

Report to the Cabinet

Meeting to be held on Thursday, 16 January 2025

Report of the Executive Director of Growth, Environment, Transport & Health

A582/B5253 South Ribble Western Distributor and Realignment of Footpath Network – Preparation of Full Business Case and Approval for Use of Powers and Preparation of Various Orders and Schemes including Compulsory Purchase Order at the Croston Road Junction

(Appendix 'A' refers)

Part I	Key Decision: Yes
Corporate Priorities: Economic ambition;	Electoral Division(s): Clayton with Whittle; Lostock Hall & Bamber Bridge; Moss Side & Farington; Penwortham East & Walton-le-Dale; Penwortham West; Preston City;
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Summary

Purpose of the Report

This report seeks approval to prepare a Full Business Case for the A582 Major Road Network Focused Scheme. In support of this, the recommendation also asks for approval to use the county council's powers of Compulsory Purchase and authorise both the preparation of Compulsory Purchase and Side Road Orders and a Statement of Reasons for the junction configuration at and near the Croston Road Junction in the Moss Side and Farington Division, and to acquisition by agreement to facilitate this part of the scheme. Finally, the report seeks approval to use up to £6m of previously approved local match funding to facilitate the ongoing development activity, including the matters above, and land acquisition.

This is deemed to be a Key Decision and the requirements of the council's Cabinet procedure rules (Standing Order C18, Consideration of Key Decisions) have been complied with.

Recommendation

Cabinet is asked to:

- (i) Authorise the preparation of a Full Business Case for the A582 Major Road Network Focused Scheme, this being subject to the Council's decision to submit to the Department for Transport in 2025.



- (ii) 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 of access for the construction/improvement and future maintenance and drainage of the proposed Croston Road Junction forming part of the A582 Focused scheme and the realigned rights of way network associated with this together with landscaping and ecological mitigation, (Appendix 'A' refers).
- (iii) Authorise both the preparation of Compulsory Purchase and Side Road Orders and a Statement of Reasons for the junction configuration as part of the Focused scheme at and near Croston Road Junction and other appropriate Notices, Orders and Schemes under the Highways Act 1980 and the taking of all other procedural steps in connection with the Orders and Schemes, prior to approval and sealing and making of the formal Orders and Schemes in 2025.
- (iv) Approve the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the A582 Major Road Network Focused Scheme.
- (v) Approve the use of up to £6m of the local match funding to be used earlier than previously approved to facilitate ongoing development activity and land acquisition.

Background

1. The county council's Highways and Transport Masterplan for Central Lancashire, published in 2013, identified necessary road capacity improvements along the existing A582 through South Ribble between Cuerden and Preston city centre to improve journey times and reduce congestion, improve access to Cuerden, and unlock delivery of new housing developments in South Ribble, in support of the Local Plan for the area. The masterplan recognised that increasing road capacity along the A582 would also allow opportunities for improvements for bus priority, cycling and walking and public realm enhancements along the B5254 Leyland Road through Lostock Hall and Tardy Gate.
2. Since 2013, the Preston, South Ribble and Lancashire City Deal has funded a series of improvements to the A582 corridors, with Golden Way dualled between two improved junctions at Leyland Road and Broad Oak, and major junction upgrades delivered at Pope Lane, Chain House Lane, the 'Tank' and Stanifield Lane, along with improvements introduced as part of the completion of the Penwortham Bypass, including an improved junction at Broad Oak roundabout.
3. Following a successful application into the Governments' Major Road Network programme in 2019, the potential funding package available for further A582 improvements includes a substantial potential funding contribution to come from the Department for Transport's National Roads Fund.



4. Since then, a combination of extraordinary inflationary pressures and increasing cost pressures, a change to existing and predicted traffic levels, and emerging Government investment priorities, has led to a re-evaluation to a more focused scheme.
5. Progress to determining a scheme comprising necessary and deliverable capacity upgrades to the A582 South Ribble Western Distributor was last reported to Cabinet in March 2024. At that stage, Cabinet approved the submission of an outline business case for funding to the Department for Transport for a re-evaluated 'focused scheme' of improvements.
6. At its meeting in March 2024, Cabinet also confirmed the approved expenditure of up to £19 million towards development of highway infrastructure on this network as a commitment to fund the local contribution towards these improvements along with any subsequent cost increase above the level of grant agreed by the Department for Transport, this being subject to the Council's decision to proceed to full business case and its approval by the Department for Transport to release the requisite government funding.

