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1st May

Malcolm Bell cross-examination of Martin Farrington

Chartered mechanical engineer

Mb – have you read my deposition?

Mf – no

Mb – you don't have a clear transport plan for the city and regions do you?

Mf – in the statement of case we have outlined councils plan so my view is that it does have

Mb – are you clear how skipton / Bradford etc will be linked in, how trolleybus will be linked with hs2, how we are going to develop light rail in the area

Mf – there are emerging developments and council has plans which is part of the plans of the combined authorities – page 49 of the statement of case outlines the west yorkshire local transport plan

Mb – one of our mps is wrong in saying there isn't one, then?

Mf – I'm not party to discussions with that mp so can't comment and don't know who he is

Mb – why was there difficulty yesterday clarifying relationship between hs2 and trolleybus – if there is a plan u could produce it

Mf- hs2 not formal scheme and not yet bill – we are progressing through a process responding to

hs2 national reports e.g. march report by avid Higgins and lord dyton asking local authorities to look at master planning for those stations so we are now responding to gov's requirements

Inspector – do you know if wy local transport plan actually refers to hs2

Mf – no I don't ask mr speak

Mb – have you taken advice on whether this scheme is legal under uk freedom to compete law and eu competition law

Mf – Henkel deals with this – Cameron – [whether it is legal] is a legal submission – mf -I have taken advice on it yes

Mb – do you know that if first wanted to install trolleys of their own themselves, could they do so?

Mf – no not as it is – the scheme is promoted through transparent procurement which has tendered properly. All competitors will be able to bid for the scheme and once someone has won they will have right to operate ngt exclusive

Inspector – would first be able to put in a bid for that?

Mf – they could be one of the bidders / tenderers. An open tender for the running of the ngt – mr Henkel will be able to give further info

Greg – another matter in the order

Mb – I am told in advice – original instruction by minister was that you should return with a bus based scheme after failure of tram

Mf – I wasn't party to that process as I said yesterday can't confirm/deny that rumour – mr haskins may be able to inform you (letter from sec of state is in the docs)

Mb – you protest you have examined three primary options – you outlined fact that you have rejected obvious option that buses should run on this system – you decided not to check that – is that correct and why?

Mf – the statement of case pg 56 gives an overview of the alt technologies – outlining reasons why these types havient been brought forward

Mb – the system you checked was the enhanced route using trolleybuses and using hybrid enhanced buses etc. – you haven't done it with conventional buses or future technology.

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- Missed small part of it

Mb – people living within ring road – drive into city, won't pass P+R. P+R will be at end of NgT routes on ring road. P+R should be between demographic and target

Mf – not conversant with what is op'd in rest of uk. Issues with cost-benefit. Highlight Horsforth station. First station in wy on leeds + Harrogate line. Restricted car parking.

MB - Very significant parking which causes inconvenience to local residents.

MB – 'platooning' – gooder driveless vehicles, various improvements in transport technologies, convoy vehicles (Volvo)

Inspector – make a question please

Mf – [cites numerous trolleybuses worldwide and new vehicles being made] trolleybus – an established technology, used on a widespread basis.

MB – have you looked at continental trolleybuses

Mf – haskins has

Mb- so you have no personal experience

Mf –no

Mb – are you satisfied with data from promoters' team re; availability of vehicles and cost?

Mf – I am relying on other members of team, yes

Mb – are there any costs/ quotations for deliverability of infrastructure

Mf – it is usual for such schemes to not have detailed prices etc at this stage – ask chadwick

Mb – is there a risk assessment

Mf – yes

Mb- will 160 people fit on trolleybus

Mf – don't know but I rely on others – wrong person haskins/smith

Mb – will you pay your drivers at same rate as private sector bus drivers

Mf – procured through process I outlined earlier, so we won't be employer

Mb – is it s Pfl?

Mf – no it isn't

Mb – you have a list of supporters (15) in your statement of case (1-2) page 37 para 9.5 – property developers, county cricket club supports, leeds rugby club, Tetley, no banks, insurance co, major accountants, high head-count employers, all of whom who should be enthusiastic to get people into town. No other transport co, railway co. and even Carnegie uni isn't there, the arena isn't a supporter, or independent leisure groups and no single retailers (e.g. john lewis, boots etc) Why aren't those people supporters?

Mf – this is [the ones referenced] only a range of supporters, not a comprehensive list, land securities is supportive, town centre securities is also supportive, first direct arena are supportive but not on list, I've had no decision in Yorkshire county cricket club's support,

Mb – you are going to close around a third of short-medium stay car parking in next 5 years, you said that by increasing car parking it devalued building property values so reducing it in interest of increasing value of property around them

Mf – yes, period before 2008 was a period where land value were ever increasing driven by developments (high towers etc city one) – deriving high land values – credit crunch hit that caused

those property values fall sharply on back of reluctance in financial markets to lend on property developments – causing no. of development to stop – they held brownfield land highly leveraged with banks – and they brought forward car parking without planning consent to shore up that position. That rapid decline in property markets – the open market value of the land became value as a brownfield site rather than a development site. It is not in city's best interest for prime value land to continue as car parking.

Inspector – are you saying that because they are generating so much money as car parks that they are then not attractive to be developed as anything else?

Mf – developments as business is now more marginal than in 2008 – so where left unabated the council and city could be in position where there are long stay parks on sites which ought to be brought forward on development

Mb – what is the justification for the statement 'ought to be brought forward' – if they make more money as car park – forcing them to build office??

