

DATED

20th January 2026

Highways Act 1980

Acquisition of Land Act 1981

Sefton Metropolitan Borough Council (Southport Eastern Access)
Compulsory Purchase Order 2025

Proof of Evidence: Andrew Dunsmore
CPO and Need for the Scheme

Contents

1.	Introduction.....	2
	Personal details	2
	Structure of this evidence	2
2.	Need for and Purpose of the Scheme	3
	Location and existing conditions.....	3
	Need for the Scheme	5
	Policy Framework.....	6
	Scheme Objectives	8
3.	Funding	9
4.	Planning	10
5.	Compulsory Purchase Order.....	11
6.	Conclusion.....	15

1 Introduction

Personal Details

- 1.1 My name is Andrew Dunsmore and I am the Transport Planning Manager for Sefton Council. I have led the Development of the Southport Eastern Access scheme since its inception in 2018.
- 1.1 I have 39 years' experience in the field of highways, transportation and regeneration, 35 years of which have been working for Sefton Council. I have a degree in Civil Engineering.
- 1.2 The evidence that I have prepared and provided in this Proof of Evidence has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the evidence is true, and the opinions expressed are my true and professional opinions.

Structure of this evidence

- 1.3 This evidence provides the Sefton Council overview of the case for the Scheme, including the need and the objectives.
- 1.4 My evidence addresses the following:
 - a) Section 2: Describes the existing conditions, the need and the purpose of the Scheme, covering scheme objectives and a summary of the benefits of the Scheme.
 - b) Section 3: Describes the funding mechanism for the Scheme.
 - c) Section 4: Describes the planning position of the Scheme.
 - d) Section 5: Describes the purpose and effect of the Compulsory Purchase Order (CPO) made by Sefton Council and the compelling case for it.
 - e) Section 6: Describes the conclusions of my evidence.

2 Need for and Purpose of the Scheme

Location and existing conditions

- 2.1 Southport Eastern Access is located to the east of Southport, in Sefton, a local authority area within the Liverpool City Region (LCR). Sefton is located to the north of Liverpool city centre, and encompasses the towns of Maghull, Bootle, Crosby, Formby and Southport, and the surrounding areas.
- 2.2 The Southport Eastern Access Improvement Scheme focuses on the eastern approach to Southport Town Centre in an area which is recognised as having a mixture of light industrial, retail, and residential uses. The area includes key access routes into the town and town centre as well as residential areas and major retailers and employers, including at Southport Business Park and Southport and Formby Hospital. It provides an important gateway to the town centre and seafront development area, for supporting and improving the visitor economy, which is vital for the town.
- 2.3 Andrew Ivey's Proof of Evidence – Scheme Design has been produced to describe the proposed works and demonstrate that the land take required and identified for the Scheme in the CPO is essential.
- 2.4 In the course of negotiations with Leicestershire County Council it became apparent that the CPO Map had excluded land which was required for the Scheme. The reason for this was that the parties had previously believed that the land was highway land when it was in fact not.
- 2.5 The Inspector has the power to modify an Order to include land which had not originally been included under s.14 of the Acquisition of Land Act 1981 as long as all persons interested consent. The Council are working towards an agreement with the relevant landowner (LCC) to reach consent to this modification.
- 2.6 The Council will therefore be asking the Inspector to modify the Order to include the land with a modified Schedule and modified Plan.

Scheme History

- 2.7 The Southport Eastern Access Scheme began development in 2018, when it was identified that a series of interventions were required to the highway network on the approach to the town from the east. The eastern access to Southport is a key commuter route providing access to/from the town and West Lancashire and the motorway network (M58 and M6). Currently, the eastern side of Southport suffers from accessibility and traffic congestion issues. Additionally, future development proposals will create additional pressure on the existing highway network in this area, including routes on the Liverpool City Region (LCR) Key Route Network (KRN) within Southport.
- 2.8 The scheme will deliver a series of interconnected highway, junction, and active travel improvements in separate phases, along Norwood Road / Norwood Avenue (B5276), Foul Lane, Southport Road / Scarisbrick New Road / Eastbank Street (A570), Town Lane Kew.