A582 Focused Scheme – Full Business Case

7. The focused scheme comprises major junction reconfigurations, the introduction of new technology, and complementary improvements to bus and active travel routes, aligned to wider infrastructure improvements on the same network including in relation to Lancashire Central.
8. The current focused scheme cost estimate is £68.11 million, with the local contribution to be met from the approved expenditure of up to £19 million.
9. In July 2024 the county council submitted an Outline Business Case to the Department for Transport and has received positive indications from officials at the Department as to its acceptability in principle. However, a formal notification from the Department in this matter is now not due to be made until the Government concludes a funding review across all departments and announces a budget review in the spring of 2025.
10. In order to maintain the current pace of development activity and to achieve key milestones it is necessary to commence the Full Business Case now. Additionally, the business case timeline should keep pace with other related and dependant key development programmes such as Lancashire Central.
11. For the reasons set out above it is crucial that development activity and land acquisition continues to be progressed ahead of having the Full Business case approved by the Department for Transport. This requires the commitment and use of up to £6m of the local match funding.

Croston Road Junction

12. One of the major junctions proposed to be reconfigured as part of the focused scheme is the Croston Road Junction in the Moss Side and Farington Division. Design work for the junction scheme, informed by the physical, environmental,



engineering and land property constraints, and the preparation toward submission of a Croston Road planning application is ongoing. To ensure the junction scheme can be delivered, it is essential that the county council has possession of all the necessary land.

13. The existing junction on the A582 at Croston Road involves two roundabouts close together, connecting four local roads. There is often congestion on the A582 approaches, resulting in slow and unreliable journey times for drivers. It is also a difficult location for people walking and cycling to cross the road as there are no formal crossing facilities.
14. The Croston Road junction reconfiguration will separate this junction into three T-shaped signal-controlled junctions, with co-ordinated 'green wave' traffic signals along the main A582 route linking through the junctions. Vehicles on the A582 will be able to pass through the junctions in one movement, rather than having to stop and give way at two separate roundabouts in the existing arrangement.
15. New technology will detect lorries on approach to the junction, connecting to the traffic light sequence to reduce the need for lorries to decelerate. This will improve overall network performance for all drivers, reduce carbon emissions and provide better access to Lancashire Business Park.
16. The proposed changes at this junction will also improve safety and connectivity for walking and cycling, with a new signal-controlled crossing of the A582 itself and three of the connecting roads. There will also be sustainable drainage and new landscaping at the junction. Access to Fidler Lane will be from Croston Road South.
17. Importantly, the junction scheme design does not necessitate demolition of any residential buildings.
18. The detail is yet to be finalised but at present and with all options considered the design indicates that the land required is as shown at this junction on the plan attached at Appendix 'A'.

Options and Proposals

Option 1 (recommended) – Commence preparation of Full Business Case and Approval for use of Compulsory Purchase Powers and Preparation of Various Orders and Schemes if required at Croston Road Junction

19. In order to maintain the current pace of development activity and to achieve key milestones it is necessary to commence the full business case now. Additionally, it should be ensured that the business case timeline keeps pace with other related and dependent key development programmes such as Lancashire Central.
20. To deliver these changes in full, third party land is required. The approach set out in the Outline Business Case is to secure the land by agreement. The county council's Head of Service - Estates has been proactive in approaching



landowners and will continue to negotiate to acquire land by agreement, however there is no guarantee that negotiations will conclude by agreement.

21. To ensure progression of the junction scheme in the event that agreements cannot be reached, it is therefore recommended that the county council progresses preparation of a Compulsory Purchase Order to acquire the necessary land at or near Croston Road Junction and also prepares and progresses any other associated Orders and Schemes, in particular under the Highways Act 1980, to acquire the land.
22. 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 power, the county council could not carry out the necessary alterations to the existing highway network and accesses.
23. Later in this calendar year, a decision(s) of the county council to commit to the delivery of the scheme will be needed at the submission stage to the Full Business Case stage and prior to the sealing and making of the formal Compulsory Purchase and Side Road Orders and other appropriate Notices, Orders and Schemes under the Highways Act 1980. At this point in time, the levels of all grant funding, the latest scheme delivery costs, and the necessary local match funding will be fully known.

Option 2 – Delay preparation of the Full Business Case and preparation of Various Orders and Schemes including Compulsory Purchase Order

24. This option presents significant risks as the focused scheme will be unable to progress without full funding, including the significant financial contribution sought from the Department for Transport, and without all the necessary land required should negotiations to acquire land by agreement fail to conclude in a timely manner.
25. Scheme costs will increase in line with inflation, placing pressure on the deliverability of the scheme and weakening the cost benefit position of the business case should preparation of the Full Business Case and associated activities be delayed.
26. Delayed progression of activity required to enable the Lancashire Central site to come forward places further additional cost and inflationary pressures on the Lancashire Central project and risks stifling economic growth in the area.
27. The potential risk of abortive works on the highway network in advance of the focused scheme coming forward is heightened and become more challenging to mitigate without the assurance of scheme development progressing to programme.



28. Existing issues on the highway network are also likely to be exasperated as time goes on representing worsening congestion, poorer air quality and heightened bus service reliability impacts.
29. Delay to the commencement of the land acquisition process increases programme pressures associated with this activity and could represent missed opportunities generating increased costs and added risk to scheme delivery.

