

**ULNES WALTON ACTION GROUP  
APP/D2320/W/3295556**

**APPEAL BY THE MINISTRY OF JUSTICE  
LAND ADJACENT TO HMP GARTH AND HMP WYMOTT**

**PROOF OF EVIDENCE of Emma Curtis**

**Addressing: HIGHWAY SAFETY ISSUES**

**Introduction:**

1. I, Emma Curtis, of the Ulnes Walton Action Group (“UWAG”) provide this proof of evidence in relation to the ongoing appeal brought by the Ministry of Justice (“the MoJ”) concerning its proposal to develop a new prison on the site to which this appeal relates. UWAG comprises local residents who came together in October 2021 following a public meeting attended by many local residents who were unanimous in their objections to the proposal to build a third prison in the locality.
2. Following the Inquiry into the above proposals, and the Report of the appointed Inspector to the Secretary of State, this Proof of Evidence is produced in response to the invitation by the Secretary of State to provide further evidence as to the highways implications of the proposals. It should be read in conjunction with the evidence already submitted by UWAG on that topic.
3. UWAG respectfully agree with the conclusions reached by the Inspector (and adopted by the Secretary of State) as to the evidence put forward by the Ministry of Justice at the inquiry: that the proposals would exacerbate existing hazards and risks within the local road network, and overall that, following examination of that evidence, the proposals would give rise to an unacceptable effect on highway safety in the area, in particular having regard to the junction between Moss Lane and Ulnes Walton Lane, and between the A581 and Ulnes Walton Lane.
4. UWAG have noted the invitation to all parties to submit further evidence to address these issues, and anticipate that the Ministry of Justice will submit evidence by the deadline of 2<sup>nd</sup>

March 2023. It is UWAG's intention to ask that, should such evidence be produced, the inquiry should be re-opened to permit examination of that evidence. UWAG understands that the local planning authority intend to make the same request in such circumstances.

5. UWAG will not address here the acute unfairness that arises from the approach adopted by the Secretary of State, which in effect gives the Ministry of Justice a yet further chance to make good the obvious deficiencies in its evidential case, which was laid bare at the inquiry.
6. Before turning to the specific highways-related concerns, UWAG note that the Secretary of State accepts the Inspector's conclusions (essentially adopting the position advanced by UWAG at the inquiry) that there are at least two potential alternative sites for a new prison in the North-West. In particular, both of these alternative sites are *better* served by the proximity of motorway and A-road infrastructure, permitting easier access for construction and operational traffic; both sites also have better options for sustainable travel by rail and public bus services.
7. This Proof of Evidence is based on the real world, lived experience of local residents. That lived experience can be more insightful as to local conditions than can modelling.
8. Analysis of the datasets in the Ministry of Justice's own Transport Assessment indicates that the existing two prisons generate the majority of traffic on Ulmes Walton Lane (UWL). Building a third prison on site will generate more staff and service traffic on what is a narrow classified, un-numbered country lane. (**Appendix 11** sets out the road measurements as measured by UWAG). In addition, there will be an overbearing amount of construction delivery traffic, which will (on the Ministry's own figures) be operating at significant levels from weeks 1-90.
9. Road safety is a topic raised by residents frequently at Parish Council meetings. The Parish Council has also commissioned the installation of SPID's at a number of locations on Ulmes Walton Lane, at its own cost. This underlines the finding that there are already hazards and

risks within the local road network, which give rise to significant concern by local residents already. Adding a very significant amount of first construction, and then operational traffic to this sensitive local road network will be disastrous for local population.

A. Junction of Ulmes Walton Lane and Moss Lane

10. At 13.22 of his report, the Planning Inspector highlights the risks for traffic turning right out of Ulmes Walton Lane into Moss Lane due to the limited forward visibility looking south. The danger this presents can be illustrated and evidenced by photographs at **Appendix 1** of a three-vehicle road traffic collision which occurred at this junction on Monday 6 February 2023. This accident occurred around 1230 hrs in bright, clear, and dry conditions during an off shift period. Fortunately, no injuries were sustained so, like many other collisions and near-misses noted at this junction by local residents over the years, this will not appear in any PIA statistics.
11. Located at this junction is the post box and bus stops either side of the road which, due to the lack of pavements, require users to walk on the verge or in the road in order to access them. This is *already* dangerous and certainly cannot be contemplated during the peak AM or PM periods. Evidence of this is in **Appendix 13**, taken by a resident walking to the post box at 0910 hrs on Monday 6 February 2023. . Note that the HGV has to swerve and straddle the white line at the last minute.
12. Reference **Core Document K11** - Framework Construction Management Plan Issue 03 at table 4-2 on page 14, a predicted average of 73 construction-related HGVs will be onsite per day, in an average month. In the same document at Appendix C - Construction road trips, it is indicated in the 1st graph that there will be up to to 210 such vehicles on site per day during the peak period of weeks 16-22. This additional HGV traffic will self-evidently give rise to increased conflict and risk for all local road users, but especially for pedestrians, cyclists and horse riders. UWAG set out a more detailed interpretation of the figures in section F below

