

## Wiltshire Council

### Cabinet

13 October 2020

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**Subject:** A350 Melksham Bypass – Public Consultation

**Cabinet Member:** Councillor Bridget Wayman

**Key Decision:** Yes

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#### Executive Summary

The importance of the A350 to the local economy has long been recognised by the Council. The section of the road through Beanacre and Melksham has been a concern for many years. It has sections with 30mph speed limits passing through residential areas, with several busy junctions providing access to Melksham town centre, retail and commercial sites, the A365 Bath Road and A3102.

The A350 at Melksham is one of the busiest major roads in Wiltshire, with daily traffic volumes generally above 20,000 vehicles per day, and heavy goods vehicles accounting for around 8% of all vehicles.

Funding has been received from the Department of Transport (DfT) to develop a Large Local Major improvement scheme for the A350 at Melksham and to prepare an Outline Business Case (OBC).

A range of options have been identified and public consultation should be undertaken to inform the selection of a preferred option and enable the OBC to be developed for submission to the DfT.

There will be many factors to consider in connection with options appraisal, including emerging guidance on carbon impacts, ecology, public health and road safety, landscape, archaeology, employment and the economy, flood risk and drainage, cost and economic benefit.

This consultation is non-statutory and will be used to develop options further and help identify a preferred option. Statutory consultations will take place as part of the next stage in the scheme development and following approval of the OBC by DfT, when the scheme would be designed in detail and a planning application would be submitted. It is likely that statutory orders, including compulsory purchase orders, may be required, and the scheme could be the subject of a public inquiry.

#### Proposals

It is recommended that:

- (i) Public consultation should be undertaken on the options for the A350 Melksham Bypass scheme, which would take the form of a predominantly on-line consultation.
- (ii) The views of the Town and Parish Councils, Area Board and other organisations should be obtained in order to inform the future development of the scheme.
- (iii) The outcome of the consultation and the options appraisal should be reported to a future Cabinet meeting in order to consider the adoption of a Preferred Option for the scheme, the submission of an Outline Business Case to the Department of Transport, and the submission of a planning application for the scheme.

### **Reason for Proposals**

The A350 Melksham Bypass is a Large Local Major scheme which has been awarded development funding by the DfT to take it to OBC stage. It will be a major improvement to the important A350 route which provides vital transport links between the M4 and the towns of western Wiltshire.

As part of the development of the scheme various options have been identified and, in order to inform assessment of these options, it is proposed to undertake consultations with the public, town and parish councils, the Area Board and other organisations.

In order to progress the development of the proposals it will be necessary to adopt a preferred option, prepare an Outline Business Case to submit to the DfT, and prepare a planning application for the scheme.

**Terence Herbert - Chief Executive**

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### **Purpose of Report**

1. To approve public consultation being undertaken on the options for the A350 Melksham Bypass scheme, and to carry out options appraisal to inform the adoption of a preferred option for the scheme.

### **Relevance to the Council's Business Plan**

2. The Council's Business Plan 2017 – 27 has priorities for Growing the Economy, Strong Communities and Protecting the Vulnerable. The goals for Transport and Infrastructure include:
  - (a) Road Infrastructure is improved
  - (b) New infrastructure to support housing and employment growth
  - (c) Improved strategic roads and rail
3. The proposed Melksham Bypass scheme is a major infrastructure improvement to the transport network to support housing and employment growth and would improve connections to the strategic road network.

### **Background**

4. The importance of the A350 to the local economy has long been recognised in Wiltshire, and improvements have been undertaken in recent years to address sections where there were capacity constraints and where improvements were needed. There are a number of proposals for further improvements to the route currently being developed, including at Melksham.
5. The A350 through Beanacre and Melksham has been a concern for many years. The road has sections with 30mph speed limits passing through residential areas, with several busy junctions which provide access to Melksham town centre, retail and commercial sites, the A365 Bath Road and A3102. It is one of the busiest major roads in Wiltshire, with daily traffic volumes generally above 20,000 vehicles per day, and heavy goods vehicles accounting for around 8% of all vehicles.
6. In July 2017, Department for Transport's "Transport Investment Strategy" was published. As part of the Strategy, Government committed to creating a 'Major Road Network' (MRN) across England – more specifically a network of England's most important routes which complement motorways and strategic trunk roads.