2.9 As funding opportunities arose, the Scheme was split into Phases to enable delivery. The Phases for the Southport Eastern Access Scheme are outlined below and shown in Figure 2.1:

- Phase 1

Bispham Road / Norwood Road junction improvement
Sussex Road / Norwood Road junction improvement

- Phase 2

Kew Roundabout junction improvement
Foul Lane Cycleway Enhancement (corridor improvement)

- Phase 3

Castlemore Junction
Meols Cop Active Travel
Hampton Road / Scarisbrick New Road junction improvement
Virginia Street Roundabout junction improvement
Bridge Street / Eastbank Street junction improvement

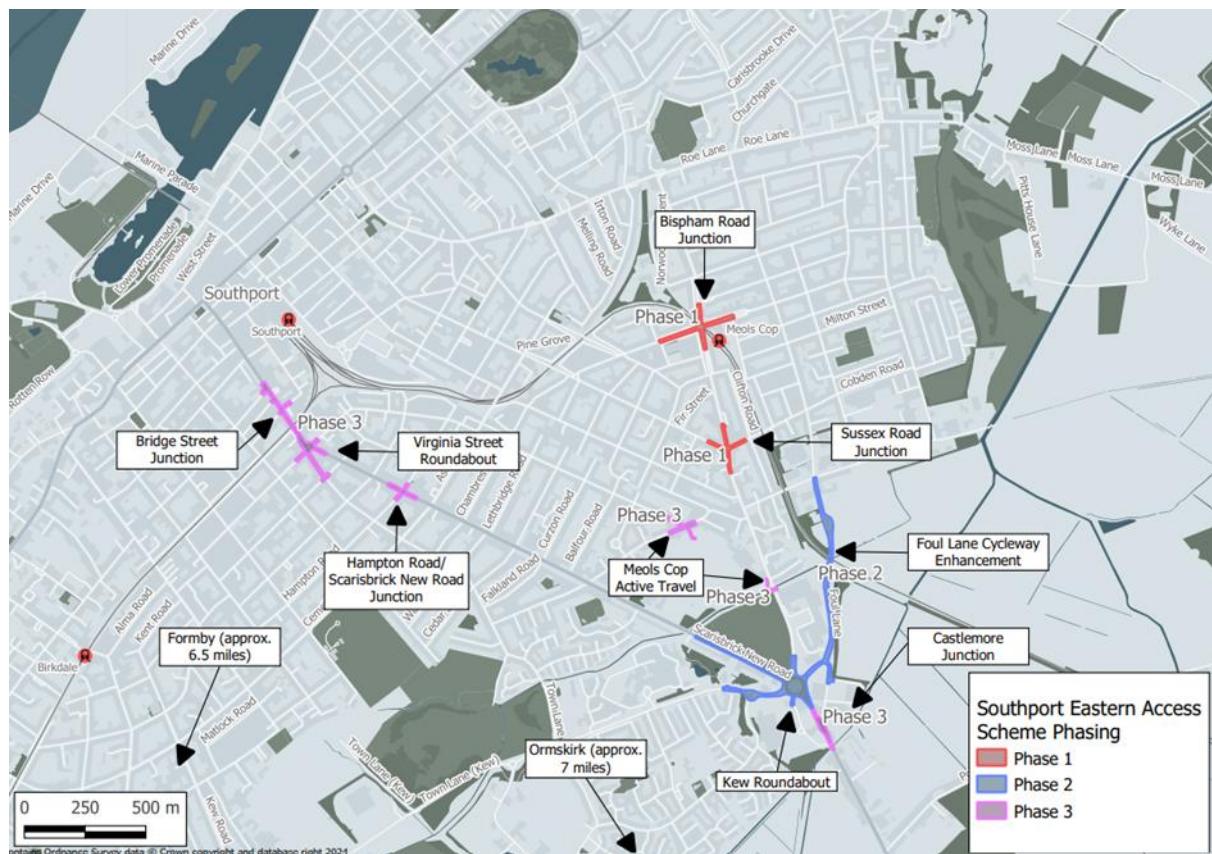


Figure 2.1 – Southport Eastern Access Scheme Phasing

2.10 Construction of Phase 1 commenced in March 2025, and is due to complete in February 2026.

2.11 The Sefton Metropolitan Borough Council (Southport Eastern Access) Compulsory Purchase Order 2025 (“the CPO”) concentrates solely on land required to deliver Phase 2. Phase 1 is currently under construction and scheduled to complete in February 2026. Phase 3 is subject to confirmation of future funding.