B. Junction of Ulnes Walton Lane and A581 Southport Road

13. The Planning Inspector at 13.28 of his report concluded that this junction was “*almost at capacity in the AM peak*” and “*would be over capacity in 2025 and 2026*” if this development took place. Queueing delays at this junction would increase from nearly 32 seconds to over 210 seconds. Video footage at **Appendix 14**, taken on Thursday 26 January 2023 at 0825 hrs, illustrates the considerable tailback of traffic which can occur now at this junction. On this occasion the tailback reached Lydiate Lane, a distance of approximately 0.4 miles. Residential properties and local businesses in the vicinity of this junction will be seriously impacted if the development proceeds. It should also be recognised that traffic travelling from the village of Ecclestone along New Lane will also suffer increased delays at its T-junction with the A581 Southport Road.

C. Ulnes Walton Lane

14. The use of Ulnes Walton Lane by cyclists and equestrians is increasing all the time and (as essentially accepted by the Inspector and the Secretary of State), their safety will be seriously compromised if this development is allowed to proceed. On Monday 30 January 2023, a cyclist travelling towards the Moss Lane junction from the north was observed during the AM peak (at 0750 hrs), causing a tailback of ten vehicles which were unable to overtake safely.
15. Ulnes Walton Lane has two existing restrictions: a 40mph speed limit, and a 7.5t weight limit (except for access). These were campaigned for by local residents in the mid-1990's. This was because safety concerns with regard to speeding cars and HGV's adding greater hazard and risk of conflict not only with more vulnerable road users ( e.g. pedestrians, cyclists and horse riders), but also large local farm traffic and PSV vehicles that have to straddle the central line to negotiate bends. As a result of the campaign and its own assessment

Lancashire Highways imposed the restrictions and installed the related signage - see the letter to the Lancashire Evening Post from one local resident, at **Appendix 12**.

16. The bridge over the River Lostock also presents a safety issue . This bridge suffered structural damage around 15 years ago which resulted in the southern section of Ulnes Walton Lane being closed to traffic to enable remedial works to be undertaken. The width of the carriageway over the bridge is 6 metres, with a sharp right-hand bend immediately on exit heading north. This combination of hazards results in road users straddling the central line to negotiate the bridge and corner, particularly large vans and HGV's.
17. This bridge has been the site of road traffic collisions in the past. **Appendix 2** provides photographic evidence of a serious collision that occurred on Wednesday 29 June 2022 at approximately 1845 hrs which necessitated the attendance of emergency services and closed the road for some time, thereby delaying the 112 bus service.
18. Large vehicles crossing the bridge present dangers to oncoming road users as is evidenced at **Appendix 15**.
19. The bridge is also susceptible to flooding at times of heavy rainfall when the River Lostock breaks its banks. **Appendix 9** provides photographic evidence of this in December 2015 and February 2020.
20. The narrow, winding nature of Ulnes Walton Lane means that large vehicles, eg tractors, trailers, horse boxes, buses, HGVs, have no alternative but to straddle the central line and often come into conflict with oncoming vehicles, particularly on the many bends in the road. Video evidence at **Appendix 16**, is of the school bus travelling south along Ulnes Walton Lane.

21. Photographic evidence at **Appendix 3**, illustrates a large tractor and trailer on the northern section of Ulnes Walton Lane at 0711 hrs on Friday 20 May 2022. Vehicles of this type travel along Ulnes Walton Lane seven days per week from early morning to late at night, particularly at harvest time when they transport large loads of hay/silage etc. The potential for conflict with construction traffic, in particular, is self-evident.
22. The only access to Moss Lane is from Ulnes Walton Lane and some examples of the types of service vehicles presently frequenting the two existing prisons on a daily basis are illustrated at **Appendix 4**.

D. Moss Lane

23. The access to the proposed new development would be via Moss Lane, a road which currently provides the only access to one property on the Lane itself and to the 130+ properties at Wymott Village, as well as to the present Bowling Club. The generation of an additional 1,330 trips per day from staff and visitors, plus ancillary traffic such as deliveries and contractors which have not been properly assessed, will be a significant increase in traffic movement throughout the day. Moss Lane currently experiences speeding issues which will only be exacerbated if the development proceeds (a point noted by the Inspector and accepted by the Secretary of State in his letter, at paragraph 15).
24. Longton Riding Club Showground is situated at the junction of Moss Lane and Ulnes Walton Lane, attracting hundreds of vehicles when events are taking place at weekends or in the evenings, often attracting between 300 and 400 competitors and spectators. The vehicles arriving at the site can range from small cars to large horse transport vehicles and can lead to congestion and inconsiderate parking as evidenced by photograph at **Appendix 5** taken at 0821 hrs on Sunday 12 June 2022. The event on this particular day was not due to start until 1000 hrs.

