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5 November 2007

Highways Agency
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Dear Sirs

Re-issued consultations on M11 Junctions 6 to 8 and Stansted Generation 2 Airport Access from M11 and A120

You will recall that we expressed serious reservations that your original consultations (and the associated BAA surface access consultation) were fundamentally flawed and unfair. In our letter of 7 May 2007 to the Secretary of State for Transport, copied to the Chief Executive of the Highways Agency, we identified six fundamental deficiencies in the original consultations and made it clear that, were it not for the fact that our financial resources were so stretched at that time, we would have mounted a legal challenge to the consultations.

We finally received a reply on behalf of the Secretary of State in a letter from the Department of Transport dated 13 September 2007, and this advised that the Highways Agency accepted at least part of our criticism. However, there seems to be no attempt to address the main concerns that we expressed. Furthermore, the extremely selective changes in the re-issued consultation, i.e. the reintroduction of previously dismissed options, has unfairly brought uncertainty and prolonged the blight for communities that are again in the spotlight, particularly Birchanger and Burton End.

Regrettably, therefore, we must once again express our concerns that these re-issued consultations fall far short of the standards set by the Cabinet Office Code of Practice, despite those standards being set out in the two consultation booklets.

The purpose and status of these re-issued consultations is unclear, the documents are confusing, the timescale for responding is too short, virtually no additional information has been provided to consultees, and the main fundamental flaws of the original consultations have not been corrected. Once again, it is only our lack of financial resources at this time which prevents us from challenging the fairness of these consultations in law. Our attached response should be read in the context of the points we have made in this covering letter.

Yours faithfully

for Stop Stansted Expansion

Enc

Highways Agency Consultations on M11 Junctions 6 to 8 Improvements and Stansted Generation 2 Airport Access from M11 and A120 (re-issued September 2007)

Response by
Stop Stansted Expansion

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INTRODUCTION

1. Despite serious misgivings about their fairness, Stop Stansted Expansion ('SSE') feels obliged, on behalf of the many thousands of local residents whom we represent, to respond to the Highways Agency ('HA') on these two important consultations ('the Re-issued Consultations') which deal with proposals to widen the M11 between Junctions 6 and 8 and for accessing Stansted Airport from the M11 and A120.
2. SSE was formed in August 2002 and now has over 6,500 members and supporters including over 130 local parish councils, residents' groups and other organisations. Whilst our primary focus relates to Stansted Airport, SSE is also concerned with the broader implications of airport development throughout the UK.
3. SSE responded on 11 June 2007 to the two original HA Consultations which were launched in February 2007 ("the Original Consultations") and conducted in parallel with BAA's Stansted Generation 2 Surface Access Consultation ("BAA's Surface Access Consultation"). All three consultations related to the surface access implications of BAA's proposed second runway at Stansted Airport.
4. The proposal that there should be a second runway at Stansted is in itself unacceptable to us as such a development would be unsustainable. This further response to your consultations in no way implies any change to our position.
5. Our response of 11 June set out many of the deficiencies in the Original Consultations. If the intention of the HA, in re-issuing these consultations, was to remedy the deficiencies of the originals, it has totally failed to do so. We remain of the view that these and BAA's Surface Access Consultation are unfair. We are still insufficiently informed to be able to comment on the majority of proposals and so our prime focus is once again on the structure of the Re-issued Consultations and their inadequacies.
6. We are concerned that these consultations are not being driven by the HA but by the airport operator, BAA. It is our understanding that the consultations were prepared by BAA and this appears to be supported by the fact that the 13 September 2007 letter to SSE announcing the consultation re-issue came from the Airports Policy Division of the Department for Transport, not from the Roads Division or the HA.
7. Finally in this introductory section, we repeat the point made in our June response that the particular difficulties of the three original consultations, now exacerbated by confusion caused by the Re-issued Consultations, may have an adverse effect both on the quality and number of responses that are submitted.

INADEQUACY OF THE HIGHWAYS AGENCY CONSULTATIONS

8. The Re-issued Consultations refer to Government policy contained in the 2003 Air Transport White Paper ('ATWP') but fail to refer to other relevant government policies. Of particular significance are the policies to:
 - Reduce the need to travel, especially by car [Transport White Paper (1998) and PPG13]
 - Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development [PPS1 (2005)]
 - Reduce carbon dioxide emissions to combat climate change [Energy White Paper (2003) and subsequent and emerging policy].