Mf – not forcing, but I would question if it is the right long term strategy to keep it as car parks when it is prime office location

Mb – lot of offices in centre of leeds are employing unskilled people – most of them would be better on southbank etc if there were proper access, you are developing leeds as a shopping centre as well = if you run a shop you need car parking around it (e.g. big shopping areas around it) – if you encourage shopping you need to encourage car parking spaces as well. You don't want to get on with 100 people jammed trolleybus with shopping bags etc. – at the same time these call centres don't need to be in the centre, might as well have them on the ring road or south of city – where they would be in a better position

Mf - We are more open to short stay car parking – just clarifying only long stay is a problem. We have brought forward trinity shopping etc – that said we recognise need for short stay car parking to secure development e.g. Victoria gate john lewis 820 parking. In terms of promoting greater out of town office developments those opportunities do exist in leeds – we do believe this. I think if you look at geography of leeds centre – retail core in middle, has potential for office dev in leeds west end and university quarter – we have to decide what to use the southbank as w/ how it will contribute eg. Maybe new industries, health and medical etc – these are growth opportunities where leeds southbank has opp to provide space with them

Inspector: compared to docklands London?

Mf - some parallels with it

Mb – if you make plan to dev southbank, would you propose something like a light rail link? don't you think that would be rational to do as it would have lots of support?

Mf – we are promoting the ngt scheme

Mb – why didn't you build first leeds arena in southbank? Without carpark

Mf – we built arena which was no. 1 venue to watch – not on southbank as choices to deliver venue were limited and we were working with opportunities that were there at that time – it has a strong regeneration effect around northern corner of the city centre (e.g. premier inn built, Hilton new build hotel and town centre securities to bring forward their proposal and ngt stop proposed) –

Mb – building on southbank would have triggered equal if not greater opportunities –

Mf – it was either unaffordable or not available to us at tht time

Mb – ppl doing traffic planning for arena same as those in ngt scheme

Mb – how long do you think it will take to get out of the long stay carp parks, e.g bodington one

Mf – I'm not right person to ask

Mb– you will have buses arriving every 6 minutes, one person getting into one car at the park and ride which means hes got 4 seconds to get out of the car park before next lot gets in ??

COUNCILLOR BARRY ANDERSON

Represents wharfdale ward, which is most adversely affected by ngt and consequences

Ba – in no where in these docs have there been reflection back in the area committee reports – e.g. my area not in favour with ngt and weetwood – in terms of the north of the city there is no political support for ngt – does not give you concern?

Mf – I've worked in local gov for 25 years, I understand the politics of local gov. sig majority of members have approved this scheme

Ba – in para 3.16 main proof of your evidence – you ref 1.33 appendices highlighting three city regions e.g. leeds, Manchester and one more. Do you honestly feel that the ngt scheme is becoming of the best city region in the world?

Mf – yes

Ba – so despite supertram being on the table first of all you say that that is second best and that this is first

Mf – my position is one of realism – supertram was cancelled by gov. ngt is scheme supported by dft through comprehensive review process that has seen many capital schemes not being brought forward – this is the scheme we are promoting.

Ba – flexibilities you are looking for from central gov para 2.4 – if gov gave you money could you get a better system if you weren't restrained by the gov controls and they allowed you the flexibility (no constraints currently on it)

Mf – the constraints that relate to it is in terms of dft approval processes. We are promoting ngt and we are looking for that scheme to be delivered as the ring fenced fund has been allocated to it

Ba – you've introduced a65 bus corridor, improved bus lane enforcement, your car parking strategy is anti-car yet you are still criticising buses all the time, why do you think public still using cars if you are bringing these strategies?

Mf –

Ba – would you acknowledge that since d alexander came in would you concede that since he has taken control things are vastly improved

Mf- I am not in position to comment

Ba – do you think first bus has improved

Mf – the relationship between council and fwy is managed through metro etc

ba – surely you must be getting feedback from officers around you?

Mf – mr Henkel to answer

Ba – where is the integration with ngt and train stations? What proposals have you personally have in regards to connecting disconnected people with those facilities

Mf – I haven't personally asked them to do anything –

Ba – you haven't called the project team in to mitigate those problems?

Mf – we have project board meetings and go through issues and land issue concerns and we look to mitigate those

Ba – 5.16 – you talk about bodington being deprived, on the maps yesterday (pg 14 statement of case) – bodington can't be the most deprived area – mostly grass and student area

Mf – if we refer to fig 3.2 the top quintile is top 5% and so it is the fourth of five and recognising it as lower category of deprivation

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Ba- that wasn't clear

ba – you talk about need to put this route in regen area, north of city isn't regen area – you will actually make these areas worse off as reduction in bus serves in 1, 28 bus routes – has anyone confirmed to you about reductions in bus services as a result of ngf

Mf – yes I'm aware of that issue

Ba- and you still think that it is an acceptable price that my residents have to pay ?

Mf – yes I think it's fair

Ba- do you think the walking distances is acceptable to gain access to ngf northern route

Mf – the distance will depend how close somebody is to stopping point

Ba- do you think these points are close enough when these buses are reduced – to walk to an ngf stop.

Mf- yes we are satisfied with scheme as it is – my opinion walking 15-20 minutes is fine

Ba – some of the benefits of the schemes is shorter working distances – would you add those 15-20 minutes to the elapsed time it takes to get to your location in your statement of case and analyses. Do you not think people would question how long it really takes?

Mf – that's for Chadwick. There is a trade off in no. of stops if you want to achieve shorter journey times.

Ba – refers to para 5.21 of your proof – you say that a short drive from Bodington park and ride – do you think it is an efficient use of someone's car to drive to Bodington, get out and then to use ngf – is this a sustainable use of a motor vehicle?

Mf – yes more sustainable than driving entire journey even though you use more energy on a short journey – it is a balance with the issue of motor congestion etc

Ba- students were in large no. the in north of city when Supertram proposed – don't you think that the north leg business proposal should be re-assessed now because those students have left. There is now much smaller population of students in the north of the city centre. Is the viability of north route still the same?

Mf – students not being there must be clarified- Leeds Beckett Uni (metropolitan) etc. still there

BA [some discussion as to Leeds Beckett which used to be metropolitan] - I will not go on...

Ba – where in a similar type of economy to Leeds within this country have trolleybuses made the difference by putting a city further up a league after it has been introduced. I know that trams have given uplift in Manchester.

