



Havering
LONDON BOROUGH

Notice of Non-key Executive Decision

Subject Heading:	Highways England Proposed M25 Motorway Junction 28 improvement scheme at Brook Street, Brentwood
Cabinet Member:	Councillor Damian White
SLT Lead:	Caroline Bruce (Interim) Director of Neighbourhoods
Report Author and contact details:	Daniel Douglas Transport Planning Team Leader T 01708 433220 daniel.douglas@havering.gov.uk
Policy context:	London Plan (2016) Mayor's Transport Strategy (2018) Havering Local Development Framework (2008) Submission Havering Local Plan (2018) Havering Draft Local Implementation Plan (2017)
Financial summary:	No financial implications for the Council arising as a direct result of this decision.
Relevant OSC:	Environment
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[x]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

That the proposed response to the M25 Motorway Junction 28 Improvement Scheme, as set out in Appendix 1, be submitted to Highways England.

AUTHORITY UNDER WHICH DECISION IS MADE

The following elements of the Council's Constitution apply.

Council's Constitution November 2010 Part 3 - Responsibility for Functions

2 Executive Functions - Functions

Delegation to individual cabinet member 2.5 (b) – where there implications for policies of the Council, to agree members of staff's responses to consultation papers from:

- (i) the Government
- (ii) the London Council, GLA, LGA and all other bodies where those papers affect the services allocated

STATEMENT OF THE REASONS FOR THE DECISION

Background to the proposed M25 Junction 28 improvement Scheme

1) In 2015, Highways England ('HE') produced a five-year strategy for improving its strategic road network known as the Road Investment Strategy which was part of The Infrastructure Act 2015.

2) The strategy identified more than 15 proposed highway schemes to improve traffic flow and safety on motorways in London and the South East. Four are planned for the M25 motorway and one involves Junction 28 of the M25 (M25/J28) in Havering (also known as the Brook Street interchange).

3) HE will progress the scheme by means of Development Consent Order (DCO). As set out later in this report the proposal raises issues for Havering which are also raised by the HE Lower Thames Crossing project for a new crossing of the River Thames to supplement the current Dartford Crossing. The Council submitted a comprehensive response to that project in late 2018. Members will note that the recommended response (in Appendix 1) for this relatively smaller highways project addresses similar points because the proposal raises common issues.

Why is Highways England looking to make changes?

4) The M25/J28 interchange has a vital role connecting the M25 motorway -with the A12, as well as providing local access to Brentwood via the A1023 (Brook Street).

5) It is a heavily used roundabout junction which is controlled by traffic lights on several 'arms'. Up to 7,500 vehicles per hour currently travel through the roundabout at peak times. With this level of traffic, the M25/J28 junction is often operating at, or close to capacity, resulting in traffic queues and delays. In recent years there have been a number of traffic incidents which create additional delays and disruption to traffic along the M25, A12 and local roads.

6) HE has identified several issues at the junction which adversely impact on the local and regional economies including :

- congestion and delay disrupting journeys on the strategic road network and local roads
- significant actual and perceived safety concerns linked to driver movements and behaviour at the Brook Street roundabout
- the highway resilience to incidents is poor and this results in significant disruption and unreliable journey times
- poor air quality

7) HE forecasts that traffic in the area is expected to increase by up to 40% by 2037. It suggests that if capacity improvements are not made to Junction 28 by 2037, this could lead to:

- increased congestion and lengthy queues (at least 5 times worse than at present)
- a 25% reduction in average speeds through the junction (excluding mainline M25 and A12)
- widespread disruption following incidents
- constraints on future development and growth opportunities
- local air quality issues to deteriorate further

Earlier Consultations on M25 Junction 28 improvement scheme

8) HE has previously sought the views of stakeholders on several potential options for improving capacity at the M25/J28 junction. The most recent consultation (Winter 2016/17) included three options for securing improvements. The overall aim of these was to benefit northbound traffic leaving the M25 and heading east along the A12 trunk road.

9) Each of the options proposed a new dedicated "cloverleaf" loop road to allow northbound M25 traffic to leave the motorway just past the existing junction and make an anti-clockwise turn on a new road that would join the A12 eastbound within Havering. This arrangement would replace northbound vehicles leaving the M25 using the existing slip-road off the motorway and then going clock-wise round the roundabout and under the motorway before joining the A12 using the slip-road.