Need for the Scheme

2.12 The scheme is considered to deliver on government objectives at a local, sub-regional and national level, in line with a strategy that seeks to promote economic development and improve accessibility to communities, including via active modes. It is also closely aligned with a number of ongoing developments within the region.

2.13 Overall, the case for change is a strong one as the persistence of existing congestion and active travel accessibility issues will see the continuation of key problems within the area.

2.14 The impacts of not investing in the Southport Eastern Access Scheme will be wide-ranging and varied:

- Existing operational, safety, socio-economic and environmental issues will persist and may worsen, particularly in light of forecast growth in the corridor, therefore failing to achieve the aims and objectives at national, regional, sub-regional and local level.
- Without the proposed interventions, the key ambition of LCRCA and Sefton Council to deliver improvements to highway and active travel infrastructure, thereby supporting social and economic growth and wider aims of the CRSTS funding will not be realised.

2.15 The Southport Eastern Access Scheme improvements are required to:

- Support better management of future congestion caused by the current traffic and new traffic from the anticipated growth;
- Address the positive changes necessary to deliver the progressive and resilient transport system that is required to support sustainable growth and prosperity in the area by supporting the delivery of housing and economic growth;
- Provide access to key employment and retail sites, which will allow for increased growth; as well as reduced emissions in association with the climate emergency;
- Promote active modes by improving walking and cycling facilities in the study area by putting less reliance on car journey, creating a positive impact on environmental, thus providing social, economic, and environmental benefits to the community;
- Promote route choices and encourage local community to undertake more journeys on foot or by bike inducing modal shift by putting less dominance on cars, thereby coming a step closer to improve air quality and improve health and well-being and contributing towards net-zero and sustainability goals;

- Create safer and more inclusive routes. This will be especially beneficial for families, children, elderly residents, and those with mobility challenges and provide more opportunities for more people to do the activities they would normally be excluded from. By reducing transport-related social exclusion, people and communities can realise the social, economic and environmental benefits of investment.

2.16 Overall, the case for change is a strong one as the persistence of existing congestion and active travel accessibility issues, will see the continuation of key problems within the area.

Policy Framework

2.17 The Scheme is supported at national, regional and local policy levels in Sefton. The Scheme supports and complements the Council's approach towards improving its economy and employment and transport facilities. This policy basis forms part of the justification as to why there is a compelling case in the public interest.

2.18 The scheme objectives, as outlined in Figure 2.2, are derived from the objectives of the CRSTS funding scheme. They are (as well as being outlined in Figure 2.2):

- **S1** - Improve resilience/capacity of the transport network to support future growth across Southport;
- **S2** - Improve accessibility/connectivity to the key employment, housing, retail and leisure opportunities within the Town Centre and Seafront within the corridor by active modes;
- **S3** - Improve active travel provision to encourage walking and cycling;
- **S4** - Improve safety and perception of safety for road users across the corridor;
- **S5** - Improved local air quality.

2.19 The objectives that the Scheme achieves aligns with a wider range of National and Local Policy Frameworks as listed below (full details of this can be found within the Statement of Case):

- Department for Transport – Transport Investment Strategy (2017)

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- Department for Transport – Decarbonising Transport (2021)

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- Department for Transport – Gear Change (2020)

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- Transport for the North – Strategic Transport Plan

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- The Third Local Transport Plan for Merseyside (Merseytravel, 2011)

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- Combined Authority Transport Plan – Liverpool City Region Combined Authority (June 2019)

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- A Plan for Prosperity – Liverpool City Region Combined Authority (2022)