Mf - I am not promoting that that's the case

Ba- an untried scheme

Mf- there are some four thousand locations throughout the world which use trolleybus

Ba – in Britain though?

Ba – you point out in para 6.16 in Aire Valley that it would increase jobs/econ impacts and area of growth – wouldn't it be better to take the route into the Aire Valley than in the north of the city where there is no support.

Mf – clarification, the Southbank is part of Aire Valley action plan so ngf does go through – and the further areas you might be referring to – that is an aspiration we have in extending the route later on/another phase

Inspector – you don't know how long down the road that might be... if this order was made how long after that would an Aire Valley extension be in the making?

Mf – no, I don't know

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Ba – you talk about existing future congestion that could be ameliorated – why not make highway improvements now

Mf – we currently make millions of pounds of improvements

Ba – if you do [more of] that now, the buses will benefit and we will benefit as well

Ba- why do you not support express bus services? We want this limited-stop services – do you not support the introduction of more of these services?

Mf – I have outlined that we have introduced a 65 quality bus service –

Ba – [explains express buses – and how it meets one of the objectives of faster journey time] first bus will have more chance to operate those types of buses and that is what people in north would prefer

Mf – that is question for mr Henkel.

Inspector – do you have an opinion on it

Mf – as the scheme was promoted on that basis mr henkel will provide the detail

Ba – 6.28 – you mention Leeds initiative transport group that recommended the ring road should be improved as a large proportion of congestion is due to that problem – why do you think that was never taken forward years ago

Mf – I am not aware of the background to these issues but I have highlighted improvements in those roundabouts/ring roads so there are substantial improvements currently being made

Ba – connectivity to the airport – what do you think the best way is to connect to it with a RTS

Mf – there is the rail extension option from horsforth which is an option that is considered – first

Trains have a proposal highlighted at the moment. Consideration of movement between airport and city centre particularly railway station will be one of directness and punctuality – is rail a more direct/quicker option than others available

Ba- you don't know the modal shift as you said yesterday – would you accept that if there is a reduction in bus frequency and ngt is further away than a 15 min walk for someone to walk that these people might start using these cars again

Mf – I accept as a risk – but won't say if high or low risk (mr Henkel better to ask)

Ba – para 9.5 you highlight major supporters, e.g. cricket club – has any body explained to the club that if you arrived by ngt you would be further away from headingly than you are right now – they would be walking further distance to get to headingly than right now

Mf – I have not had conversations with my colleagues in cricket club so don't know if they are aware

Ba – did somebody raise issue that ngt would be further away from headingly

Mf – I haven't had a conversation with them – they support the scheme independent of me. Ngt provides additional capacity in close proximity to it – that's my evidence

Ba – do you know why none of the small businesses in the city, never mind north corridor, are supportive of this? Why no mention in your case? You deal with them in your capacity, don't you?

Mf – I'm not sure I do deal with them every day. Not specifically small businesses. I am not in a position to say why.

Greg Jones QC Leeds college of arts cross-examination

GJ – it's right, isn't it that this scheme does not enjoy the support of the majority of the educational institutions in Leeds

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Mf – there are hundreds of schools in Leeds, they are neither supportive or against.

Gj – lets deal with further and higher education – it's right that the majority of those do not support the proposed trolleybus scheme do they

Mf – they are objecting on specifics

Gj – do any of them support the scheme in general?

Mf – no

Gj – the vast majority do not support, that is correct?

Mf – yes – the city college, college of building and others are not against though

Gj – deal with higher education first, are they positively supporting scheme?

Mf – one is university of Leeds, they support it

Gj – higher education establishments not supporting or actively against it, how many?

Mf – Leeds Beckett and college of arts have formal objection but Leeds college of building are supporting

Gj – in terms of Leeds college of art, you highlight the benefits of the trolleybus scheme for the institutions it runs near (para 5.17) – would you say Leeds college of arts is one of them?

Mf – it is on route

Gj – so far as its position is concerned, have you had any discussions with the college

Mf – one meeting where David Walton attended and principal of college and given that it wasn't a legal meeting we agreed we wouldn't talk about it

Gj – I won't ask you about the content – just dealing with your understanding of the position. In terms of the initial proposal the land take would have come within metres of the college

Mf – yes

Gj – it's right that there has been no prior discussions with the principal prior to the notice of CP acquisition

Mf – brought to my attention last week, the promoters have apologised

Gj – that suggests that in terms of competence of the planning of this route in relationship with educational institutions – suggests the route has not been planned with the benefits of my client – no consultation and even when you did look at it the promoters accepted that it was an unacceptable alignment within metres of the college. It suggests there hasn't been careful consideration certainly in respect of Leeds college of art

Mj – they needed to be modified and I make no broader inference from that

Gj – I am suggesting it does. No discussions at all, a proposal which until weeks ago which was even something the promoters regarded as unacceptable. This strongly suggests that the position and needs of the college wasn't in the forefront of planning of this system, doesn't it?

Mj – yes, I would accept that in the planning in relation to college was deficient

Gj – in terms of one of the issues, you would accept that college of arts seeking university status is one of the types of educ instit that Leeds is proud of and would seek to promote its international and national reputation

Mj – yes

Gj – the site it operates is a constrained site, no?

Mj – I would agree it is a site with constraints

Gj – a crucial aspect in terms of ensuring college fulfils Leeds ambitions for its reputations is the quality of students it can attract, yes?

Mj – yes

Gj – the trolleybus scheme is to turn the existing road running near the library is to turn it to two way traffic and also part of the proposals would require permanent and temporary land take for construction works and part of the temporary land take is almost directly adjacent to teaching area and underneath the library

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Mj – I have been advised of this

Gj – construction works will be carried out underneath their library

Mj - the construction programme has yet to be established

Gj – yes we know of your plans to “mitigate” the noise etc

Mj- also the timing

Gj – but these are key issues and that needs to be decided before the project goes ahead. We don’t know by who and these are matters that can’t be left to later on in the process when the ngt scheme is approved. Lots of construction noise going on on its land, particularly library.