10) The Council's preferred option was for a new two lane 'loop' road with a hard 'shoulder' as it would offer better capacity improvements over the longer term. HE has advised that this option received the most support from other stakeholders who responded to the consultation.

11) In Summer 2017, the Secretary of State for Transport announced the "Preferred Route" for the scheme which was for a two lane loop with a hard shoulder.

The Current Highways England Consultation

12) In December 2018, HE launched an eight week statutory consultation (Section 42) on the Preferred Route.

13) The key infrastructure features in Havering of the proposal include:

- Creating a new two-lane loop road with a hard shoulder for northbound M25 traffic to leave the motorway and to join the A12 eastbound.
- Provide a new bridge to allow the new loop road leaving the motorway to pass over the existing northbound M25 entry road (which would join the motorway further north than the current 'on' slip-road)
- Provide an overbridge to support the A12 eastbound exit road to allow the proposed loop road to pass underneath and join the A12 eastbound carriageway
- Reconfigure the lane markings and destination signing on the existing Brook Street roundabout.

14) The proposed loop road exits the M25 to the north of the existing junction. It then crosses the valley created by Weald Brook and follows the contour of the hill as it descends to a point where it meets the A12 to the west of the existing junction.

15) The consultation material addresses a wide variety of topics including landscaping, air quality, archaeology, noise, geology and soils, highways, structures and heritage. A route map shows the full extent of the scheme. The consultation material has been carefully reviewed by officers to inform the recommended response (see below).

How have Members been involved?

16) An item was placed in the Calendar Brief advising Members of the HE consultation and the public information events that are being held within the borough, including two at the Town Hall in January. Officers wrote to relevant ward Members making them aware of the consultation.

17) Ward Councillors for Gooshays and Harold Wood Ward were invited to a briefing on the scheme by Highways England in December to learn more about the proposals.

The recommended response

18) Officers have carefully assessed the proposed scheme and considered its implications for Havering. In line with previous responses to HE on the Lower Thames Crossing project, it is considered that the Council's response should support the provision of new infrastructure in Havering that will benefit residents and businesses. Additionally, the recommended response also comments on a number of issues in the same way that the recent response on the Lower Thames Crossing did because this much smaller project raises similar issues and concerns.

19) It is recommended that the Council formally respond to the consultation and that the following points be included:

- Welcome further infrastructure investment within Havering particularly where such investment provides safe and convenient movement for Havering residents and

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businesses.

- Recognise the need for infrastructure investment at J28 of the M25 to address capacity issues, incident rates and improve air quality.
- Set out Havering's spatial strategy including the level of growth anticipated for Romford to provide a context for supporting the infrastructure investment.
- Set out the Council aspirations for improvements to the highway network including Gallows Corner which is a key highways junction along the A12 at the intersection of the A12, A127 and busy local roads (Main Road and Straight Road).
- Further detail is required on the impact the scheme will have on the highways network particularly on Gallows Corner and on borough junctions with the A12.
- The Council expects to see further traffic modelling data demonstrating the cumulative impact of both the M25/J28 and Lower Thames Crossing schemes will have on the local highways network.
- In the light of the proposed major highway intervention resulting from the proposed Lower Thames Crossing project, express strong concern about the cumulative impact of two Nationally Significant Infrastructure Projects (NSIP) being delivered at the same time because these could have adverse impacts on congestion, noise and air quality in Havering during construction.
- The Council requests further information on the impact construction traffic will have on the highway network including the timing of construction works and HGV routes and movements.
- The Council requests further information on appropriate mitigation to minimise the impact the scheme will have on the Green Belt and the visual impact of the scheme.
- Highlight key policies within Havering's Local Plan that the Council expects Highways England to take into account when developing the scheme.
- The Council will wish to comment on the Construction Environmental Management Plan and Ecological Management Plan once these have been produced.
- The Council expects Highway England to engage with the borough on plans to relocate any habitats or species as part of the scheme.
- The Council expects suitable compensatory measures to be delivered for any loss of habitat during construction works.
- The Council expects a Heritage Statement to be produced to fully assess the impact construction will have on any heritage assets.
- Emphasise the importance making sure the scheme incorporates the ability for Non Motorised Users (NMU's) to be able to safely and conveniently navigate the junction by foot particularly for accessing Brook Street.
- The Council expects HE to work with the borough and TfL to agree suitable mitigation measures to reduce the impact of the scheme on local air quality, particularly around the strategic road network.
- The Council expects to work closely with Highways England as they develop their noise surveys for the project.
- The Council will require a Planning Performance Agreement (PPA) between LB Havering and Highways England in order for the Council to be able to fully engage in the DCO process.
- Expect the Council to continue to be involved as the proposals develop further.