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- A Local Plan for Sefton – Adopted April 2017

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	✓

- Sefton Economic Strategy (SES) Update 2022 – 2024

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	

- Southport Town Deal – Sefton Council, 2021

Alignment with S1	Alignment with S2	Alignment with S3	Alignment with S4	Alignment with S5
✓	✓	✓	✓	

Scheme Objectives

2.20 The above section outlines the alignment between the Southport Eastern Access Scheme and key relevant National, Regional and Local and Sub-Regional policy aims and themes. The scheme supports the key policy themes of seeking improvements to the transport network, housing and employment growth, decarbonisation, improved health and well-being, inclusive connectivity and improved economic growth and performance. This shows there is a very robust policy basis for the Scheme and the CPO.

2.21 Figure 2.2 below represents the objectives, alongside the core policy themes identified.

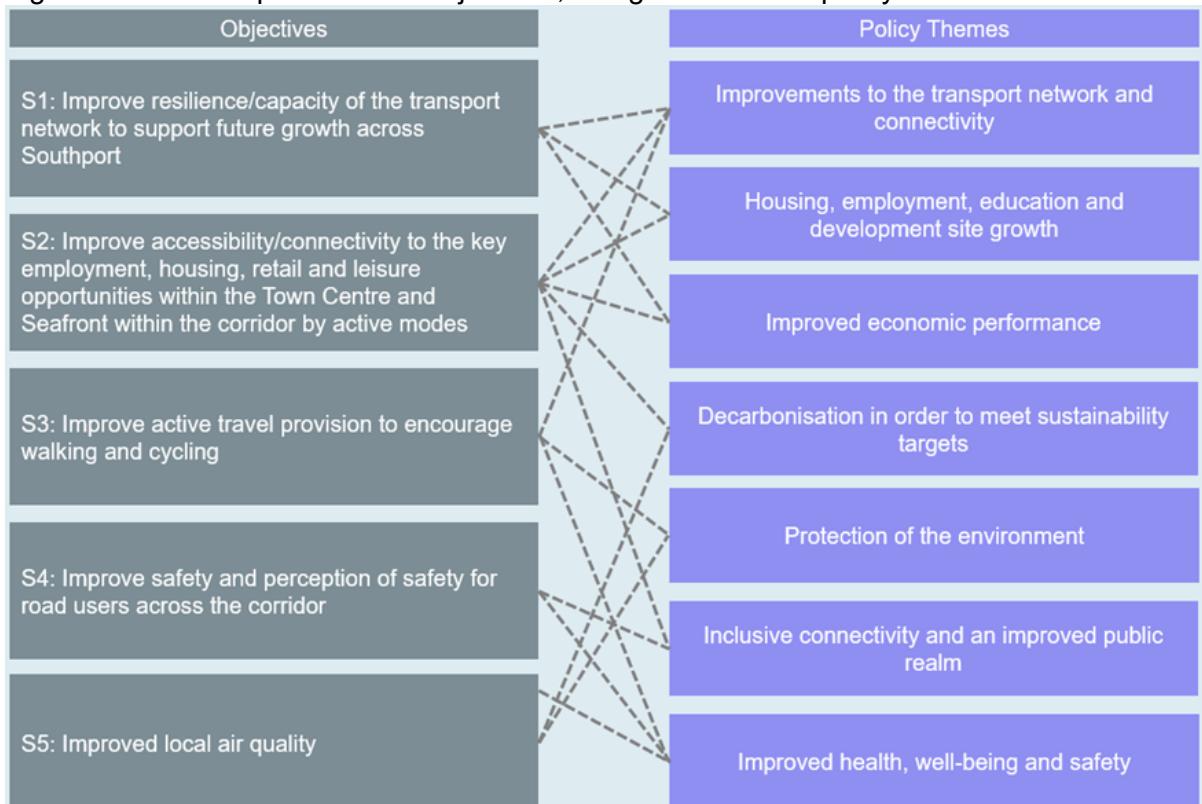


Figure 2.2 – Southport Eastern Access Scheme Objectives

3 Funding

3.1 This section of my Proof of Evidence describes the funding mechanism for the scheme, to demonstrate that funds will be made available to build it in a reasonable timescale, subject to the completion of the statutory process.