7. Government acknowledged the need for a long-term funding stream for road investment, specifically through establishment of the ‘National Roads Fund’, being £28.8 billion between 2020-2025; £3.5 billion of which is to be spent on improving the MRN. This funding was confirmed in March 2020 in DfT’s publication of their second Road Investment Strategy (RIS2) for the period 2020 – 2025.
8. A central principle in the development of this strategy was to:

*“create a road network that is safe, reliable and efficient for everyone – whether they are cyclists or drivers, passengers or pedestrians”*
9. Government indicated that access to the local roads fund would require prioritised investment planning within a consistent national framework. Government made it equally clear that Sub-national Transport Bodies (STBs), should carry out this important strategic role – i.e. as bodies designed to enable regions to speak with one voice on strategic transport planning.
10. The Western Gateway Shadow Sub-National Transport Body (WGSSTB) was officially formed in a shadow status in December 2018 with Cllr Bridget Wayman elected as Chair.
11. Guidance for STBs on submitting their priority schemes was issued by DfT in December 2018, with a deadline for submission of priorities in July 2019. The WGSSTB considered candidate schemes from all member authorities, and following its meeting in June 2019, the Board agreed to submit nine schemes to DfT, four of which are in Wiltshire.
12. The Wiltshire schemes are:
  - (a) A350 - M4 Junction 17 Improvement
  - (b) A350 Chippenham Bypass Improvements – Phases 4 & 5
  - (c) A338 Southern Salisbury Improvements and
  - (d) A350 Melksham Bypass
13. At its meeting on 19 May 2020 Cabinet considered a report on the success of the Council bid to the DfT for development funding for the A350 Melksham Bypass Large Local Major (LLM) road scheme, and also the award of funding for the development of other schemes for the MRN at A350 – M4 Junction 17 and A338 Southern Salisbury Improvements.
14. The success in obtaining funding for the next stage of these schemes required consideration of the resources needed to manage and deliver an increasing programme of scheme development. Funding was identified to enable the development of the A350 Melksham Bypass scheme to continue to Outline Business Case (OBC) stage, which has been progressing.

## **Main Considerations for the Council**

### Scheme Development

15. In developing the Strategic Outline Business Case (SOBC) for proposals at Melksham, various options were considered, including demand management,

public transportation, online highway improvements, and new bypass options to the west and east of the existing route.

16. The SOBC identified an eastern route, which could cost in the region of £135 million as being feasible, but all options are being revisited in more detail as part of the preparation of the Outline Business Case. This includes further consideration of the non-bypass options, developing the previously identified bypass route options and considering variations of those routes, which could potentially improve their performance in economic terms or reduce the environmental impact, and complimentary measures to improve facilities for walking and cycling.
17. The transport objectives for the scheme have been derived from relevant key policy documents and strategies, including the DfT Transport Investment Strategy, Swindon and Wiltshire Strategic Economic Plan, Wiltshire Core Strategy, and the Wiltshire Local Transport Plan. The transport objectives set for the scheme are considered to reflect existing transport problems and the key policy documents.
18. The transport objectives of the scheme are to:
  - (i) Reduce journey times and delays and improve journey reliability on the A350 through Melksham and Beanacre, improving local and regional north-south connectivity, and supporting future housing and employment growth in the A350 corridor.
  - (ii) Reduce journey times and delays on and improve journey reliability on the following routes through Melksham and Beanacre:
    - A350 South – A3102
    - A365 West – A365 East
    - A350 South – A365 West
  - (iii) Provide enhanced opportunities for walking and cycling between Melksham town centre and the rail station / Bath Road, and along the existing A350 corridor within Melksham and Beanacre, which will help reduce the impact of transport on the environment and support local economic activity.
  - (iv) Reduce personal injury accident rates and severity for the A350 and Melksham as a whole, to make the corridor safer and more resilient.
  - (v) Reduce the volume of traffic, including HGVs, passing along the current A350 route in northern Melksham and Beanacre to reduce severance, whilst avoiding negative impacts on other existing or potential residential areas.
19. There will be many factors to consider in connection with options appraisal, including emerging guidance on carbon impacts, ecology, public health and road safety, landscape, archaeology, employment and the economy, flood risk and drainage, cost and economic benefit.

