

Report to the Cabinet

Meeting to be held on Thursday, 7 November 2019

Report of the Head of Service - Planning and Environment

Part I

Electoral Division affected:
All in South Ribble;

A582/B5253 South Ribble Western Distributor and Realignment of Footpath Network - Approval for Use of Powers and Preparation of Various Orders and Schemes including Compulsory Purchase Order (Appendix 'A' refers)

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Executive Summary

Design work and the progression of the planning application is ongoing for the dualling of the A582 and B5253 South Ribble Western Distributor. To maintain programme milestones and to ensure the scheme can be delivered, it is essential that the county council has possession of all the necessary land. Negotiations are ongoing with the landowners however, agreement may not be achievable in time or at all. Consequently, it may be necessary to use Compulsory Purchase powers available to the county council, in particular under the Highways Act 1980, to acquire the land.

Additionally a Side Roads Order under the Highways Act 1980 will also be required to enable alterations to be made to the existing highways and private means of access.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to:

- (i) Approve the use of the county council's powers of Compulsory Purchase contained in the Highways Act 1980, and all other enabling legislation, to acquire all the necessary land and rights for the construction/improvement and future maintenance and drainage of the dualled A582 and B5253 South Ribble Western Distributor and the realigned vehicular and public rights of way network together with landscaping and ecological mitigation;

- (ii) Authorise both the preparation of Compulsory Purchase and Side Road Orders for the scheme and other appropriate Notices, Orders and Schemes under the Highways Act 1980 and the taking of all other procedural steps in connection with the making of the Orders, prior to approval and sealing and making of the formal Orders and Schemes; and
- (iii) Approve the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the scheme.
- (iv) Authorise the taking of procedural steps to facilitate the delivery of the scheme at the location of the two rail bridges referred to in the report.

Background and Advice

The Central Lancashire Highways and Transport Masterplan was published in March 2013 and provides the basis for determining future transport investment priorities across Preston, South Ribble and Chorley. Many of the transport priorities identify large-scale improvements and additions to the existing highway network. The widened A582 and B5253 South Ribble Western Distributor road is one of the most substantial road schemes proposed in Central Lancashire; a 6.4 kilometre long dual carriageway linking the A59 at Penwortham to the A6 M55 at Cuerden and B5253 Schleswig Way at Moss Side. It will provide direct access to all four of the major sites for development shown in the South Ribble Local Plan (adopted 2015).

The South Ribble Western Distributor will also enable provision of, and provide a direct connection between the motorway network and Preston city centre, and much improved access to Lancashire Business Park and Leyland Trucks at Farington and Walton Summit. Importantly, this new road capacity will provide relief to peak hour congestion for journeys currently using city centre routes and travelling through built up primarily residential areas, and allow bus priority measures, public realm enhancements and improvements to prioritise and promote walking and cycling along existing road corridors.

The scheme will enable the rights of way network at that location to be improved and give better amenity and access for local residents and other members of the public.

Route for South Ribble Western Distributor

Since its approval and adoption by the Cabinet Member for Highways and Transport in September 2015, a widening scheme for the South Ribble Western Distributor has been developed within the same proposed route informed by the physical, environmental, engineering and land property constraints. The route is shown for illustrative purposes only at Appendix 'A'.

The road widening scheme will see the remaining lengths of single carriageway widened to provide dual carriageway (two lanes in each direction) along the full length of the A582 between the M65/M61/M6 motorway network at Cuerden and Preston city centre.

Specifically, the scheme will comprise the widening of the A582 east-west for 2.2km along Farington Road and Flensburg Way, between the roundabout connecting Stanifield Lane and the dualled Lostock Lane, and the 'Tank' roundabout (by Farington Household Waste Recycling Centre). This section will also include new traffic-signal controlled junctions at Sherdley Road and with Croston Road and Lancashire Business Park, and a new bridge over the West Coast Main Line railway.

The scheme will widen the A582 north-south for 2.9km along Penwortham Way and Golden Way, between the Tank roundabout and Broad Oak roundabout (by the Brown Hare) where it will join with the dual carriageways of Golden Way and the soon to be completed section of the Penwortham Bypass. This section will also include a new bridge to carry the Preston-Ormskirk railway over the widened A582.