Capital Cost

3.2 Throughout the development of Southport Eastern Access, Sefton Council have utilised the services of cost consultants and contractors to provide construction cost estimates to inform decision making related to the progression of the scheme.

3.3 Following the completion of the preliminary design in 2023, AtkinsRealis produced a construction cost estimate for the entire Southport Eastern Access scheme. This was used by Sefton Council and the Liverpool City Region Combined Authority to inform a rebaselining exercise for the project and define the total funding that would be allocated to the scheme.

3.4 At this stage, Phases 1 and 2 were estimated to cost £19.97m to deliver, including development costs including design, surveys and procurement of the works.

3.5 In August 2023, Balfour Beatty were engaged to undertake a feasibility study, reviewing the deliverability of the full Southport Eastern Access scheme, covering all three phases. This provided Sefton Council with an outline delivery programme and a robust construction cost estimate. It was concluded that Phases 1 and 2 could be delivered within the budget of £19.97m and within the timescale of the funding window.

3.6 An updated budget cost estimate was completed by Balfour Beatty in August 2025, based on the detailed design that has been progressed by Atkins. The conclusion of this budget cost estimate confirmed that the scheme is still deliverable within the overall £19.97m budget.

Sources of Funding

3.7 Phase 1 and 2 of Southport Eastern Access is being delivered by Sefton Council, using funding from the City Region Sustainable Transport Settlement (CRSTS), which is managed regionally by the LCRCA. A GFA was signed between Sefton Council and LCRCA, confirming an allocation of £19.97m from CRSTS to go towards the delivery of Southport Eastern Access. This funding will be used to cover the cost of construction of Phases 1 and 2, in addition to the cost of land acquisition.

3.8 The above demonstrates that the funding for the Scheme comes from government sources and is allocated to the delivery of Southport Eastern Access. The Secretary of State can therefore have complete confidence that the funding is in place to deliver the Scheme if the CPO is confirmed.

4 Planning

4.1 This section of my Proof of Evidence describes the Planning Strategy for the scheme.

The Planning Position

4.2 In general, the elements of the Scheme that will be delivered within the existing highway boundary will proceed on the basis that they are not defined as 'development' needing permission in Section 55 of the Town and Country Planning Act 1990. The Local Planning Authority ("LPA") has confirmed that planning permission will be required for areas which will be converted to highway. Therefore, two applications are needed for the works. These applications are:

- a) Kew Roundabout – application reference DC/2025/00906 for the "Conversion of third party land to construct new pedestrian and cycling infrastructure around Kew Roundabout."

This application was validated 4th June 2025 and a decision is expected on this application by 30th January 2026.

- b) Foul Lane – application reference DC/2025/00711 for "Conversion of third party land to construct a continuous footway and cycleway along the eastern edge of Foul Lane".

This application was validated 3rd June 2025 and a decision is expected on this application by 30th January 2026.

4.3 The Council does not foresee any issue with the granting of planning permission, which we anticipate will be granted prior to the Inquiry, and nor will the process delay or impede the delivery of the Scheme. There is no obvious reason why such consents would be withheld and the Council is confident that they will be granted. The Inspector will be updated on this before the Inquiry opens.

5 Compulsory Purchase Order

5.1 The following paragraphs explain the purpose and effect of the Compulsory Purchase Orders, which has been made by Sefton Council and submitted to the Secretary of State for confirmation.

Choosing the right compulsory purchase power

5.2 The CPO Guidance advises acquiring authorities to use the most specific power available for the purpose in mind and to have regard to any guidance related to the use of the power.

5.3 The CPO was made under Sections 239 and 240 of the Highways Act 1980.

5.4 Sefton Council is content that the scope of the powers sought and the extent of the interests in the land and new rights to be acquired by compulsory acquisition are sufficient to enable the delivery of the Scheme, whilst also being the minimum necessary that will enable the Scheme to be delivered and achieve required objectives.