20. The Scheme forms part of the Western Gateway Sub National Transport Body's Strategy to improve connectivity between M4 and the South Coast. A range of strategic transport priorities have been established which will assist economic performance by improving labour market efficiency, increasing business and economic connectivity, providing access to international gateways and enabling development within the corridor.
21. The scheme is forecast to deliver strategic benefits including:
  - (a) Helping unlock the potential of the south coast and facilitate greater economic alignment between the north and south of the Western Gateway by providing improved strategic connectivity from the M4 and A303 corridors to the south coast.
  - (b) Potential to help realise local growth ambitions and forge significant agglomeration benefits by removing one of the barriers to more efficient north and south travel in the Western Gateway area.
  - (c) Creating a more reliable, less congested, and better-connected transport network that works for the users who rely on it.
  - (d) Providing a well-connected, reliable and resilient transport system to support economic and planned development growth at key locations.
  - (e) Supporting and helping to improve the vitality, viability and resilience of Wiltshire's economy and market towns.
  - (f) Providing transport infrastructure to support new housing in the western Wiltshire corridor.
  - (g) Assisting the efficient and sustainable distribution of freight in Wiltshire and beyond to build stronger, more balanced economies by enhancing productivity and responding to local growth priorities.
  - (h) Supporting and promoting a choice of sustainable transport alternatives.
  - (i) Reducing the level of air pollutants, carbon dioxide and other greenhouse gas emissions from transport, thereby contributing to the Council's carbon reduction targets.
  - (j) Improving safety for all road users and reducing the number of casualties on Wiltshire's roads.
22. Significant localised benefits will accrue from a parallel package of transformational improvements including:
  - (a) Improving access to the railway station from the town and residential areas.
  - (b) Improving walking and cycling routes from the town to the south and Semington.
  - (c) Improving air quality, physical and mental well-being by reducing traffic and traffic noise on the existing A350 through Beanacre and Melksham.
  - (d) Improving access to local services, shops, amenities and schools with the removal of through traffic.
  - (e) Reducing severance impacts on communities in Beanacre and northern Melksham caused by high traffic volumes and encouraging HGVs to use more suitable routes.
  - (f) Improving localised air quality by shifting traffic and pollutants away from sensitive receptors, especially residential areas.
  - (g) Generating opportunities for public realm schemes following the diversion of traffic.

## Consultation and Public Engagement

23. The next stage in the scheme development is to undertake a consultation on the options. This will provide the opportunity for the public, town and parish councils, Area Board and others to comment on the scheme and the options. Other organisations, including the Environment Agency, Natural England, Highways Agency, will also be invited to comment as part of the consultation.
24. In view of the current circumstances it is envisaged that this will be primarily an on-line consultation, although the opportunity will also be provided to submit written comments.
25. The opportunity will be offered to the town and parish councils, and Area Board, to attend virtual meetings or to hold webinars to explain the scheme and the options should they wish. The possibility of providing display boards in the library is not considered to be feasible in the current circumstances.
26. The intention is to hold the consultation at the end of October and beginning of November.

## Next Stages

27. The information collected through the consultation process would be used to develop the options further, inform their assessment and help to identify a preferred option.
28. The consultation would provide the opportunity to gather additional information on the scheme and its potential impacts and help identify mitigation measures. The views of organisations with specialist knowledge of the area will be particularly important in helping to refine the proposals.
29. It should be noted that the consultation would not be a public 'vote' for the most popular route or option. There are many factors to be taken into account in determining the preferred option, including, landscape, archaeology, ecology, air quality, flood risk, environment, cost and benefits. The preferred option may be a variation of the options being consulted on as the design will be refined in response to the consultation.
30. The assessment of scheme options will be in accordance with DfT guidance, primarily as set out in DfT's Transport Analysis Guidance (WebTAG). The OBC for the scheme will have to make the case for obtaining DfT funding as the Council would not be able to fund a major scheme of this type from its own resources. The preparation of the OBC will require the consideration of the strategic, economic, financial, management and commercial cases.
31. It is anticipated that the OBC will be submitted for approval to the DfT next year, and the scheme would then be designed to planning application stage. The statutory orders would be prepared to enable the compulsory purchase of land if required and the alterations to side roads and private accesses. With a scheme of this potential size it is expected that there would be a public inquiry in connection with the statutory orders.