Mj – I am looking to resolve those matters with the college, hence meeting I convened recognising the importance of the college and to take account and mitigate issues

Gj – can we agree that the principle of approving the ngt scheme along the stretch should not be determined unless there is a solution that is satisfaction to my client and to the inspector and sec of state. Not a matter that can be left for conditions, is it?

Mj – I think it can be left for conditions. It is whether or not we can come to agreement between college and us

Gj – is it acceptable for there to be construction work under library during term time

Mj – wherever possible we should seek to avoid that

Gj – answer my question – do you agree it would be unacceptable?

Mj – don’t agree entirely, subject to detailed acoustic assessment.

Gj – has this assessment been carried out?

Mj – we are in process of agreeing it with your client

Gj – answer it, no?

Mj – that’s correct

Gj – you accept that such a detailed noise survey is necessary to take place before approval of ngt so parties can make position clear as to acceptability of the proposals

Mj – my view is that if this can take place in conditions then that is something inspector can take acc of when looking at those. I personally called meeting because of genuine concern, importance of the college [etc]

Gj – you cannot say until those noise surveys carried out whether or not mitigation by condition would be satisfactory and adequate?

Mj – no I don’t agree with that – I think that in drafting any form of condition it would be against existing background noise assessments and can be

Gj – do you know whether that is possible?

Mj – it is possible to measure background noise details and consider dev that can be done in way that doesn’t exceed background noise detail – the library operates with windows open and highways

Gj – until that noise work is carried out you can’t say whether its possible to meet those standards or indeed time limitations that would be needed to impose for a sensitive noise category – we can agree that an education instit is a sensitive noise receptor. The promoters overlooked that, didn’t they?

Mj – I don’t believe so. I’m not involved in the detail

Gj – last matter, what was advanced as a benefit to the college was that students from the north of the city can use the trolleybus to get to college. One of the aspects is that you’re aware aren’t you of the shift that has taken place since supertram proposals of student population away from the north and encouraging student accommodation in centre of city

Mj- yes there has been a change in student distribution in city and correct to say movement to more permanent accom – a given quantum of that is located in the city centre

Gj – so far as there being any great advantage, my client doesn’t see any great advantage of the ngt serving north of the region. Things have moved on

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Mj – the position in my evidence is to demonstrate the college is on the route and connects the southern part of the city through to the northern route so anybody attending college on that route would be a benefit of them but as Jones points out the college of art does not see that that is an aspect that would merit their support

Gj - doesn't the experience of the shift of student pop indicate that one needs to have a flexible transport support if particularly looking at 60 to 100 years?

Mj – I don't agree with question in entirety. Elements will have flexibility and elements will have permanence.

Gj – would you agree with me Leeds is a dynamic city? In the student issue but also applies elsewhere, we know that the growth and moving around within city boundaries of student pop has been v dynamic over last 20-30 years

Mj – it has changed to some degree

Gj – growth of Leeds and metro uni and shift in student pop within internal bounds of city. So those students will benefit from the permanence of Leeds city station but internally within the city and getting around, particularly with a dynamic student pop, one would want a flexible transport policy which can respond rapidly to a shift in pop. Serving the student pop we'd want a service that was flexible

Mf – ngt runs close to [names lots of colleges and universities] – in this scheme and its permanence there is confidence there will be a lot of infrastructure to move students around. That said there needs to be flexibility.

Nigel Sleeman CROSS EXAMINATION – HIS MAIN CONCERN IS EFFECT ON NORTH ROUTE

Ns – can you give me one overriding reason where there is a need for this particular scheme

Mf – in relation to northern route there is a principle issue of congestion on A660 – a radial route into the city that is at more than 100% capacity.

Inspector – is that the overriding reason?

Mf – that is the principle element in the northern part

Ns – can you tell me when there is congestion on A660

Mf – at peak times. details set out elsewhere

Ns – Mr Farrington has mentioned congestion many many times. can he agree that there is peak congestion in morning and early evening?

Mf – page 82 of statement of case para 16.15 highlights bus journey times and those times are impacted by congestion – it is the un-reliability and punctuality that that brings

Ns – would you agree that this is a highly expensive destructive scheme that appears a sledgehammer to crack construction on two parts of the day

Mf – I don't agree congestions issues are restricted to peak times and I don't agree this scheme is a sledgehammer crackin nuts

Ns – you mentioned journey time savings, don't you think that such savings could be made with a less expensive and destructive measure

Mf – journey times being promoted could not be delivered in a less destructive way... another scheme... none other that would deliver the same cost benefit analysis

Ns - £28 mill to every mile – alterations to highways have to be so expensive, am I correct?

Mf – a lot of cost is highway infrastructure works

Ns – does this agreement mean that this is not a best route to choose for such drastic interventions

Mf – no, the statement of case outlines how this route is

Ns – you do agree that there are drastic interventions required

Mf – substantive, not drastic

Ns – you can confirm the council consists of elected members

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Mf – 99 members

Ns- primary duty is to endorse undertakings of people of leeds and rep their electives

Mf – yes, ward duties etc , rep the pop of leeds

Ns – they would reflect the views of those people

Mf – they act as advocates. How they choose as voting doesn't always follow what each of their residents/electorates say. Matter of personal judgement but they are accountable to those people

Ns – there is a great deal of evidence that however much the people agree to improvement of transport, the people of leeds are overwhelmingly opposed to this scheme

Mf- I can't say if there is

Ns – have you noticed in the no. of objectors that have given evidence there is an overwhelming feeling that this is the wrong scheme

Mf – they advocate it, yes

Ns – is it true to say the ngt project would fail without support of leeds council

Mf – yes as co-promoter, yes

Ns- no chance it would go ahead without leeds city council. Do you know councillors were whipped?

Can infer from this that some councillors were not reflecting their resident views? Do you accept that the scheme shouldn't proceed if there was unambiguous proof that those people were whipped?