Confirmation of an Order

5.5 The fundamental principles that the Secretary of State will consider in deciding whether or not to confirm a compulsory purchase order are set in 'Guidance on Compulsory purchase process and The Crichel Down Rules'.

5.6 The requirements are that:

- A compulsory purchase order should only be made where there is a compelling case in the public interest (paragraphs 2 and 12) (Compelling case).
- The Secretary of State will consider each case on its own merits. It is not essential to show that land is required immediately to secure the purpose for which it is to be acquired, but the Secretary of State will need to understand, and the acquiring authority must be able to demonstrate that there are sufficiently compelling reasons for the powers to be sought at this time (paragraph 13) (Land required).
- An acquiring authority should have a clear idea of how it intends to use the land which it is proposing to acquire (paragraph 13) (Intended use).
- An acquiring authority should be able to show that all the necessary resources are likely to be available within a reasonable timescale (paragraph 13). The acquiring authority should address sources of funding and the timing of that funding as part of its justification (paragraph 14) (Funding).
- The acquiring authority will need to be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation (paragraph 15) (No impediments).
- The Secretary of State will expect the acquiring authority to demonstrate that

they have taken reasonable steps to acquire all of the land and rights included in the order by agreement (paragraph 2) (Last resort).

- The purposes for which the compulsory purchase order is made must justify interfering with the human rights of those with an interest in the land affected, with consideration to be given to the provisions of Article 1 of the First Protocol and, in the case of a dwelling, Article 8 of the European Convention on Human Rights (paragraph 12) (Human rights).

5.7 I will deal with each of the bullet pointed elements in the Order they appear above.

Compelling Case and Public Interest

5.8 As set out in the Statement of Reasons, Statement of Case and Section 2 of this document, there is a compelling strategic and local case for the Scheme supported by robust evidence that provides the rationale for why improvements from the Southport Eastern Access Scheme are in the public interest.

5.9 In summary, the Scheme will:

- Support better management of future congestion;
- Provide access to key employment and retail sites, which will allow for increased growth;
- Contribute to reduced emissions in the area, supporting the Council's response to the climate emergency;
- Address the positive changes necessary to deliver a progressive and resilient transport system;
- Create safer and more inclusive routes;
- Help reduce transport-related social exclusion;
- Enhance walking and cycling facilities to reduce car dependency, ease congestion, and improve air quality.

5.10 In considering the land required by the scheme, Sefton Council has considered the negative effects that its pursuance of compulsory purchase powers would have upon those with an interest in the land required and has weighed those private individual losses against the compelling need and benefits that the Scheme would bring to the national and local economy.

5.11 Having carried out this exercise, Sefton Council believes that the public benefits of a more progressive and resilient transport system with better management of future congestion, reduced emissions, improved safety and inclusivity and the resulting enabled growth outweigh the private losses. On that basis, Sefton Council believe there is a clear and compelling case in the public interest which would justify the use of compulsory purchase powers. As such, I consider that the tests in paragraphs 2 and 12

of the Guidance, which state that a compulsory purchase order should only be made where there is a compelling case in the public interest, are met.

Land Required/Intended Use

- 5.12 Andrew Ivey's Proof of Evidence shows that the design has been rationalised to meet the objectives of the Scheme and shows the essential need to acquire the land to construct the scheme; without which the scheme cannot be built.
- 5.13 Sefton Council will be using the land for the construction of the Scheme and therefore has a clear idea of how it intends to use all the land included in the CPO. This is set out on a plot-by-plot basis in the Scheme Design Proof of Evidence.

Funding

- 5.14 Section 3 confirms that funding is already allocated to build the scheme.
- 5.15 Sefton Council have a commitment to deliver the Scheme within the CRSTS funding period and therefore plan to commence construction in 2026 in order to complete construction of the scheme by April 2027.
- 5.16 Consequently, Sefton Council can confirm that all necessary funding is available for the Scheme to proceed at the necessary time and that the test in paragraph 14 of the CPO Guidance is met.