Next Steps

20) Subject to Member approval, the Council's response will be submitted to Highways England.

21) HE will review all the consultation responses to inform the design of the proposed scheme and to develop the planned mitigation measures.

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22) HE will prepare a consultation response document as part of the DCO (Development Consent Order) submission.

23) HE expect to submit the DCO application by Autumn 2019 and subject to approval expect the scheme works to start in June 2021.

OTHER OPTIONS CONSIDERED AND REJECTED

24) Not responding to the consultation has been rejected as this would mean that Havering would not have an opportunity to put forward its views on the proposals nor raise concerns linked to them. The proposal raises important issues for Havering and it is important that these are raised with Highways England.

PRE-DECISION CONSULTATION

25) Ward Councillors were invited to a briefing on the proposals in December 2018 and an item was placed in Calendar Brief.

26) Highways England held an exhibition of the proposals in the Town Hall in January 2019 for Members and members of the public.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Daniel Douglas

Designation: Transport Planning Team Leader

Signature: 

Date: 25/01/2019

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

27) Parts 1 to 8 of the Planning Act 2008 (as amended) ("the Act") introduced a system of development consent for nationally significant infrastructure projects ("NSIP"). The proposed J28/M25 scheme was confirmed as National Infrastructure Project by the Secretary of State for Transport on 22nd August 2017.

28) Highways England next step is to apply to the Secretary of State for a DCO via the Planning Inspectorate as Examining Authority ("PIN's") who have six months in which to hear the application. Once heard a three month period is then set aside for PIN's to make a recommendation to the Secretary of State for Transport who then has a further three month period to confirm or refuse the order with or without amendments.

29) The process includes a very tight strict statutory period of consultation under the Act. The intention of the consultation process is to enable all parties affected by the DCO application to make submissions through written representations.

30) This Executive Decision is to approve the Council's intended response to the HE DCO statutory consultation. Officers have recommended a response to be submitted to HE that correctly sets out topics and issues as at paragraph 19 which are recommended for inclusion in the response.

31) The response will be submitted to Highways England as part of the S42 Statutory consultation process and forms the basis of later submissions and requests for further information.

FINANCIAL IMPLICATIONS AND RISKS

32) There are no financial implications for the Council arising as a direct result of this decision paper.

33) In the light of the concerns raised by the scheme, it is anticipated that additional resources (including the provision of appropriate external consultants) will be required to support the Council's continued role in the M25 Junction 28 project.

34) To mitigate this, officers are discussing establishing a Planning Performance Agreement (PPA) with Highways England which would see the HE providing financial support to Havering to support this work. Any costs arising following the consultation will be addressed in subsequent decision papers.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

35) Preparing formal responses to the consultation and the other processes that the Council is required to go through as part of the Development Consent Order Process (including a 6 month examination) will require substantial officer / resource time.

36) The Planning Performance Agreement (PPA) will include financial recompense for Council officer time (through hourly rates) attributed to the project.

37) Committing Council resources to the M25/J28 scheme will impact on other council deliverables. This will be mitigated through the PPA agreement with Highways England where a financial resource is being negotiated to provide external support.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

38) The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

39) The Council will expect the scheme promoter to undertake as full EeqHIA ahead of the DCO Submission.

40) The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

41) Whilst the M25 J28 Capacity Improvement scheme is principally aimed at improving access and journey times for the motorist, the nature of the project will impact on all transport users. It is important that Havering's formal response takes into account the impact the project will have on all protected characteristics.

BACKGROUND PAPERS

None|

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision


Proposal agreed

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name: Councillor Damian White

Cabinet Portfolio held: Leader of the Council

CMT Member title: Caroline Bruce – Interim Director of Neighbourhoods

Head of Service title: Helen Oakerbee – Assistant Director of Planning

Other manager title: Martyn Thomas – Development and Transport Planning Group Manager

Date: 1 FEBRUARY 2019

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 14/2/2019

Signed 