Consultations

30. Public consultation for the fully dualled A582 scheme dates back to 2015 when an initial six-week public consultation was undertaken on the preferred route option. This was subsequently approved and adopted by the county council in September 2015. A further six-week public consultation was held between June and August 2019 prior to the planning application for a dualling scheme being submitted.
31. More recently and since the emergence of the focused scheme, a six-week public engagement was undertaken during July and August 2024. The consultation gave the public and key stakeholders, including National Highways and Active Travel England, an opportunity to scrutinise the scheme's proposed design across its full extent and provided the opportunity to comment on the Croston Road element prior to the anticipated submission of a planning application in early 2025.
32. A bespoke interactive website was developed providing an online survey for comments in addition to two public events held in Lostock Hall and Broadgate, and display material was presented at Lostock Hall library for the final week of the engagement period.
33. The engagement exercise was widely publicised on social media and through more traditional communication methods, including posters in bus stops, libraries and local businesses. Letters were posted to more than 21,000 properties within the vicinity of the scheme including local businesses. This information provided a QR code linking to the website which embraced the use of technology for those able to do so.
34. In total 382 survey responses were received. These are being fed into the design process, enabling local knowledge to help inform and shape the final proposals.

Context and Implications

Legal (including Human Rights)

35. Widening of a highway requires agreement or use of compulsory powers.
36. Authorisation to acquire comes from the confirmation of a Compulsory Purchase Order if it can be demonstrated that there is a compelling case in the public interest. This is the balancing between the human rights of landowners and those with an interest in the land against the need for the junction scheme to be achieved for the public.



37. The power to acquire is under Highways Act 1980 s239- 262 and there is also the power under s14 to alter existing network by Side Roads Order and to provide for changes to private accesses (s124-129). The work towards such Orders and the Statement of Reasons is substantial and clarity surrounding the detail of the land to be acquired, funding and ability to deliver will be required. Once prepared, and if required, the draft Orders and the Statement of Reasons will be brought back to Cabinet for consideration later in 2025.
38. As certainty over funding is required the submission of the full Business Case is important, with work towards land acquisition and the preparation of any draft Compulsory Purchase Order able to be undertaken at the same time. The funding position will be able to be clarified at the time draft Orders and documents are brought forward for actual approval to be sealed.

Human Rights

39. 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.
40. The focused scheme has 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 South Ribble and the wider public, and that this outweighs the consequences of the use of compulsory purchase powers to acquire third party land for the junction scheme if necessary.

Financial

41. The proposed funding package for the focused scheme includes an award from the Department for Transport's National Roads Fund. With approval to proceed with preparation of a Full Business Case, further development work can proceed towards delivery. Lancashire County Council funding has previously been committed towards the implementation of Lancashire Central, including provision for off-site highway works. A large proportion of these highway works will now be delivered through the focused A582 scheme. A decision of the county council to commit to the delivery of the focused scheme will be needed at the submission stage for the Full Business Case when the levels of all grant funding and the latest scheme delivery costs are fully known. The level of borrowing and all related financing costs will then also be known. A local contribution of the full £19m would result in a minimum revenue provision of £1.805m per year for 20 years, however this will be minimised by the maximisation of grant to the scheme.
42. Agreement to allow part of this £19m to be spent before approval of the full business case allows the programme timescales to be maintained and therefore reduces the risk of increased inflationary pressures raising the scheme cost further, however it does carry the risk of there potentially being no funded



scheme to progress to delivery, whereupon the costs to date on the development work will need to be written back to the revenue account.

Equality and Diversity

43. At this stage it is not anticipated that the proposal should adversely impact any groups with protected characteristics. In terms of the three general aims of the Public Sector Equality Duty, there the scheme is unlikely to contribute to discrimination, harassment or victimisation because of protected characteristics; it may contribute positively to advancing equality of opportunity if facilities are improved for those walking and cycling in addition to drivers and is unlikely to adversely affect the fostering of good relations between communities. The work will be designed to meet existing design guidance particularly in relation to being accessible to disabled people. However, the proposal is at an early stage and "due regard" will continue to be given and potential equality impacts considered as the proposal develops.

Risk Management

44. 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.

45. Failure to submit the Full Business Case in a timely manner risks the scheme falling outside the spending period to attract funding from the Department for Transport. Progressing with time critical activity strengthens the position of the Full Business Case.

46. Use of up to £6m of the local match funding earlier than previously approved to facilitate ongoing development activity and land acquisition will be monitored through regular gateway reviews to manage spending risk.

Appendices

Appendix	Title
Appendix 'A'	A582 Croston Road Junction

List of Background Papers

Paper	Date	Contact/Tel
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	7 November 2019	Marcus Hudson, 01772 530696



A582 South Ribble Western Distributor Submission to the Major Road Network Funding Programme	7 March 2024	
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Part II Reason

N/A

