



Purpose: For Decision

Committee report

Committee	CABINET
Date	TUESDAY 10 MAY 2011
Title	ISLAND TRANSPORT PLAN
Report of	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT AND CORPORATE SERVICES

PURPOSE

1. This report sets out the background to the development of the Island Transport Plan (ITP), which when approved will become the statutory Local Transport Plan (LTP) for the Island and will help guide transport improvements here over the period 2011-2038.

OUTCOMES

2. To approve the Island Transport Plan as the statutory LTP for the Island. A copy of which can be found at:
www.iwight.com/living_here/environment/Transport_Strategies/LTP3/default.asp

BACKGROUND

3. The 2000 Transport Act and 2008 Local Transport Act require all transport authorities outside of London to prepare a LTP and to keep the plan under review.
4. The 2008 Local Transport Act requires that LTPs include two distinct elements: an area wide strategic policy ('the Strategy') and an Implementation Plan setting out how the local authority intends to deliver improvements on the ground. The 2008 Act also allows local authorities to set different timescales for each plan element.
5. In July 2010 a Ministerial announcement reaffirmed the coalition governments commitment to LTPs stated: "We think development of local transport plans is crucial and of course you will be aware you have a statutory duty to produce your LTPs by next April 2011."
6. As part of the development process for the ITP, the council has undertaken both a Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) of the plan. The statutory SEA process included a 12 - week statutory consultation period, during both the draft transport plan and the SEA Environment Report and Habitats Regulation Assessment screening assessment were made available for comment.
7. The ITP also sets the context for our Highway Private Finance Initiative (PFI), which will be the primary delivery vehicle of the plan.

STRATEGIC CONTEXT

8. The ITP has been compiled in accordance with government legislation and guidance. The plan includes a local transport “vision” supported by six key “goals” and six “objectives”. These accord with other local plans and policies including Eco-Island, the Island Plan and the council’s Corporate Plan in particular the roads PFI scheme and regeneration and the economy.
9. The ITP reflects the importance of the PFI project and the need to improve the condition of the highways on the Island. This issue has been highlighted over a number of years as a consistent concern of residents and businesses.
10. Advantage has been taken of the flexibilities of the 2008 Local Transport Act to set different timescales for the two plan elements, with the Strategy covering 2011 to 2038 to specifically tie in with the 25 year PFI contract and a two year lead in process covered by the Implementation Plan 2011-13.
11. In the light of uncertainty about future government funding allocations and the details of the recently announced ‘Sustainable Transport Fund,’ the Implementation Plan made available for comment, primarily set out how we plan to prioritise our spending.
12. The final ITP Implementation Plan gives more detail, whilst allowing the authority the flexibility to develop and deliver a programme of improvements which will take account of future funding levels and local needs.

CONSULTATION

13. The draft ITP was made available for a 12-week consultation period starting on 12 November 2010 accompanied by both the statutory Strategic Environmental Report (SEA) and the Habitat Regulation Assessment (HRA) Screening Statement.
14. The draft ITP and associated reports were posted on the council’s website at www.iwight.com/transport with copies available for inspection at County Hall and Enterprise House. The draft ITP was considered by the council’s Economy and Environment Scrutiny Panel at their meeting of 15 December 2010 and Island Quality Transport Partnership (QTP) at their meeting on 28 January 2011. The minutes of the Economy and Environment Scrutiny Panel can be found at www.iwight.com
15. The consultation period ended on Friday 4 February 2011 and the representations recorded, and considered in detail. A summary of the comments and suggested actions is included in the Appendix to this report.
16. Thirty five formal responses were received during the consultation period; ten respondents also completed the questionnaire. Many of the comments were of a similar nature and are summarised as follows:
 - The 27 year plan is not suitably far-sighted
 - The ITP concentrates too much on car use and road maintenance.
 - The ITP fails to recognise importance of alternative forms of travel including public transport, walking and cycling.
 - The ITP should be more proactive with regards to increasing bus use and improving facilities.

