

## Report to the Cabinet

Meeting to be held on Monday, 3 December 2018

### Report of the Head of Service, Planning and Environment

#### Part I

Electoral Division affected:  
Lancaster Rural North;

### **A601(M) Carnforth Link Revocation of Special Road Scheme**

(Appendices 'A' and 'B' refer)

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#### **Executive Summary**

Lancaster City Council's Planning Committee has approved an application to develop land adjacent to the A601(M) south of Junction 35 near Carnforth for a car showroom, with vehicular access taken from the A601(M). The A601(M) is designated a special road and covered by motorway regulations. The county council considers that this short section of special road no longer needs to be a special road, and proposes to seek an agreement with the developer to meet the costs of a Scheme to revoke this special road designation along with the removal of motorway regulations, and reclassify the road as an all-purpose 'B' road. The developer has indicated his willingness to cover the costs.

To expedite this change and to enable the development to progress at the earliest opportunity, it is proposed that the special road designation of only part of the A601(M), between the B6254 Kellet Road and the M6 Junction 35 roundabout, and the Junction 35 roundabout itself, be revoked. This is the length the developer requires access to. In order to maintain a safe environment on the affected highways and to deter vehicles from stopping on the carriageway, existing prohibitions will be retained using Traffic Regulation Orders. Appendix 'B' includes a schematic of the overall approach proposed.

#### **Recommendations**

Cabinet is asked to:

- (i) Approve the approach outlined in this report and summarised above.
- (ii) Once agreement is reached under S278 Highways Act that the developer meets the costs to make a Scheme under S16 and 326 Highways Act 1980, to authorise the Director of Corporate Services to revoke the special road

designation of the A601(M) between the B6254 Kellet Road and the M6 Junction 35 roundabout, and the Junction 35 roundabout, and to carry out the relevant procedural steps and promote same for confirmation by the Secretary of State.

## **Background and Advice**

The A601(M) links the A6 to the north of Carnforth with the B6254 to the east of the town and is currently designated a principal motorway, for which the county council is the highway authority. Its principal function is to connect the local road network with the M6 at Junction 35. A location plan is attached as Appendix 'A'.

The longer, north-western section of the A601(M) is a dual two lane carriageway road with discontinuous hard shoulders, built originally as part of the M6 Lancaster Bypass, which opened in 1960. It retained its motorway designation and M6 numbering even after subsequent extension of the M6 northward towards Kendal and eventually Carlisle.

In 1987, the county council constructed a short section of new single carriageway road to connect Junction 35 with the B6254 east of Carnforth, its purpose being to remove quarry traffic from the town centre. Motorway restrictions were applied and both link roads numbered A601(M), notwithstanding the creation of an effective through route between the A6 and the B6254 avoiding Carnforth. This, together with the Junction 35 roundabout, is the section of motorway that the county council proposes is no longer needed as a special road, to be replaced by a highway in its place that is an all-purpose B class highway. The reason behind the original designation is now not as apparent as it presumably was decades ago.

The single carriageway road was designated a special road under Sections 16, 17 and 326 of the Highways Act 1980 (*The Lancashire County Council (Carnforth Link) Special Road Scheme 1985*), for exclusive use by traffic of classes I and II as set out in Schedule 4 of said Act. At the same time, the extant north-western section and the roundabout at Junction 35 were de-trunked (*The Lancashire County Council (Carnforth Link) Transfer of Highways and Alterations of Side Roads Order 1985*). The county council is therefore the special road authority for the whole of the A601(M).

In April 2018, Lancaster City Council's Planning Committee approved an application to develop land adjacent to the A601(M) south of Junction 35 for a car showroom and associated uses, with vehicular access taken from the A601(M). This particular section of the A601(M) is highly unusual in being a single carriageway road covered by motorway regulations and therefore without footways. The developer has raised the issue of why this short section of road is still a motorway. In line with standards contained in the Design Manual for Roads and Bridges, for safety and operational reasons the county council considers that it would, if the developer meets all costs, be appropriate to seek to revoke the special road designation along with the removal of motorway regulations and reclassification as an all-purpose road. Revocation of the special road designation will require a Scheme under Section 16 and 326 of the Highways Act 1980 to revoke the earlier 1985 Scheme.