Mf – I don't think so. In terms of opposition – a consultation is not a referendum there is a distinction between the two. Proposals are sometimes brought forward that are not necessarily aligned with the majority view at that time

Ns – you think the ngt project could go ahead even with unambiguous opposition. Have you not read the evidence put forward as a statement by councillor james lewis that they were whipped

Mf – no I haven't read it

A660 JOINT COUNCIL CROSS EXAMINATION

Christopher Foreign

Cf – para1.1 of your proof – degree in sports and recreation. Do you have any type of transport qualifications or accountancy qualifications or psychology

Mf – no

Cf – you aren't an expert and not dealing with matters in great detail

Mf – I am not an expert in relation to transport planning – but I do bring experience in bringing developments forward

Cf – you made a no. of statements about permanence etc – these are all 'lay' opinions

Mf – I wouldn't describe my views on those matters as lay – I have 25 years of experience on developments etc

Cf – the trolleybus scheme is primarily dedicated to facilitating economic growth, isn't it? No. 1 desired effect?

Mf – if that's what it says in business case – economic growth is an outcome and I see that being enabled by improved transport works. And economic growth is an enabler of wellbeing...

Cf – in a society that's already been developed, economic growth won't make people happier, are you familiar with these theories

Mf – I am familiar with that and we are doing studies on this.

Cf – are you familiar with report called 'prosperity without growth'?

Mf – no

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Cf- you are director of city council development –who do you report to,

Mf - The chief executive

Cf – what about councillor james lewis

Mf – he is chair of combined authority transport committee – I don't have direct briefing relationship with him

Cf – it seems councillor james lewis has done a lot of the political work on ngt

Mf – fair to say

Cf – of any of the councillor's, he's mr ngt?

Mf – alongside Richard lewis (highways) yes

Cf – councillor james lewis not scheduled to give evidence and mr rearden, chief exec?

Mf – no

Cf – you are most senior member of the team to give evidence

Mf – yes, and came to project around jan this year

Cf – mr haskins proof, pg 33 para 6.4, mr haskins says that the promoters have consulted with public and staff engaged – we can take it from that that promoters accept that they have a responsibility to consult

Mf – yes

Cf- in your view, does consultation mean more than just 'we hear what you say' – what if you ignore it?

Mf – expect them to have substantial reasons and meaningful reasons to take an adverse decision

Cf – what if feedback was adverse and no account taken of it

Mf – I would expect serious consideration

Cf – so if scheme when ahead even with negative feedback it would not be a sham?

Mf – yes

Cf – folder 8.0.1, tab 3, pg 49 “facts and figures” – the facts are all positive aren't they?

Mf – some of them factual

Cf – zero emissions – positive factor of the scheme isn't it

Mf – yes

Cf – boosting economy etc. also shine positive light? Fast and clean? Etc

Mf – a positive statement

Cf – in left hand corner it says trolleybus carries up to 200 people

Mf – yes

Cf- plan was scaled back to get a 160, an articulated bus would be needed

Mf – I don't have detailed knowledge of that

Cf – on the other side it says 'we'd like to hear your views' and send it various ways – you don't offer a balanced view of the reality of the ngt is. You omit any mention of the disadvantages?

Mf – I would accept that this consultation doc doesn't promote disadvantages

Cf- how do you expect common man / woman to carry out any meaningful analysis of him or herself if he is not told of the downside

Mf – that would be something that would come through in the dialogue of a consultation. It facilitates ppl to express your views

Cf – you are waiting for ppl to discovery it themselves

Mf – no, we are holding dialogue session etc. at consultation events

Cf – at the consultation events these were the leaflets handed out, no?

Mf – if you say so

Cf – you were only offering half a view

Mf – I wasn't there

Cf – its not surprising is it when this is the material put out by ngt that to begin with public support for the scheme was strong

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Mf- I am not in position to comment on this correlation. I can understand this leaflet leading to a favourable impression

Cf – return to haskins proof, para 6.8 – 77% of respondents indicated they were in support

Mf – that's what it says

Cf – that's perhaps not surprising given the material they were offered

Mf – no, I understand point you make of the leaflet promoting benefits of the scheme and how it may influence – I am not in position to say whether that has or hasn't

Inspector –

Cf – para 6.9 haskins proof – by may 2010 public support dropped by 12% to 65%

Mf – that was a smaller sample size

Cf – nevertheless proportion of favourable returns was smaller. We don't know and haven't yet seen results of later consultations (we can expect that now) – 1800 objections to the scheme and 49 letters out of those said they support the scheme. You said in answer to mr sleeman that you don't know there is overwhelming opposition to ngf

Mf –yes

Cf – out of 1800, if 1759 obj that's 97% of the sample

Mf- of that, yes

Cf – isn't that an overwhelming opposition

Mf – my response is to the whole population of leeds with broad mix of demographic. In my experience of consultation there are real challenges in getting views of a wide variety of key groups. In leeds initiative consultation paper look at yesterday, events were targeted on different ppl (e.g. young ppl) – I haven't seen any young people here.

Cf – so you don't think that of the people who wrote letters, you aren't satisfied that that isn't a representative sample of pop of leeds

Mf – no

Cf – why not

Mf – it is sum of individuals motivated to write oppositions

Cf – but you can't count those who don't vote can you?

Mf – my point is that in terms of a consultation it is important to ensure that methodology of consultation is done in way to elicit responses from a broad range of ppl – some of those less inclined to respond. One of the areas of objections is the low number of obj from south leeds. Do we need to talk more with ppl in south leeds of the concerns – because of demographic differences? (in the statement of case) I see it as a representation of the areas of concern but not the general opposition of the city

Cf – are you saying that he should safely ignore those obj

Mf – no – all obj should be given some weight

Cf – online poll conducted by yorkshire evening post – not as quantitative –

Inspector – why not submitted as evidence (it was, Drummond and church resident's society – 17-27)

Cf – were you aware of that poll

Mf – yes

Cf – so the position has changed from 77% in favour to 70% now against it

Mf – it is not based on representative sample – not poll for the city only people who want to look at that website and possible for people to vote more than once,

Cf – you are not suggesting that objectors are more likely to vote twice than promoters

Mf – the methodology and basis for the survey is not something I would place great weight on

Cf – and what weight do you place on north leeds fed of small business is opposed to the scheme?