E. Car Parking

25. The car parks presently serving HMP Garth and HMP Wymott are inadequate for the number of staff and visitors using them on a daily basis. Photographic evidence at **Appendix 6** illustrates that this often results in vehicles parking on double yellow lines, pavements and surrounding narrow roads used by large vehicles servicing the two existing prisons, as well as emergency response vehicles. Parking such as this also occurs at weekends when spaces are readily available in the designated car parks. There is no evident enforcement of 'no parking' regulations.
26. UWAG maintain that the 525-space car park proposed for the new development will be insufficient to meet the new (additional) demand arising (and will obviously not assist with the existing shortage of spaces for the two existing prisons). Consequently, motorists visiting the proposed new prison will, like their counterparts presently visiting the two existing prisons, have no option but to park on Moss Lane and on the residential roads of Wymott Village, thereby compounding the highway safety issues for residents and other road users, accessing both the housing estate and the proposed new prison.

F. Construction Traffic

27. Reference **Core Document K11** - Framework Construction Management Plan Issue 03  
Para 4.4.1. Peak Construction Month, Table 4-1 (Page 14)  
Para 4.4.2. Average Construction Month, Table 4-2 (Page 14)  
Appendix C Construction Trips, Graph 1,2, and 3.
28. UWAG anticipate that the data contained in the Framework Construction Management Plan considered in the appeal may be superceded by new data (to which UWAG will seek to respond in due course, once received). Nonetheless it makes the following observations about the data presently available:

29. Table data has been prepared on the basis of a 20 day month, and a 4 week month. Table 4-1 indicates a total of 5311 '*construction vehicles on site*' in the '*peak month*', composed of:
- 5057 cars
  - 254 HGV's
30. Comparing this against the 3rd graph in Appendix C this points to the '*peak month*' being around week 90-96 for the maximum number of "*construction vehicles on site*". However, the 1<sup>st</sup> graph in the same Appendix shows the '*Forecasted Construction Delivery Vehicles - per week*', for which the '*peak*' appears to be weeks 16-22, during which period it is suggested that approximately 1050 '*construction delivery vehicles*' will be on site each week. UWAG note that the number of '*construction delivery vehicles*' per week never falls below 300 between week 1 and week 90 (i.e. a period of 1.75 years). Finally, UWAG note that '*construction vehicles on site*' implies a two-way movement in each case – one when the vehicle arrives on site and one when it leaves.
31. It therefore appears that the predicted '*peak month*' for '*construction delivery vehicles*' will be weeks 16 to 22, at 1050 per week. That calculates down to:
- 210 '*construction delivery vehicles*' per day (assuming 5 day week, 20 day month).
  - 26.25 '*construction delivery vehicles*' per hour, (assuming an 8 hour day).
  - Approximately one '*construction delivery vehicle*' arriving on site, every 2 minutes.
  - Every vehicle will make one trip to site and one trip away from site, for 210 vehicles there will be 420 trips.
32. The minimum number of '*construction delivery vehicles*' per week from week 1 to 90 will be 300 per week. That calculates down to:
- 60 per day (assuming a 5 day week, 20 day month).
  - 7.5 '*construction delivery vehicles*' per hour (assuming an 8 hour day).
  - One '*construction delivery vehicle*' approximately every 8 minutes.



33. Because of the deliberate separation of cars (including light commercials) from 'construction delivery vehicles' in the analysis provided in the TA, all of the above 'construction delivery vehicles' are assumed to be HGV's, either articulated or rigid chassis.
34. Road width will be an issue with such a volume of heavy traffic. HGV's are around 2.55m wide, excluding wing mirrors. Ulmes Walton Lane (UWL) is, on average, 5.5 metres wide (based on UWAG measurements, set out in **Appendix 11**) and UWL has 17 sharp bends and curves with a weight limit of 7.5 tons, except for access. UWL also has a bridge with a sharp 120 degree turn immediately on exit
35. UWL is utilised by cyclists, PSVs (school and public bus services), farm vehicles, horse riders and pedestrians. These would give rise to repeated conflicts with the predicted number of 'construction delivery vehicles' on this narrow stretch of lane.

