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2 July 2020

In January 2019 Eastleigh Borough Council contacted the then Secretary of State, Chris Grayling MP, requesting an intervention to ensure that the M27 Smart Motorway scheme would be delivered in full as previously promised, which would include low noise resurfacing. We now write to you with serious concerns that the scheme is further adrift from what was originally proposed, requiring us to reaffirm the request for an intervention, particularly regarding safety, noise and biodiversity issues.

In addition, we formally request that a representative from Government and Highways England attends a session of the Council's Overview & Scrutiny Panel as soon as possible to answer questions about the basis for recent decisions, to answer our concerns regarding the project, and ensure that lessons are learned should the subsequent M3 scheme set for our area proceed.

#### Biodiversity

Throughout the scheme, Eastleigh Borough Council officers have regularly highlighted issues to the appointed contractors regarding vegetation clearance in sensitive locations. Over the last two months, there has been significant habitat clearance at night during the critical bird and small mammal nesting season. Although we have received assurances that an ecologist has been on site throughout these works, clearance during this critical time of year is far from good practice and it is unclear why they were not carried out another time. Despite attempts from ourselves to facilitate local schemes, we have yet to see any information regarding any programme to offset the considerable ecological damage and seek assurances that a local offsetting scheme will be delivered to ensure the project delivers a Biodiversity Net Gain as per planning requirements.

#### Safety

We have serious concerns regarding the safety of the M27 once it has reopened. The March 2018 consultation stated that the M27 would feature "Queue detection and automatic signalling system, which provides queue protection and congestion management", we are alarmed to see that those measures have been removed from the description of the project, and that Highways England now describe the scheme as simply including "CCTV cameras and electronic information signs and signals on gantries". We understand from speaking to the

contractors that the M27 will not feature a smart “Stopped Vehicle Detection” system.

Our fears for highways safety follow several national reports, most notably that of Edmund King, President of the AA, who stated that fatalities have already arisen as a result of vehicles stopping in vulnerable positions in live lanes. The AA indicates that where “Stopped Vehicle Detection” is not in place it takes an average of seventeen minutes to spot a stationary vehicle in a live lane. With a further three-minute target to close the lanes, we have serious concerns that drivers could be left in a dangerous position for twenty minutes or longer.

#### Construction Issues

Throughout the construction phase we have received a large number of complaints and have seen evidence of several incidents where construction noise has breached acceptable night-time limits. We have requested several times that controls are put in place, but unfortunately continue to receive complaints from residents who are being adversely affected.

#### Road Surface and Noise

Over the last decade Eastleigh residents have frequently been promised that the noisy concrete sections would be resurfaced with low noise asphalt, a promise that is reflected in Highways England’s own documentation prior to the commencement of the scheme. The Habitats Report states that the scheme would include “A new low noise surface in the opening year for all areas and for the concrete section between junction 5 to 7. A new low noise surface will also be laid on lanes 1 and 4 for the rest of the scheme.”

Despite re-surfacing forming the basis of key decision reports (such as Noise, Habitats and Environmental Statement), months after the Final Determination by Highways England a new Pavement Report was produced reducing the scheme to just lanes 1- 4 for re-surfacing. We have since been informed of a further degradation to the project such that none of the concrete sections will be resurfaced. This significant drift in specification brings into question the validity of the decision processes.

Whilst the recent noise assessment indicated that the project may still benefit around 879 people, the report that underpinned the decision to proceed indicated that resurfacing could have reduce noise levels to “acceptable” for up to five times as many residents.

The Council has been informed that resurfacing is not a priority for Highways England, and that without Ministers once again specifically ringfencing funding the promised works may never be carried out. We would like to understand what has happened to the previously allocated funding to resurface this motorway and seek your assurances that the funding will once again be allocated to deliver the scheme, as promised, at the earliest possible date.

Although noise and ecological mitigation should have featured heavily in the M27 scheme, the Council has been informed that we will now need to separately bid for

“Designated Funding” to deal this. We therefore request your support for any future bids that the Council may put forward to this fund in order to mitigate some of the impacts of the scheme so far.

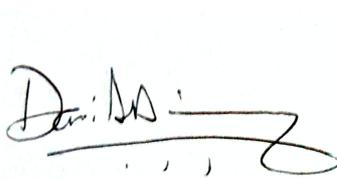
Finally, with the M3 in the Borough of Eastleigh also set to transition to become a “Smart” motorway, we also seek assurances that this subsequent scheme will not go ahead unless it features all possible safety technology and will be subject to higher standards of noise and ecological damage mitigating than we have witnessed on the M27 project.

In summary

As previously stated, at its June 2020 Scrutiny meeting the Scrutiny Panel agreed to hold a special meeting in order to scrutinise this scheme. Please could you inform the Borough Council who the representative from Government and Highways England will be, so that we can arrange for their attendance at the session.

Yours Sincerely,

Signed



Cllr David Airey  
Cabinet Portfolio Member  
for Transport



Cllr Dr Richard Gomer  
Chair, Policy and  
Performance Scrutiny  
Panel



Cllr Rupert Kyrle  
Cabinet Portfolio  
Member for  
Environment

Also sent to:

Jim O’ Sullivan - Chief Executive Officer of Highways England

cc:

Rt Hon George Eustice MP - Secretary of State for Environment, Food and Rural Affairs

Baroness Vere of Norbiton - Parliamentary Under Secretary of State for Roads and Motoring

Paul Holmes MP for Eastleigh

Steve Brine MP for Winchester and Chandlers Ford