32. Subject to successful progress through the statutory procedures and the option adopted, construction could start in 2024, and the scheme open in 2027.

### **Overview and Scrutiny Engagement**

33. The scheme is at a very early stage of its development and the next stage of the scheme preparations would be to undertake public consultation. Future progress on the project will be reported to the Environment Select Committee in connection with the annual report made on the highways service.

### **Safeguarding Implications**

34. There are no safeguarding implications.

### **Public Health Implications**

35. The scheme could improve the highway network significantly in the local area and has the potential to improve road safety and reduce the number killed and seriously injured on our roads. The potential reduction in injury collisions and road safety implications would be considered in assessing the scheme options.
36. The removal of through traffic from residential areas could reduce traffic noise and air pollution with consequent health benefits for residents, but the options could have the potential to introduce traffic into previously unaffected areas and may have other detrimental effects. The options assessment and business case for the scheme will take these impacts into consideration.
37. Reduced traffic on some of the existing roads could provide the opportunity to provide improved facilities for walking and cycling to encourage active travel and healthier lifestyles. The potential for improved walking and cycling provision is being considered at the earliest stage of the scheme development and would be prepared in more detail at the planning application stage.

### **Procurement Implications**

38. The Melksham Bypass would be a major construction project. The exact procurement arrangements may depend on the particular option adopted, and at this stage it is too early to confirm the likely procurement process to be followed. The procurement strategy would be developed as part of the OBC and would include consideration of opportunities for advanced works, staged construction and specialist contracts.
39. It is anticipated that the scheme would be largely funded by the DfT and procurement would be carried out to meet the DfT requirements, using standard documentation where available, and in accordance with the Council's own procurement rules.

### **Equalities Impact of the Proposal**

40. There are a large number of scheme options currently under consideration. Equality impact assessments will be undertaken in accordance with the DfT guidance as the scheme is developed and will be used to inform option selection.

41. It is anticipated that scheme options may have different implications for different groups and the public consultation and proposed development work should help identify these so that they can be taken into account in preparing the business case for the scheme.

### **Environmental and Climate Change Considerations**

42. The Melksham Bypass would be a major transport improvement, which would be likely to reduce journey times and vehicle operating costs on the A350 and at the associated junctions. The reduced congestion, better facilities for active travel, and improved road safety would be expected to reduce energy consumption as a result of the scheme. This is likely to vary between the different options and will be assessed as part of the options appraisal process.
43. The scheme is likely to involve major civil engineering works, with the use of large plant and equipment and energy consuming manufacture of materials, especially concrete and asphalt. There would be scope for the use of energy efficient plant, materials and processes to reduce the carbon footprint of the construction stage of the scheme. The impact would be considered in the light of emerging policies and strategies at government and local level.
44. The scheme would include environmental mitigation measures, including landscaping proposals, sustainable drainage schemes, and environmental protection measures to control potential incidents as a result of collisions. A road designed to modern standards with appropriate environmental protection measures is likely to be less of an operational risk to the environment and people than the existing road.
45. The potential effects of climate change will be taken into account in the design of the scheme. This would include making allowances for increased rainfall and flood risk, as well as the use of more durable materials to provide resilience in connection with increased temperatures and other impacts of climate change. The options appraisal process will include consideration of the carbon impacts, ecology and flood risk associated with the options.