- The ITP fails to acknowledge existence and importance of local railway and value of the Community Rail Partnership.
 - The ITP does not identify how council will embrace “big society” and work with transport operators and others.
 - The ITP fails to recognise importance of Solent Local Economic Partnership (SLEP).
17. A number of similar concerns were raised by Royal Society for the Protection of Birds (RSPB) and Hampshire & Isle of Wight Wildlife Trust (HIOWWT) and statutory consultees Natural England (NE) in relation to the text in the ITP which gives details of the extent of works to be undertaken by the PFI project. Included in sections A4 and C.6.3 of the draft plan, the text explained that the PFI project will include the “design, reconstruction and maintenance of the entire highway network fence to fence.”
 18. The concerns raised here related to the inclusion of the “entire highway network” in the PFI as there are sections of road in environmentally sensitive and protected areas which those objectors feel are not sustainable. Natural England raised particular concerns regarding the future of the Military Road, where the road crosses the chines and water courses draining into the chines and the culverts under the road are arresting the natural recession of the chines.
 19. The PFI project is seen by these objectors to be in conflict with the conservation objectives of the South Wight Maritime Special Area for Conservation (SAC) and the Compton Chine to Steephill Cove Site of Special Scientific Interest (SSSI).
 20. Natural England and HIOWWT have made similar comments in relation to policy “SP7 Travel” in the Island Plan Core Strategy. Natural England has recommended as part of their response to the consultation on the plan that the “current policy wording should be amended to “most” of the Island public road network.” They have also recommended that “the PFI project should be the subject of a Habitat Regulations Assessment (HRA) in accordance with the requirements of the Conservation of Habitats and Species Regulations 2010 to determine whether the project, alone or in combination with other plans or projects will have adverse effects on the integrity of any European or international site.” Natural England have concluded that “the Habitats Regulation Assessment may exclude some sections of the Island’s public road network from the project and we have therefore suggested that the Core Strategy should only commit to supporting proposed development associated with the final PFI project, after the Habitats Regulation Assessment process has been completed”. Natural England would “wish to see a similar approach applied to the Island Transport Plan and the provision of more detailed information on PFI schemes relevant to European sites, to provide as robust an Habitats Regulation Assessment as reasonably possible at the strategic level”.
 21. Natural England note that the “existing HRA of the Draft Island Transport Plan has identified potential impacts of the PFI on European Site in sections 5.2.7, 5.3.3 and 5.3.4 and recommended several avoidance measures at 5.4, but these do not appear to have been carried forward to the plan itself.”
 22. On the basis of the above Natural England and HIOWWT have concluded that the draft ITP (and Island Plan Core Strategy) do not provide “the necessary level of certainty of avoiding adverse effects on the integrity of European and international sites required by the Habitats Regulations and so does not meet the test of soundness” as set out in Planning Policy Statement 12 (PPS12).

FINANCIAL/BUDGET IMPLICATIONS

23. The money available to spend on transport schemes comes from a number of sources. These broadly include:
- Government funding allocations.
 - Council tax.
 - Developer contributions – section 106.
 - Bids for additional funding.
24. The government has over recent years moved towards a formulaic approach under which the level of funding made available for each local authority area is calculated by taking into consideration a range of local factors.
25. The maintenance formula was introduced a number of years ago, under this process issues such as length of roads, road condition, structures - including bridges and number and condition of street lights are taken into consideration.
26. The government has recently introduced a similar process for calculating the money to be made available for integrated transport schemes – walking, cycling, road safety and public transport. Under this new assessment the amount each local authority receives will now be based on a number of issues including, the local population, deprivation, accessibility, public transport use, level of congestion, air quality and numbers of people injured in reported traffic accidents.
27. The local transport block capital allocations which will be available are as follows:

Year	Maintenance (£000s)	Integrated Transport (£000s)	Total (£000s)
2011/12	3,179	754	3,933
2012/13	2,810	818	3,628
2013/14*	2,423	818	3,241
2014/15*	2,282	1,230	3,512

* Indicative allocation for these years.

