Likewise, any reporting will need to be reviewed by Essex County Council and Jacobs which will add an additional review stage, and therefore cost, relative to Option A.

Methodological Considerations

- 3.37 Both options are considered likely to implement similar methodologies given the partly prescribed process set out in national Planning Practice Guidance. The primary difference between these methodologies would be the need for the creation of a new model at additional time and expense under Option B.
- 3.38 All other considerations held equal, neither option is considered to hold a methodological advantage over the other.

Summary of Planning Policy Committee

- 3.39 The Planning Policy Committee was in favour of Option B as outlined in the report as it represented that public opinion was taken into account, providing a good level of evidence with a fresh approach to traffic assessment within the area.
- 3.40 The Planning Policy Committee resolved to indicate support for Option B as set out in the paper to inform a future report into the Executive

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Failure to prepare a robust transport assessment is likely to lead to the Council's new Local Plan being found unsound at Examination which would lead to a delay in the ability to adopt a new Local Plan for the District as well as resulting in wasted expense and resource. Not pursuing either option is therefore not considered to be a realistic alternative.

5 RISK IMPLICATIONS

- 5.1 Commissioning a robust transport assessment will support the development of a sound Local Plan and in doing so will help to avoid the risks that may arise from not having an up-to-date Local Plan, including greater exposure to unplanned or speculative development and reputational damage from loss of planning powers.
- 5.2 There are differences in the level of timetable and cost risk associated with pursuing either option as set out in this report.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 This decision will have no direct impact on the environment or greenhouse gas emissions. Indirectly, a sound Local Plan allows for the environmental impacts of planning decisions to be better understood and for those impacts to be better reflected in decision-making. Commissioning a transport evidence will support the development of a sound new Local Plan and will allow for more informed decision-making with respect to the environmental impacts of new development, particularly relative to unplanned development which may arise from a failure to adopt a sound Local Plan.

7 RESOURCE IMPLICATIONS

- 7.1 The Council has earmarked a dedicated reserve (the LDF reserve) to fund technical work on the new Local Plan. In principle, this assessment would be funded from an allocation of that reserve.
- 7.2 A reprofiling of the reserve budget shows that the assessment can be funded from this reserve up to a maximum of £200,000 without compromising on other workstreams or the need for additional funds to be made available. As set out in the report, there are likely to be additional costs associated with pursuing Option B, which may mean the cost under that option exceeds this £200,000 estimate. Should Option B be pursued, and a resulting tender process identify exceptional costs, it may therefore be necessary for a paper to report back to the Executive to identify alternative or top-up funding.

8 LEGAL IMPLICATIONS

- 8.1 There are none directly arising from this report.

9 EQUALITY AND DIVERSITY IMPLICATIONS

- 9.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

LT Lead Officer Signature: _____



Director of Place

Background Papers:-

None.

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