Mf – that's an issue that needs to be taken into consideration

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Cf – its right isn't it that political support for this scheme is melting away

Mf – I have no evidence to support that question

Cf – have you seen Yorkshire evening post where north region constituencies objects (from MP mr Mulholland – his constituency is primarily affected) – written opposition in his view that trolleybus not right for the city – initially he was in favour wasn't he

Mf – I know that mr moody isn't in favour of it. My understanding was that he has never been in favour of it

Cf – he has changed his position. His constituency is affected – isn't it important that if they change side it is relevant to the scheme. A major blow the scheme?

Mf – not necessarily – I have had to deliver schemes which had a lot of political opposition and support – views change during the delivering the project.

Cf- all three of councillors in wheatwood voted against it as well and also conservatives in addle and wharfdale are also against it – with the exception of the headingley councillors all the others on the northern route are opposed

Mf – on the northern, yes

Cf – G-4-101 consultation report for leeds vision by leeds initiative – para 3.6 “what people said” extract. You were concerned about the views of young people before, categories 3-13 wanted more parks and green spaces. Presumably these bullet points are not randomly ordered. The desire of parks and spaces was a thing that was expressed mostly desirable

Mf – not in position to confirm

Cf – 13-18 yo – also want more parks and green spaces and also cheaper and more reliable public transport. There has never been undertaking by promoters that fares would be cheaper than existing buses.

Mf – for mr Henkel

Cf- in fact, as far as headingley concerned, the last piece of green space will be destroyed by the scheme, won't it?

Mf – which piece is this?

Cf – doc 8-0-5 plan – (Cameron states that there may be amendments to the design of the plan) – look at drawing no. 118 (headingley hill ngt stop) – its right isn't it that all the land through which the ngt track runs (predominantly) is green space at the moment. You're aware that behind st colombus church there are fields aren't there?

Mf – I can't picture that, I'm afraid

[inspector says he will look at the site in more detail later]

Cf – will you accept from me that that is the only green space left in headingley

Mf – you can make that statement but I havent done an analysis on green space

Cf – looking at leeds initiative doc before para 3.7 bullet 2 – desire for an improved environment making leeds a greener city. You were keen to draw this doc to the inspectors attention a few min ago?

Mf – for another reason – it raised point that transport was the most significant priority for residents

Cf – running trolleybus through last piece of green space is not consistent with bullet 2, is it?

Mf – running ngt through green space is not consistent –but needs to consider balance of interest between green spaces and transport links

Cf – a trade off?

Mf – yes a balance of interests

Cf – a limit to how much respondents desire for green space can be accommodated

Mf – naturally limit. As a city we are bringing forward to green space in centre...but in context of balance of interest of other factors

Cf – do you accept there is no park in headingley

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Mf – yes, I think that’s correct

Cf – turn to your proof, para 5.9 – “Today numerous parks and green spaces in the city centre” – please tell the inspector about the numerous parks

Mf – woodhouse moor ...

Cf – you are not saying wood house moor is the city centre

Mf – adjacent

Cf – but not within

Mf - queen’s square park square, we are bringing forward sovereign st. space, penny pocket park etc. I undertook analysis on green spaces some years ago -

Inspector – did this analysis conclude there was a deficiency in the city

Mf – deficit in the south and a greater amount in the north

Cf - there is a deficit in the central shopping area isn’t there

[inspector pauses cross-examination for a bit – asks if mf is right person to ask]

Cf - are you familiar of the site allocation plan

Mf – I have high-level overview only

Cf – under the leeds local dev framework – para 5.5.6 – it says that headingley ward has deficiencies in all open space except children and persons play facilities. There is recognition in council that headingley is short of green space. 5.5.7 says that quantity parks is v deficient (headingley specifically mentioned)

Mf – [agrees]

Cf – in your evidence yesterday, you were talking about housing growth along a660 corridor.

Mf – yes

Cf – you said that you would expect all those housing sites to come forward. In your proof you mention this as well – para 5.21 – I suggest to you that numerous is pushing it a bit as in fact the site allocation plan only identifies five. [cf hands out map] bodington is one and currently has outline planning permission for 160 units capacity. Mosely wood bottom is another – it has a capacity for 173 houses and holt park leisure centre has capacity of 85 houses and land south in addle has further 62 houses capacity and gov. buildings at lawnswood with capacity of 42. If my maths is right, this gives you total possible dwellings of 622 on those sites.

Mf- there is the pass site in addle and other sites further towards ottley I mentioned. This plan doesn’t include outer North west.

Cf – that is not within easy reach of bodington park and ride.

Mf – I’ve ref those sites as I expect to be brought forward as it has allocation – you highlighted a no. of sites in this part of the city and I highlighted a no. of further sites beyond this map.

Cf – one of the grounds for refusing pp for some of these sites would be that it would cause too much congestion on a660. That is a ground?

Mf – question best put to mr speak. 2-3 years ago council fought 6 appeals to dev on green field sites and lost 6 appeals. In currently planning env it is harder to refuse consent to these sites, particularly if some are allocated

Cf – putting in trolleybus removed barrier to dev these sites, am I right? Removes a barrier for building on green fields? Trolleybus encourages building on the green belt/ green site

Mf – leeds needs housing, needs to deliver 75000 housing between now and 2028. That is the largest growth of housing delivered in one district in uk. In order to deliver that growth we have to demonstrate we have appropriate no. of sites to meet that need – our policy will have to revert to nppf if we can’t deliver that 5 year supply. We have to plan along a660 corridor for housing as well as the rest of the city to meet that need and put sustainable infrastructure to meet that growth

Cf – aware that there is resistance in building on green space/greenbelt land

Mf – I’m aware

Cf – you’re crux of argument is that trolleybus will facilitate econ growth and housing growth

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Mf – [pause] as I said yesterday – a lot of those sites will come forward anyway. Ngt will provide transport infrastructure to address the highways impact of the increase in housing. This council is not in a position to seek to resist housing growth in the manner that is being suggested in the context of nppf and leeds core strategy.

