

Public Meeting Briefing Note

The Problem

In June 2014, local residents became aware of large numbers of HGVs passing through their villages. Rumours circulated that the HGVs were carrying stone for bridge embankments on the Chiltern/Network Rail upgrade project known as Evergreen 3.

Replies to inquiries to Cllr Hallchurch (CDC & OCC) confirmed that the HGVs were transporting stone to two works sites for the rail project, and that the traffic would finish by the end of September 2014 at the latest.

Source: Email from Cllr Hallchurch to Michael Ocock (Ambrosden resident) 11-09-15.

From observations made by local residents during August 2014, it was estimated that **more than 300 HGV movements a day** were taking place, starting at about 7:00am and continuing until 4:00pm, five days a week.

This estimate of daily HGV movements has been put to Cllr Hallchurch and others, but never challenged.

The 30 tonne 8-wheel HGVs were, and still are, using Otmoor roads that are normally restricted to 7.5 tonnes (“*except for access*”). In addition to this long-standing weight restriction on the local roads, HGV traffic accessing the MoD depot at Arncott has been diverted away from the Ploughley Road through Ambrosden for more than 30 years. This was done to reduce the volume of heavy traffic through the village, and to minimise the risks to pupils of Five Acres Junior School.

Despite these restrictions on normal HGV traffic, the road through Ambrosden and Merton was accepted by the planning authorities as the designated haulage route for the Network Rail project.

Apart from a lull at the end of last year, this Network Rail HGV traffic has continued at much the same rate, **i.e. more than 1500 movements a week**, except that the traffic now begins at 6:00am.

Why We Think This Has Happened

From responses to inquiries addressed to local councillors, County Council officers and the community relations team of the East-West Rail Joint Venture, and supplemented by Freedom of Information requests, it is possible to conclude that:

1. No direct consultation with the affected communities took place, nor were warnings issued at the commencement of the traffic about its likely intensity.
2. Alternative means of accessing the works sites were never the subject of serious study by the rail project team or by the County and District Councils.

3. No information was provided by the rail project about (i) the precise use to which the access routes would be put, (ii) the consequent risks to people and property from the type of traffic, or (iii) the need to properly manage damage to public highways and buried services. Furthermore, the Highways Authority did not question the rail project on these crucial points.
 4. During the planning of the project, no attempt was made to inquire as to why the designated highways were already subject to permanent Traffic Order weight restrictions and MoD HGV diversions, nor to evaluate the significance of these existing restrictions to the proposed haul route.
 5. The HGV traffic is *directed* (rather than simply *allowed*) to use these routes to access the two main works sites.
 6. The communities are expected to accept the short-term ‘pain’ for long term ‘gain’.
 7. The scheme began as Chiltern Railways’ *Evergreen 3*, a straightforward project to connect the Bicester-Marylebone mainline with Oxford. Since being transferred from Deutsche Bahn/Chiltern to Network Rail Infrastructure Ltd, the project has become, according to its website, a ‘*major project to establish a strategic railway connecting East Anglia with Central, Southern and Western England*’ for both passengers and freight, and to be electrified at least as far as Bletchley. Has this led to changes to its size and scope such that the original approvals and consents should have been revisited before the enhanced scheme was approved?
 8. Cllr Hallchurch has stated that it is not possible to stop the HGV traffic.
 9. The County Council has declined to make a special case for the road repairs that will follow cessation of the route as a ‘haul road’.
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The Role of the Local Authorities

Clearly the direct cause of the problems experienced by our communities is the large number of truck movements through the villages. However, these trucks are simply following the instructions issued to them, by the contractors carrying out the construction work. They in turn are doing the work for Chiltern Railways/Network Rail, using a route that was approved by the local authorities. It appears however that this route was approved without any attempt to explore the alternatives. On this basis, it may be concluded that ultimately, the parties responsible for the problems endured by the local communities arose through a failure of due diligence.

History

1. Arrangements for accessing an inadequately planned rail project were waved through by local authorities probably ‘asleep on the job’ and/or seduced by the political benefits of supporting a ‘new’ railway.
2. This created a very risky situation for the communities affected by the access routes, which was never acknowledged by either by the local authorities or by the rail project’s promoters.

3. When the situation was drawn to the attention of the authorities responsible, they rebuffed attempts to remedy it and instead told the affected communities they should accept pain (and risk?) for the greater good of the region and the nation.
4. Since then the situation has got a great deal worse. The project has grown in size and scope, and the project's procurement strategy and incentive payments scheme allows vast quantities of quarry products to be delivered to the works virtually unregulated by the project's owner Network Rail or by the local authorities, using wholly unsuitable local highways.
5. As a result, a potentially unsafe and very risky situation (risky in many different ways) has been allowed to continue.

In relation to the above, it has not been easy to identify which local body was responsible for these decisions. Clearly, Cherwell District Council was the body responsible for granting consent for the haul route. However, this appears to have been done subject to guidance from Oxfordshire County Council. Ultimately, from a local perspective, it is irrelevant how these bodies choose to "pass the buck" between themselves. In the final analysis, the local communities appear to have been very poorly served by their local representatives, at both district and county level.

References & Sources

General

The Chiltern Railway (Bicester to Oxford) Improvements Order Environmental Statement, Vol. 4, Annex I, Road traffic for construction (December 2009), states that the strategy is as follows:

(i) 'Routes taken back to M40 by route considered to have least effort (sic) on residential properties.' *(ii) 'Bulk earthworks will be transported by rail when possible to limit contractor related road access.'* *(iii) Any removal of material from site by road will be planned to avoid peak times.'*

The route through Merton and Ambrosden is designated the Blue Route:

'Likely maximum construction vehicles 6-10 per hour. Generally movements will be considerably lower.'

No mention is made in the Environmental Statement of the period during which the transport of materials by road will take place, or of the size of the vehicles and their loads. The estimated 6-10 HGVs an hour, or 48-80 per 8 hour day, should be compared with the actual movements over the 10 month period.

The means of dealing with the risks and issues raised by the Environmental Statement are set out in the Code of Construction Practice governing the conduct of the works (CoCP). The CoCP is a lengthy document. In Part 1.2.4 it states that the CoCP's overall aim is *'to mitigate nuisance to the public and safeguard the environment.'* There appears to be no express provision within the document that explains how this aim will be achieved in respect of those villages and public highways through which are funnelled the majority of HGVs serving the works. Version 6 of the CoCP was

endorsed by OCC and approved by Cherwell District Council on 26 September 2013 as part of its Discharge of Planning Conditions. (Letter from OCC to Ambrosden Parish Council 12 September 2014).

With reference to the specific numbered points under *Why We Think This Has Happened* above, the evidence is as follows:

- **Point 1:** Information from local residents and parish councillors.
 - **Points 2 & 3:** Email to Ambrosden Parish Council from OCC Principal Engineer – Road Agreements, 15 December 2014:
‘The County Council has no information on how the construction vehicle route from A41 to Oddington was developed by Chiltern Railways.’
 - **Point 4:** See Environmental Statement referred to above.
 - **Point 5:** See Cherwell District Council’s Discharge of Planning Conditions.
 - **Point 6:** Communication from Cllr Hallchurch to local residents.
 - **Point 7:** Reports in local media and on East-West Rail website.
 - **Point 8:** Communication from Cllr Hallchurch to local residents.
 - **Point 9:** See email to Ambrosden Parish Council from OCC Principal Engineer – Road Agreements, 15 December 2014.
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