28. A significant and welcome change is that the money from government will now come entirely in the form of grant as opposed to supported borrowing as has generally been the case in the past. These figures have now been incorporated into the final Implementation Plan, which also gives details of how the council will maximise other funding streams including developer contributions, and bids for additional funding. One such bid is the recently released Local Sustainable Transport Fund, through which the council is seeking additional funds.

LEGAL IMPLICATIONS

29. The 2000 and 2008 Transport Acts place a duty on the council to prepare a local transport plan containing their policies and their proposals for implementation of those policies. The council shall keep the plan under review and can subject to consultation replace it.

EQUALITY AND DIVERSITY

30. An equality and diversity impact assessment was carried out as part of the preparation of the plan. The assessment did not identify any negative impacts. It recognised the positive benefits afforded by the plan and its policies and concluded that approach complied with equalities legislation. A copy of the full assessment is included on the council's website at : www.iwight.com/living_here/environment/Transport_Strategies/LTP3/default.asp

OPTIONS

31. A number of options exist and these are as follows:
- Option a): To adopt the Island Transport Plan as the statutory local transport plan for the Island.
- Option b): To incorporate the suggested amendments and adopt the Island Transport Plan.
- Option c): Not to adopt the Island Transport Plan.

RISK MANAGEMENT

32. Not to adopt the ITP would bring with it a number of risks. It would leave the Island without a statutory plan and open to challenge by government.
33. The government may then choose to withdraw or withhold the council's transport funding. This would not only place an additional financial burden on the authority, but would also bring with it a reputational risk, given that the report has been made available for consultation.
34. To not take on board the comments from Natural England and others could potentially open the ITP and Island Plan Core Strategy up to legal challenge.

EVALUATION

35. The 2008 Local Transport Act requires all transport authorities to prepare a LTP and to keep the plan under review. The draft ITP has been prepared in accordance with government guidance and made available for comment for the required period along with the SEA and Habitats Regulation Assessment as required.
36. The government have given local authorities the freedoms and flexibilities to amend the plan if required. The strategy could be in place for 27 years and the council may well wish during that time to refresh the plan to take account of changing circumstances.
37. The council has considered the comments received during the consultation period and the response to these is included in the Appendix to this report. Particular consideration has been given to the comments made regarding the extent of works planned under the PFI project; in particular the view that these works could have an adverse impact on the conservation objectives of the European and international designated sites. Specific mechanisms have been put in place through the PFI to identify solutions which can be provided in harmony with the natural environment, although the details of those have yet to be established. These issues will be addressed as part of the scheme development and would be subject to the relevant statutory processes in place at the time.

38. The council has discussed this issue with Natural England which raised similar concerns during the consultation on the Island Plan and ITP and a number of amendments have been agreed as a result. The council recognises the potential implications of the PFI works and if an HRA is required, then the findings of that assessment will inform the implementation of that project.
39. The wording in the Island Transport Plan has been revised accordingly and will now refer to the maintenance and improvement of “the entire highway network through the PFI project, subject to consideration of the relevant environmental protection legislation in place at the time.” The council has also taken on board the text suggested in paragraphs 5.4.2 and 5.4.3 of the HRA screening assessment, which specifically refers to the PFI project.
40. The amendments that have been made to the draft ITP in response to the comments received and as part of the SEA and HRA process will address the concerns and comments made. These actions have ensured that the plan meets the test of soundness as set out in PPG12 and the plan now forms a sound and robust 27 year transport strategy for the Island.

RECOMMENDATIONS

41. Option a) - to adopt the Island Transport Plan as the statutory local transport plan for the Island.

BACKGROUND PAPERS

- Equality Impact Assessment*
- Habitats Regulation Assessment (Screening Statement)*
- Strategic Environmental Assessment, Post Adoption Statement (will be available after 20th April 2011)*

* Background Papers available at :

www.iwight.com/living_here/environment/Transport_Strategies/LTP3/default.asp

APPENDICES ATTACHED

[APPENDIX](#) – Summary of comments received

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