Cf – cycling – headingley bypass has a dedicated 100% cycle track segregated for people on bikes. Along rest of northern route the cyclists will have the share with trolleybus or trolleybus and other buses, am I right?

Mf – I am aware of that but detailed so ask Smith

Cf – are you familiar with this doc – understanding walking and cycling

Mf – I have read what you gave me in the break

Cf- summary of key findings – talked to people about their choices between walking and cycling – pg 18 – their *first* recommendation is that it is essential that urban env should be made safe by cyclists –non/recreational cyclists only considers cycling if there is a separate lane. Ngt plan doesn't include full cycle routes

Mf – no it doesn't

Cf – if a person had a teenage son/daughter would they allow them to cycle down a road sharing a trolleybus.

Mf – they have to give significant thought to it.

Cf – if you want to encourage cycling, you have to do recc, is that fair

Mf – I've read this- it is a v live issue and part of our core strategy and we have a whole host of projects so I'm not going to disagree with broad thrust of this doc but challenge to deliver it against balance of interest of other factors. Getting us to get out of the car, by proposing ngt, will help this aim of walking and cycling more

Cf – this inquiry is into ngt, and ngt does not make provision for fully segregated cycle route

Mf – so that's a no

Inspector – has this been looked at, whether it is possible to have separate cycle lanes

Mf – mr smith deals with that

cf – local transport plan folder 13 doc “my journey” G-6-11 – pg 50 – set out what the status of this document is, it's a strategic doc, isn't it/

mf – outlined in the statement of case, it's a strategic document

cf – do you have familiarity with it then

mf – no, I don't (combined authority deals with it)

cf – pg 50 proposal 1 a road user hierarchy has been proposed – bullet 1 are active travellers (walkers/cyclists) and then public transport then cars – people who produced this doc put peds and cyclists at top. But trolleybus takes priority over cyclists

mf – this is some other witnesses issue

cf – cyclists will have to share space with trolleybus and bus – how can it encourage cycling when you oblige them to share road space with 61ft trolley vehicle. That isn't encouraging cyclists.

Mf – it's a balance of interest within the physical constraints of the a660 corridor

Cf – the ngt proposal will not do anything to encourage cyclists, that's right isn't it?

Mf – the ngt scheme has to take into account the balance of interest of a whole range of highway users

Cf – ngt is not in conformity with the core strategic doc, is it

Mf – I don't think it's practically possible that this scheme could align with every element of the proposals of all strategic docs

Cf – last of all, in order to secure gov funding the promoters put forward a programme entry business case in 2012. Folder 5 – doc c-2 pg 32. Demand forecast for 2031 (table 8.4) in 2013 the

forecast is that of an annual total of 14.91 mill passengers, 10.67 mill of those are just transfers from bus and only 1.11 mill coming out of cars to get on trolleybus and 2 mill from park and ride – but the scheme is predicated on a migration of walker and cyclists to trolleybus of nearly a million people (0.99 mill) a year. Nearly a mill getting off their bike and on to trolleybus. So again, we can see that the trolleybus is in conflict with the strategic transport plan which seeks to encourage active travel. You are discouraging active travel.

Cf – proposal 10 of the master transport plan (D-6-11) says council should “work with promoters and other partners to promote active travel” – this conflicts with the demand predictions in your table.

Mf – that table shows the active mode with generate 1 mill a year, that’s right. I’m not in position to say if people want to move from active travel to trolleybuses.

Cf – you said before that you expected trolleybus to be in place for about 60+ - does this mean that people in headingly who want to cycle in safety have to wait that long for someone to give them that
Mf – no, we are planning on dev cycling network. That is’nt the end of that role out and we will have further bits brought forward for dedicated cycle routes in the city.

Cf – there is already a cycle route from lawnswood to city centre going through becketts park campus and go through cardinal road – it doesn’t conform with the transport plan does it – it pushes cyclists into one side onto the margin, am I correct?

Mf – a vast majority of transport schemes in this country don’t accord with this master transport plan

Cf – have you been to Holland – reason ppl cycle is that there are lots of segregated cycle lanes, isn’t it?

Mf – combination of factors, flat land and culture etc. Denmark done it through infrastructure changes, I agree.

RE-EXAMINATION BY CAMERON QC

Qc – anticipated life of the project. You were asked about the 60 year figure. Can you take up C-1 please, the business case review jan 2014 and go to para 9.13 page 9-3. “in line with dft guidance the appraisal period will be assumed to cover 60 years from...” – is the sixty years a prediction as to life of the scheme, an appraisal period or the life of the development?

Mf – it is an appraisal period. The 60 year comes from modelling guidance and green book/hm treasury guidance etc. for these types of projects

Qc – doc e-3-26 para 5.2.3 – this is from web tag guidance on cost-benefit analysis – the 60 years as a appraisal period, anything unusual about that

Mf – quite a common period for these types of schemes (it “should” end – the appraisal is done in conformity of gov guidance)

Qc – from point of view of the city in your responsibility, any reason why life cycle has to stop after 60 years if it proves to be success that promoters hope it will be

Mf – no

Qc – you were asked a q by mr jones along the lines of “the council were promoting further extensions of the ngt” you said they were and you were also asked by mr Thomas. Look at core strategy (D-1.2) map no. 9 after pg 28 – this shows ngt market on it and bodington park and ride etc and the extension to st james hospital, what is that?

Mf – that is the proposed extension to the hospital as you just said.