The scheme will also widen the B5253 Flensburg Way north-south for 1.3km between the Tank roundabout and the roundabout connecting Longmeanygate, Comet Road and Schleswig Way which will be upgraded to a signal controlled junction.

Importantly, the scheme designed does not necessitate demolition of any residential or other buildings.

The road will be widened to a dual carriageway with separate three metre wide shared use cycle track for use on cycle and foot for the entire length with links into existing cycle routes.

Once widened the boundary areas will be landscaped and new foliage will be planted to sufficiently screen the road from nearby homes.

As referred to above the present highway at one point goes under a Network Rail bridge carrying the Preston-Ormskirk railway and at another location goes over the West Coast Main Line railway on a bridge owned by the county council. Both bridges will need to be rebuilt to accommodate the widened highway. Discussions are already advanced with Network Rail and these two locations will require careful consideration as the Orders are prepared and other procedural steps taken if authorised.

Support for the scheme in regional and local policy

Transport for the North identifies the widening of the A582 in its newly published investment plan which outlines a pipeline of transport interventions to better connect the North. As part of its programme of specific interventions before 2027, it identifies the upgrading of the A582 between Stanifield Lane and Broad Oak roundabout to dual carriageway standard. Transport for the North's Regional Evidence Base, submitted to the Department for Transport in July 2019 includes this scheme as part of a bid for a £700 million investment in the region's roads over the next five years as part of the National Roads Fund, in order to unlock economic growth, deliver new homes, increase active travel and improve public transport.

Turning to locally-set priorities, the Central Lancashire Core Strategy was prepared jointly by Preston City Council, Chorley Council and South Ribble Borough Council

and adopted in July 2012. The Strategy's objective concerning travel sets out to reduce the need to travel by promoting more sustainable modes of transport and to improve the road network to the north and south of Preston. The Strategy acknowledges that future traffic growth will bring increased pressure to improve the A582 and provide a better link between the A59 and the M56 and M6 motorways. Accordingly, Policy 3 sets out to improve the road network by improving the A582 to provide a better link between the A59 and the M65 and M6 motorways.

The Central Lancashire Highways and Transport Masterplan was published in March 2013 and provides a means for determining future transport investment priorities across Preston, South Ribble and Chorley. The Masterplan introduces the "*Better Roads Initiative*" to contribute towards the Integrated Transport Vision. This initiative sets out the need for the "*creation of new highway capacity to support new development and allow [Lancashire County Council] to solve specific problems.*" The South Ribble Western Distributor supports this by addressing identified problems with East/West movements in South Ribble and supporting the new developments in the South Ribble Local Plan and Central Lancashire Core Strategy. The Better Roads initiative focuses on four major road schemes including the South Ribble Western Distributor, stating "*The schemes will enable planned new development to go ahead, achieve marked improvements for local communities and their environment and allow significant complementary improvements to sustainable transport provision.*"

The Preston, South Ribble and Lancashire City Deal was agreed in September 2013 and provides a financial structure to deliver these roads, subject to planning, land assembly and other statutory procedures, and in advance of the bulk of development so to minimise as far as possible the impacts on the existing transport network and on local communities and road users. The current programme for South Ribble Western Distributor was agreed in 2019.

The South Ribble Local Plan was adopted in July 2015. The Local Plan expands on the policy set out in the Central Lancashire Core Strategy and presents planning policies associated with key development sites. On the provision of infrastructure, the Local Plan states '*Part of the site allocations process has been to review the infrastructure elements of the South Ribble Local Plan 2000. The majority of infrastructure schemes that were included within the South Ribble Local Plan have been delivered. However, there is still a need to increase accessibility, ease congestion and support economic growth by carrying forward particular infrastructure schemes...*'. With its planned delivery established in Core Strategy and Central Lancashire Highways and Transport Masterplan, the South Ribble Western Distributor will align with this policy by easing congestion in South Ribble and supporting planned housing and economic growth. In this respect, the Local Plan states '*There are currently a number of issues in the area related to traffic congestion, accessibility, public realm and local facilities...The upgrading of the A582 South Ribble Western Distributor to improve capacity on the existing A582 between Cuerden and Penwortham Triangle will support this [Pickering's Farm] development.*' The Local Plan Policies Map illustrates land reserved for the A582 dualling.