No Impediment to the scheme proceeding (paragraph 15)

- 5.17 Scheme works within the Public Highway are not defined as 'development' needing permission in Section 55 of the Town and Country Planning Act 1990.
- 5.18 Planning permission has been sought for the remainder of the works, that sit outside of the existing public highway boundary. These planning permissions are set out in Section 4 of this report.
- 5.19 The Council does not foresee any issue with the granting of planning permission, which we anticipate will be granted prior to the Inquiry, and nor will the process delay or impede the delivery of the Scheme. There is no obvious reason why such consents would be withheld and the Council is confident that they will be granted.
- 5.20 As such, I consider that Sefton Council will meet the test in paragraph 15 of the CPO guidance.

Acquisition of Land – to demonstrate the use of the CPO is the last resort

- 5.21 Peter Eustance's Proof of Evidence demonstrates the process that Sefton Council have gone through to negotiate the voluntary acquisition of the interests in land required for the Scheme.

5.22 I am satisfied that the CPO is the last resort required to deliver the Scheme.

Compatibility with the European Convention on Human Rights and the Human Rights Act 1998

5.23 As set out in more detail in Section 10 of Sefton Council's Statement of Case; the Order has potential to infringe on Convention Rights of persons who hold interests in the CPO Land. Under Article 1 of the First Protocol and under Article 8, such an infringement is authorised by law provided that:

- The statutory procedures for making the CPO Order are followed and there is a compelling case in the public interest for the making and confirmation of the CPO; and
- The interference with the Convention right is proportionate to the legitimate aim served.

Conclusion

5.24 Sefton Council have considered carefully the need for the Scheme and the public benefits it would bring as set out in Section 2 of this document and the Statement of Case.

5.25 Having regard to the Convention and the Human Rights Act 1998, Sefton Council does not consider that any single affected interest is of such importance as to outweigh the important public benefits which the Scheme is forecast to deliver, if the CPO is confirmed by Secretary of State and implemented by Sefton Council.

5.26 Furthermore, Sefton Council does not consider that the cumulative private loss would be of such magnitude or severity as to outweigh the importance of the public benefits which the Scheme would deliver.

5.27 Sefton Council considers that the proposed compulsory purchase of land and rights over land is:

- Legitimate – in that if authorised by a confirmed CPO, the acquisition would be lawful
- Necessary – in that there is a need for the Scheme and the land in the CPO is essential to be acquired; and
- Proportionate – in that it takes the minimum landtake needed to improve the highway network in line with the scheme objectives.

5.28 Any infringement of the Convention Rights of those whose interests are affected by the Orders is considered by Sefton Council to be proportionate and legitimate and in accordance with domestic and retained European law.

5.29 Having studied the information and for all of the reasons above, I believe that there is a compelling case for the compulsory purchase of the land required to deliver the scheme.

6 Conclusion

- 6.1 In conclusion, this proof of evidence sets out the need for the scheme (section 2) from both a national and local standpoint, confirming the compelling case to justify the use of CPO to facilitate the delivery of the Southport Eastern Access scheme.
- 6.2 Having had regard to the Convention and the Human Rights Act 1998, Sefton Council confirms that the need for the scheme and the benefits to the national and local economy outweigh the landowners' affected interests which will be impacted by the need to purchase their land.
- 6.3 This proof confirms that funding has been made available to build the scheme (section 3), and subject to the outcome of this Inquiry we would expect to start construction by May 2026.
- 6.4 As outlined in section 4, the Council does not foresee any issue with the granting of planning permission, which we anticipate will be granted prior to the Inquiry, and nor will the process delay or impede the delivery of the Scheme.
- 6.5 This Proof confirms in section 5 that the scheme meets all the requirements to use the CPO powers applied for and confirms there are no impediments to the construction of the scheme should the orders be confirmed.
- 6.6 In summary, as Transport Planning Manager for Sefton Council and having been involved in the development of Southport Eastern Access since inception in 2018, I consider that:
 - The Scheme layout enables the delivery of the traffic and economic benefits detailed in this evidence.
 - The Scheme benefits cannot be delivered wholly within existing highway land.
 - The land included within the CPO for the scheme is essential to deliver the proposed design.