Qc – you were asked no. of q about Merseyside proposal (FWY-100 and FWY-101) – inspector’s report on page 88 para 4.3.1 – says that congestion is fairly low - in the case of the leeds ngt scheme is it low?

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Mf – no congestion is v high and is operating at more than 100% capacity

Qc – “however there was no policy or strategy in Liverpool plan in which project could draw” – is there a policy basis in which the leeds ngt can draw from?

Mf – yes, a different position from Merseyside – in terms of the modifications from the examinations there hasn't been any made from the ngt

Qc – 4.40 – “knowlesley udp – park and ride has not been addressed anywhere” – as far as park and ride concerned are the proposed park and ride sites in bodington have policy support

Mf – yes.

Qc – are there any other reasons to distinguish this case from Merseyside case

Mf – yes, in terms as that it wasn't embedded in the UDP – whilst ngt is - in terms of how it relates to the emerging core strategies.

Greg – I took him through overhead cables and flexibility of operation –

Inspector - they are not totally related to points that mr jones, yes I can see that.

Greg – feeding them points is effectively new points

Inspector – [allowed in interest of brevity]

Qc – supertram – mf did refer to supertram as being a relevant previous decision when he was cross-examined on Merseyside. The decision letter (g/d-4-1) , inspectors report (D-6-2) page 85 we have an example of brevity of the overall assessment in paragraph 70.1/2 and 2(a) what did the inpector find in relation to supertram extension?

Mf – he said that improved transport facilities in north of leeds was needed – different from Merseyside as there wasn't degrees of congestion there but the inspector here did say that there was a need for new infrastructure (to deal with the high congestion in the northern areas)

Qc – you were asked about para 14 of decision letter about quiet vehicles through busy pedestrian area of the city – it was put to you that this scheme passes through ped zones which you agreed to. Then there was discussion about audible warning systems and lights. Coming back to that point, in terms of the proposals for the route in these ped zones, if we take the university for example, is that an existing ped zone or a proposed ped zone.

Mf – it is a proposed ped zone.

Qc – and other areas in the city centre, how will they be dealt with

Mf – that will be outlined in the urban ... [ask mr smith]

Qc – you were asked about the advantages and disadvantages of their being limited suppliers. You referred to statement of case 16.3.1 – please look at c-1 – you see there more than 40,000 vehicles are operating in more than 370 cities etc... the following cities re-introduced trolleybuses (spain and Italy) – given those figures and total numbers and European cities can I ask your view as to whether there is any legitimate concern about suppliers etc and procurement

Mf – demonstrates it's a developed form of tech so I don't have any concerns

Qc – go to table 12.14 (page12-32) of statement of case – you were asked questions about your knowledge of the modal shift. you were asked by mr jones and also by mr foreign about the figures in the programme entry business case position. As you haven't seen these figures from mr foreign before – having seen the figures is your view as to the benefits and support for the scheme affected by those figures now you do know about them? (broadly eqv table to the one you referred to mr foreign about modal shifts but amended in jan 2014)

Mf – my answer is no my view isn't affected; I looked at these figures last night.

Qc – evidence on southbank regeneration. We'd like to understand – you say your evidence was not couched in absolutes and you said ngt is an enabler and permanence is an added attraction and it was put to you that it was not your evidence that ngt was needed and you agreed. What do you mean by ngt as an enabler?

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Mf – some form of dev may come forward and the nature and timeliness of the dev will be impacted by other factors and one of those will be ngt as a positive enabler. It will enable the nature and form of the dev that will occur on the south bank. It makes it more likely and increases the timeliness as to when the dev will come forward

Qc – nature and type of dev

Mf – it will in terms of nature and types of uses that will benefit from public transport. Eg. Colleges and skills and edu facilities moving forward in that area. I also raised yesterday that we have submitted BIS proposals about the hs2 college which we plan to locate near the ngt line (submitted yesterday). The hs2 college is specialist college for skills necessary for dev and operation of hs2 scheme nationally – higher end of further edu.

Qc – FWY-105 map – put to you on the basis that those are existing not proposed bus routes. Your view as to whether or not the fact that those bus routes have been promoting development of those sites

Mf – open to question the extent to which that is the case. For example, the Tetley site has not come forward for development.

Qc – supporters of the ngt – identify whether any of those supporters have interest in southbank?

Mf – e.g. allied London have interest in leeds docks, Tetley is a venue for contemporary arts located in southbank, leeds college of building is also locating new hq on southbank

Qc – do you draw any conclusions from the fact that these have interest in the southbank.

Mf – they think ngt is a positive enabler of the ambitions to the regen of the southbank

Qc – doc A-0-1 and consultation results of oct 2009 annex 6 – page ten of the statement of consultation – go to 2.12. we can see 1800 responses from the questionnaire [info on the questionnaire] 2.13 – what did users want from a new scheme?

Mf – most popular request in terms of improvement was – lists factors e.g. punctuality

Qc – 2.28 – what does that tell you about phase 2 questionnaire

Mf – 2500 completed phase 2 questionnaire – strong support for the proposal. The questionnaire responses demonstrated a high support of trolleybus mainly on environment grounds, and also support for park and ride (much higher among car users)

Qc – same doc, mr bell challenged about the arena and went to 9.5 in your proof and said the arena wasn't there in your proof. But please go to pg 106 in A-0-1 tab 3 of folder. "statements of support from business community"

Mf – yes we have a statement of support for ngt – they said it offered an ideal solution to them – this was by the director of the arena.

Qc – going back to students regarding leeds college of arts – it was suggested to you there was a dynamic moving student pop because of increased pop in centre and decrease in headingly. He was asking about students generally and their accommodation. Consider this, statement of case of leeds university student union. Are they in favour?

Mf – they are in favour – 30,000 students represented by the union in support of the scheme.

Qc – mr foreign asks you about the west Yorkshire transport plan d-6-11. Pg 50 – the 4 bullet points. "A road user hierarchy of consideration has been developed as follows" – what do you understand to be meant by this phrase

Mf – I don't know