In its response to the city council on the submitted planning application, the county council raised no objection in principle to the development proposal subject to securing a satisfactory Section 278 agreement under the Highways Act 1980 and the developer agreeing to pay all costs associated with the revocation of the special road designation and subsequent reclassification.

To expedite this change and to enable the development to progress at the earliest opportunity, it is proposed that only the special road designation of the A601(M) between the B6254 Kellet Road and the M6 Junction 35 roundabout, and the Junction 35 roundabout itself, be revoked. The dual carriageway section to the north-west linking Junction 35 with the A6 roundabout at Pine Lake would remain A601(M) with motorway regulations intact, and the county council would continue to be the special road authority. This approach removes the need to alter/replace strategic direction signs on the M6 main line carriageways, which could prove very expensive and time-consuming, and significantly reduces the risk of objections to the revocation Scheme.

Reclassification will require a new road number as the A601 is already in use (Derby Inner Ring Road). Since April 2012, local highway authorities have much greater responsibility for road classification and numbering. A reclassified A601(M) would not need to be part of the Primary Route Network, as it does not form part of an effective route between primary destinations. It is therefore proposed that the de-specialised lengths of A601(M) be reclassified as a 'B' road and renumbered B6601; this number has been provisionally reserved with the Department for Transport. All direction signing on affected highways will need replacing to show the new road number, including the M6 northbound and southbound exit slip roads. The strategic direction signs on both M6 main line carriageways only specify Carnforth as a forward destination along the A601(M) and A6, so will not require amending or replacing.

In order to maintain a safe environment on the affected highways and to deter vehicles from stopping on the carriageway, the county council is proposing to retain existing prohibitions as far as possible through the following measures:

- The B6601 (including the M6 Junction 35 roundabout) to be designated a Clearway and subject to a 50mph speed limit;
- Pedestrians, cyclists, equestrians and horse-drawn vehicles to be prohibited from using the B6601 by Traffic Regulation Order; and
- Access to the development site on foot or cycle to be taken from Kellet Road.

Other classes of traffic prohibited from accessing motorways by motorway regulations, for example, learner drivers and agricultural vehicles, will have the opportunity to 'u-turn' at the M6 Junction 35 roundabout. The precedent for adopting the above approach is the revocation scheme made by Trafford Borough Council in November 2005 in relation to the A6144 Carrington Spur and implemented in February 2006.

Appendix 'A' comprises a location plan and Appendix 'B' a schematic of the overall approach proposed.

## **Consultations**

The county council has advised Highways England of the proposed approach set out in this report. Although not a formal response, Highways England considers it a pragmatic way forward.

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

There is a risk that the county council and the developer fail to agree on the costs associated with revocation. Should this occur, revocation will not take place.

There is a risk of objections to the revocation order. Draft orders are subject to publication a minimum of six weeks in advance, so any person or organisation has the opportunity to object to the making of the order. Objections, if not withdrawn, initiate the holding of a local public inquiry. This could lengthen the time taken to complete the revocation process.

## **Financial**

The developer has agreed to pay all costs associated with the revocation of the special road designation and subsequent reclassification, to be confirmed through a Section 278 agreement under the Highways Act 1980. Should the county council and the developer fail to reach agreement, revocation will not take place.

## **Legal**

Revocation is a legal process requiring a Scheme be made under Section 16 and 326 of the Highways Act 1980. There is a statutory procedure to follow and the opportunity for objections. The removal of motorway regulations and reclassification as an all-purpose road will mean that the county council would dedicate a right of way for all classes of traffic along the B6601. However, to maintain a safe environment and to deter vehicles from stopping on the carriageway, the county council is proposing to retain existing prohibitions as far as possible through traffic regulation orders.

## **Traffic Management**

The county council proposes to maintain existing prohibitions on affected highways.

## List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A