G. Experience from HMP Full Sutton construction site

36. The main contractor for HMP Full Sutton, which is currently being built, is Kier Construction. In the document at **Appendix 17**, '*The New Prison at Full Sutton - Traffic & Delivery Management, Logistics, General Procedures & Construction Method Statement*' they outline that the site working hours will be 0800-1800 hrs Monday to Friday and 0800-1300 hrs on Saturday, with no working on Sundays or Bank Holidays without special permission being granted. The document outlines that there will be an average of 909 cars, crew buses and deliveries to site every day but this will increase to 973 in the peak period. Any HGV's or deliveries arriving before 0800 hrs will be queued in identified parking areas close to the site. That document also states that 1007 parking spaces will be provided during the construction period.
37. The photographs at **Appendix 7** have been provided to UWAG by a local resident from the Full Sutton area and clearly illustrate the effect on the local road network during the construction of HMP Full Sutton.

38. HMP Full Sutton is a smaller prison (1440 capacity) than the proposed development in Ulnes Walton (1715 capacity), so it is not unreasonable to assume that the number of vehicles accessing the site will be at least the same as Full Sutton, and likely to be more.

H. Accidents and Near Misses

39. There are numerous accidents and near misses which are not reported to the authorities but often appear on social media. Due to the level of public concern, Ulnes Walton Parish Council discuss highway safety issues at each monthly meeting. In 2020 the Parish Council funded the purchase and installation of two SPiDs on Southport Road, followed by two more in 2022 for Ulnes Walton Lane. **Appendix 8** sets out the accidents and near misses experienced by (and reported by) local residents over a number of years, illustrating that this is not a new problem endured by the community.

40. At **Appendix 10** are samples residents statements. These include residents experience of serious accidents, close calls, and lived experience. These statements were submitted voluntarily, following a request in the Parish Newsletter, and relate particularly to the southern limits of UWL where it meets the A581 Southport Road. This junction was identified by the Planning Inspector (in his Report) as near capacity, based on the evidence in, **Core Document A35** - Transport Assessment Issue P05, 12/08/2021. The resident statements support the video and photographic evidence in this Proof of the unsuitability of UWL along its entire length for the proposed increase in construction and operational traffic.

I. Conclusion

41. The road network, and the options for sustainable transport around the proposed site are worse than at the two alternative sites, both of which are served by motorway and A-road connectivity, as well as access to better sustainable transport options.

42. The recorded PIAs in **Core Document A35** - Transport Assessment Issue P05, 12/08/2021, Section 3.6, do not reflect the number of unrecorded accidents and incidents, examples of which have been documented in this proof of evidence. Each of these accidents and incidents has the potential to develop into a recorded PIA.
43. Road safety has been a topic of concern for local residents for a long period of time.
44. The two current prisons, have brought increased traffic adding to these concerns, and leading to measures/restrictions that are either ignored by road users or not enforced by authorities. The situation is already problematic, even under current conditions.
45. The prospect of a third prison, with the imposition of high volumes of construction delivery traffic for the best part of 90 weeks; and a doubling of operational personnel and service traffic, will obviously exacerbate risk and hazard (as found by the Inspector, and accepted by the Secretary of State).
46. Safety concerns are not only about speed, but the road width of Ulnes Walton Lane. The roadway is on average 5.5 metres wide. Existing farm traffic, HGV's and PSVs already straddle the central line in order to negotiate bends and narrower sections of UWL. It is not clear from the existing CTMP how specific traffic movements are going to be managed at peak times.
47. Parking at the two existing prisons is already an issue, with deliberate parking away from the existing prison car park. This will not ease with the development of a new prison, or without active enforcement; and the new prison would bring with it further demand for parking, and an inadequate proposed car park.
48. The A581 Southport Road is already a busy and congested pinch-point throughout the day, but particularly during peak times. The road is particularly dangerous at the junction-head where it meets UWL. There are connecting roads from Croston and Eccleston that all

converge in the vicinity of the junction-head with UWL. The effect of adding a significantly increased volume of traffic to this already busy stretch is technically unknown (because of the deficiencies of the Ministry of Justice's work on this aspect to date, as described by the Inspector), but common sense indicates that wait times are going to increase, potentially leading to greater risk taking by frustrated motorists further on from whatever mitigations are put in place.

49. Existing risks and hazards on the local road network generate many accidents and incidents, many of which go unrecorded; as evidenced with the examples given in this proof of evidence. Each unrecorded incident has the potential to develop into a PIA. Unrecorded incidents, like recorded incidents, illustrate a pattern that (without the local knowledge set out in this Proof) will not be available to any transport expert, unless they are a resident of the area.
50. UWAG remain firmly of the view that the highway implications of the proposed new prison would be disastrous for the local area.