Site development master plans have been developed for major development allocations accessed by the South Ribble Western Distributor. The draft master plan published for the Pickering's Farm development site notes that the section of the South Ribble Western Distributor adjoining the site "*Penwortham Way is proposed to be improved from its current single lane in each direction to a formal two lane dual-carriageway.*" The master plan agreed for the Cuerden Strategic Site notes "*the improvements in the South Ribble area which will assist in minimising the impact of the Cuerden Masterplan on the highway Network. It is targeted to complete the dualling of the A582 from the current limit of dual carriageway at the Stanifield Lane Roundabout through Farington, Whitestake and Penwortham into Preston City Centre. This will provide a high capacity corridor from Preston and the existing developed areas and for the further planned residential developments along the route to join the motorway network at the Cuerden Site.*"

Consultations

An initial six week public consultation was undertaken on the preferred route option for the scheme during February and March 2015. The scheme was subsequently approved and adopted by the county council in September 2015. Surveys and site visits have been undertaken since then to inform the design of the scheme and to highlight its implications on the area.

More recently, local communities, the wider public and stakeholders have been invited to comment on the emerging scheme in advance of the submission of a planning application, anticipated for February 2020. Public consultation was held over a 6 week period between June and August 2019. The affected communities, landowners and parish councils were invited to visit exhibitions, alongside web-based and media information that was presented as the technical justification for the planning application.

The consultation gave the public and stakeholders the chance to scrutinise and comment on the scheme prior to the planning application being submitted which have been factored into revisions to the scheme design.

Whilst the county council's Head of Estates has been proactive in approaching land owners regarding the required land and other enabling arrangements, there is no guarantee that they would be prepared to conclude negotiations by agreement. To ensure progression of the scheme, it is therefore recommended that the county council progresses a Compulsory Purchase Order to acquire the land and prepares and progresses the other associated Orders or Schemes and agreements and a further report be brought once the Orders are ready to be considered in final form.

Side Roads Order and other Orders and Schemes

A Side Roads Order, under the Highways Act 1980, would also be required. It is proposed to progress this and prepare the Order at the same time as the preparation of the Compulsory Purchase Order. A Side Roads Order gives the county council, as Highways Authority, the power to stop-up, divert, improve or otherwise alter a side road, public right of way or private means of access. Without this Order, the county council could not carry out the necessary alterations to the existing highway network

and accesses as part of the scheme and would have to seek to address them individually.

Implications:

This item has the following implications, as indicated:

Risk management

The actions set out in this report will enable draft Orders and other documents to be drafted in accordance with relevant regulations and procedures and to be produced next year in order to maintain the delivery programme for this scheme.

Financial

The South Ribble Western Distributor and associated changes to the rights of way network, including costs associated with the preparation of the Orders and Schemes, will be funded by the Preston, South Ribble and Lancashire City Deal approved budget for preparatory works on the scheme. The delivery of the full scheme forms part of the overall City Deal delivery programme and is subject to annual reviews of funding availability. The funding package includes potential contributions from the Department for Transport's National Roads Fund.

Human Rights

Every person has the right to peaceful enjoyment of his or her possessions under Article 1 of the First Protocol on Human Rights and no one shall be deprived of his possessions except in the public interest. If there is to be an interference with this right, this must be done as provided for by the law and the interference must strike a fair balance between the interests of the community and the protection of the rights of the individual. The schemes have been designed to minimise the interference necessary and, although a balance is required to be achieved, the county council believes that the greater good is in promoting the scheme for the benefit of the people of Preston and the wider public, and that this outweighs the harm caused by the use of compulsory purchase powers to acquire third party land for the scheme.

List of Background Papers

Paper	Date	Contact/Tel
Adoption of the Route for the A582 Road Widening Improvement Works	14 September 2015 17 September 2015	Marcus Hudson/ (01772) 530696

Reason for inclusion in Part II, if appropriate

N/A