It is not apparent that proper consideration has been given to these policies in either the Original Consultations or the Re-issued Consultations. Failure to mention them gives those consulted an unbalanced view of government policies.

9. Rail should be the foremost element of any strategy for coping with the surface access demands that would be created by an expanded airport, yet BAA did not launch a rail consultation until the formal closing date for the three original consultations had passed.
10. SSE responded to BAA's Rail Schemes Consultation on 12 July, expressing serious concerns about the adequacy and fairness of the consultation, especially as it followed, rather than preceded, the original highways consultations, consistent with the flawed approach in BAA's earlier Surface Access Consultation. Specifically, we highlighted a probable understatement of rail demand, especially if it were to be stimulated by initiatives to encourage a shift away from road transport; we commented on the inadequacy and uncertainty of the proposals; and we criticised the lack of consultation on other rail options.
11. Since then, the CAA has published a breakdown of passenger travel to and from the airport in 2006 and it is disappointing to note a further decline in the share of passengers travelling by rail – down from 28.8% in 2004 to 23.3% in 2006 – and down in absolute terms also. We regard this not as a justification for pressing ahead with highway expansion, but rather as a clear demonstration that not enough is being done to progress Government policy to discourage road traffic.
12. The Re-issued Consultations state that the ATWP *'requires BAA to work with the Highways Agency to consider the need to increase the capacity of the M11 to serve the combination of regional and airport growth'*. This is a selective and misleading version of what the ATWP actually states. For example: it fails to mention the ATWP's earlier reference to the need to consider *'increased capacity on the West Anglia Main Line, including platform lengthening and additional tracks on key sections'* (para 11.37, first bullet) and it fails to mention the need to consider how to deal with *'peak capacity at Liverpool Street and Tottenham Hale stations'* (para 11.37, second bullet). Thus the impression given to consultees is that these road proposals are mandated by the ATWP and there are no rail alternatives which could avoid or even delay the need for these proposals.
13. Nor is any mention made of the Government's undertaking in para 3.6 of the ATWP to ensure that *'loss of landscape and built heritage is avoided wherever possible, and otherwise minimised and mitigated to the greatest extent possible'* or of the statement on page 118 of the ATWP: *'The Government supports the view that development of a second runway should be done in a way that respects the character of the countryside around Stansted'*. These statements strongly suggest that the priority for any surface access strategy for Stansted should be to transport the maximum number of passengers to/from the airport by rail before embarking on major road improvement schemes and yet the proposals from BAA and the Highways Agency place all the emphasis on improving road access. Consultees are being asked to comment on the finer details of roads schemes without having even been properly consulted on the far more important issue, namely, the balance between road, rail and bus/coach.
14. The sequencing of this entire consultation exercise has been totally wrong from the start and demonstrates a degree of pre-judgement which is wholly inconsistent with the normal requirements of a fair and proper consultation process. The absence of a proper assessment of rail options (relative costs, benefits and impacts) makes it impossible for consultees to reach an informed view either on the appropriate balance of airport-related surface access traffic between rail, bus/coach and private car/taxi or on the relevance of

your road proposals. As we spelt out in our response to the Original Consultations, the sequence of priorities and consultation should be:

1. Rail
 2. Coach and bus
 3. Road infrastructure.
15. The Re-issued Consultations have failed to address this fundamental deficiency, making no mention of either BAA's Rail Schemes Consultation (although itself wholly inadequate) or Network Rail's April 2007 consultation on its Route Utilisation Strategy. It is quite wrong that consultations on the details of proposed new road infrastructure projects should precede or fail to take into account any proposals for investment in rail infrastructure.
16. In our response to the Original Consultations we complained that they were presented only as single option 'consultations', without anything other than a passing reference to alternatives that you had considered and dismissed. The Re-issued Consultations each now makes a fleeting reference to two alternative options, yet these are relatively minor variations on the original proposals. Even within this limited range of options, there is no presentation of the environmental, road safety, community cohesion, heritage, cost or other relevant criteria by which the options might be judged. It is unreasonable to expect consultees to make a considered judgement based on the totally inadequate information.
17. The additional diagrams that have been deposited with a number of council offices and libraries add very little to what has been shown in the Re-issued Consultations. They certainly fail to convey the scale of the envisaged new junctions.
18. The Re-issued Consultations still contain no assessment of the benefits and disadvantages of the proposed schemes relative to any alternative rail-based proposal. It is essential for a proper understanding of your proposals that those consulted are provided with clear information on other options, including 'Do-Minimum' and any potential or committed investment by the DfT/Network Rail or BAA in rail infrastructure.
19. Recently, at the 'G1' Public Inquiry into BAA's planning application for increased passenger numbers on the single runway, BAA announced that most of its commitment to financially support rail initiatives, given in 2003 as part of the current planning approval for 25mppa, would be withdrawn if its application for 35mppa was approved. The consequent increased uncertainty for rail has not been mentioned in the Re-issued Consultations.