### **Risks that may arise if the proposed decision and related work is not taken**

46. Should the decision be made to not proceed with the scheme, the opportunity to obtain significant government investment in the county would be lost. The existing problems on the A350 at Beanacre and Melksham would remain, and the situation would be expected to deteriorate because of anticipated future traffic growth.
47. Not undertaking consultations on the route options at this early stage could mean that potentially all the information required to inform route selection would not be available. This could lead to incomplete information for later stages of the scheme development and would not be in accordance with the DfT guidance for major schemes. There are other formal consultation stages, including at planning application and in connection with the statutory orders, but it is considered that early consultation is a vital stage in developing major projects.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

48. If it is agreed to undertake public consultation on the full range of route options currently identified, it should be noted that the Council would have to reveal the routes on property searches, which could lead to concerns from home owners about potential difficulties in selling properties. In order to limit this potential adverse impact, it would be helpful to adopt a preferred route as soon as possible to reduce the uncertainty.
49. There is a risk that after identifying a route and taking it to the planning application and statutory orders stage, the scheme does not proceed because funding is no longer available, or if the statutory orders are not confirmed. Consideration will be given to the risks associated with progressing the scheme at various stages of its development.

## **Financial Implications**

50. The report to Cabinet in May 2020 recognised that most of the funding for the scheme would be provided by the DfT, with £1.33 million awarded by the DfT to prepare the OBC for the scheme. The report identified Council funding of £0.66 million to contribute to that stage of the scheme development.
51. The indications are that the currently identified funding resources will be adequate to progress the scheme to the OBC stage. It is anticipated that the successful acceptance of the OBC by DfT will result in an award of further funding to progress the scheme to Full Business Case (FBC), which would include the planning and statutory processes and the contract procurement.

## **Legal Implications**

52. There is no legal requirement to undertake public consultation at this stage. However, undertaking a consultation on the route options at this early stage ensures that the Council captures all information potentially required to inform route selection. It also ensures that information is available for later stages of the scheme development and is in accordance with the DfT guidance for major schemes.
53. There are other formal consultation stages, including at planning application and in connection with the statutory orders, but it is considered that early consultation is a vital stage in developing major projects.
54. The adoption of a Preferred Route or Option for the scheme is an important stage in developing a scheme of this type. It should be noted that in certain circumstances this could result in blight claims if land is adversely affected by the scheme. Any such claims would be considered on their merits should they be received but are unlikely to be successful at this early stage when options are still being considered.
55. The scheme could be the subject of Compulsory Purchase Orders (CPO) under the Highways Act 1980 should it not be possible to acquire the necessary land and rights from owners by agreement. It is also likely that the scheme would require Side Roads Orders (SRO) in order to make alterations to minor roads,

rights of way and private accesses needing to be altered to accommodate the scheme.

56. Objections to the CPO (should they be required) and SRO statutory orders could result in the Secretary of State (SoS) requiring a public inquiry to be held. The Inspector's report would be considered by the SoS in determining whether or not to confirm the orders.

### **Workforce Implications**

57. There are no immediate workforce implications in undertaking public consultation or developing the A350 Melksham Bypass. A small major highway projects team has been established in the Council, which works closely with the Council's consultants who have the specialist knowledge and expertise required for a scheme of this type.
58. In the longer term, if the project proceeds through the detailed design and construction stages, it is likely that there would be significant training opportunities for the Council's technical staff with good opportunities to broaden their experience.

### **Options Considered**

59. The possibility of delaying the public consultation was considered in view of the current circumstances but taking into account the importance of the scheme it was concluded that there would be benefits in undertaking the initial consultations as soon as possible. Further formal consultations will be undertaken in the future as part of the planning and statutory procedures.
60. Not undertaking public consultation was not considered appropriate as the views of the public, businesses and other organisations are vital in developing a viable scheme which would attract DfT funding.

### **Conclusions**

61. The A350 Melksham Bypass is a Large Local Major scheme which has been awarded development funding by the DfT to take it to OBC stage. It would be a major improvement to the important A350 route which provides vital transport links between the M4 and the towns of western Wiltshire.
62. As part of the development of the scheme various options have been identified, and in order to inform assessment of these options it is necessary to undertake consultations with the public, town and parish councils, the Area Board and other organisations.

### **Parvis Khansari (Director - Highways and Waste)**

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**The following documents have been relied on in the preparation of this report:**

None

**Appendices**

None