RELIABILITY OF BAA FORECASTS THAT UNDERPIN THE CONSULTATIONS

20. We will not repeat comments made in our response to the Original Consultations. However, the 'G1' Public Inquiry heard extensive evidence regarding road and rail and it was clear that BAA had no strong commitment to encouraging passengers out of their cars and onto public transport, especially rail. The airport operator's proposals to cater for more rail passengers were inadequate and lacked certainty.

COMMENTS ON ROAD STRATEGY

21. The consultation booklets and additional diagrams that have been deposited with council offices and libraries fail to convey the scale of what is proposed. We have seen more detailed design drawings on CD, but these are unlikely to have been seen by the majority of consultees. These diagrams show several options for the construction of the

additional airport accesses. All would entail the construction of elevated roundabouts or slip roads to take traffic over the M11 or A120. The elevation would almost certainly increase visual and noise intrusion for Birchanger, Burton End and Stansted Mountfitchet in the case of Junction 8b and for Takeley and Takeley Street in the case of the A120.

22. At a meeting in July with representatives from Birchanger, Burton End, Stansted Mountfitchet and SSE, the Highways Agency's Chris Shuker explained that underpasses could be considered as an alternative to overpasses. This seems to be an obvious way of mitigating the impact and we are surprised it was not mentioned in the consultations, particularly in view of the Government's undertaking in the Air Transport White Paper to ensure that *'loss of landscape and built heritage is avoided wherever possible, and otherwise minimised and mitigated to the greatest extent possible'* (para 3.6). We urge that a full assessment be made of this approach for both the M11 and A120 junctions.
23. The issues of timing and phasing are not mentioned even in the Re-issued Consultations, again creating the impression of prejudgement. If M11 widening and improved road access to Stansted Airport were implemented in advance of need and without first making every effort to maximize rail patronage, they could become a self-fulfilling prophecy, removing one of the incentives for road users to switch to rail, and at the same time resulting in environmental impacts more severe than is necessary.

CONCLUSIONS

24. The fundamental shortcomings that we identified in our response(s) to the Original Consultations have not been addressed, including their inadequacy and unfairness, the failure to address Government policy to reduce car travel and the failure to encourage and support meaningful rail infrastructure improvements.
25. The Re-issued Consultations fail to give adequate information to allow those consulted to make informed comments on the appropriateness of the modal split between rail, road and coach or on the choice of solutions.
26. For these reasons, we strongly oppose all the options in the new questionnaires.
27. We have made an additional point in requesting that any further proposals for junctions include proper consideration of underpasses rather than overpasses.
28. Finally, we consider that the HA and, by implication, the Secretary of State for Transport, have allowed BAA to prepare and conduct these consultations in a manner which is totally contrary to Government policy, choosing road expansion as the option of first resort for developing surface access capacity to serve Stansted Airport. It is, of course, convenient from BAA's point of view to focus on road rather than rail access to the airport. Not only is this a far less costly surface access strategy for BAA but also it is the strategy best suited to maximising its valuable income stream from airport car parking (accounting for some 72% of Stansted's operating profit in 2006).
29. We will be writing directly to the Secretary of State for Transport and to the Secretary of State for Environment, Food and Rural Affairs to draw the above point to their attention.

RESPONSES BY STOP STANSTED EXPANSION TO QUESTIONNAIRES

Airport Access from M11 and A120

Q1: How do you feel:

Proposed Scheme – Strongly oppose

At North Weald – Strongly oppose

Between Harlow & Sheering – Strongly oppose

Q2: Reasons

See text above

Q4: Comments, etc

See text above and accompanying letter

M11 Junctions 6 to 8 Improvements

Q1: How do you feel:

Proposed Scheme – Strongly oppose

Extended Link Junction – Strongly oppose

Separate junction – Strongly oppose

Q2: Reasons

See text above

Q4: Comments, etc

See text above and accompanying letter