

## Progress Report on Major Capital Projects

A report by the Head of Major Projects to the Highways Advisory Board on 19 September 2006.

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### Introduction

1. It is an appropriate time to update the Board on progress of the major transport and highway schemes following my last Report in May 2006. It is understood that the Board welcomes these reports and the intention is to continue to do them half yearly and when there are important issues to bring to Members' notice.

### Progress

2. A progress report on Fastrack Phase 1 Major Scheme, Fastrack Thames Way, Fastrack Everards Link Phase 2, A228 Leybourne & West Malling Bypass, M20 Junction 4, East Kent Access Phase 1, East Kent Access Phase 2, Sittingbourne Northern Relief Road, Rushenden Link Road, Ashford Ring Road and other Growth Area Schemes, A2 Canterbury Slips, Greenhithe Station, South East Maidstone Strategic Route, A228 Colts Hill Bypass is given in the Appendix to this Report.
3. There has been further success on funding approvals. In March the Minister of State at DfT announced £13.36m of Community Infrastructure Fund (CIF) for Fastrack schemes, to be spent by 31 March 2008. In June the Department of Communities and Local Government (DCLG – previously the ODPM) approved £9m of Growth Area funding for Rushenden Link Road. In July the Regional Funding Allocations were announced by Government and East Kent Access Phase 2 was acknowledged as a scheme that could expect to receive funding during the 3 year period 2006/07 – 2008/09. The announcement was a response to SEERA's recommendation and the County Council has now received the formal Offer letter. There is also £1.35m of DCLG funding for the Fastrack Delivery Executive.

### Conclusion

4. Some of the issues referred to are live and matters may have progressed since the time of writing this Report. Where appropriate a verbal report will be given to the Board Meeting.
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## **Kent Thameside Fastrack**

### **Phase 1 Major Scheme**

The new infrastructure provided under the Fastrack Phase 1 – Major Scheme contract came into use on 26 March, with the start of Fastrack Route B operations between Gravesend and Dartford. The service has been a success with patronage exceeding that required to meet the first year target. By mid July the service had already carried 500,000 passengers.

There have been some teething troubles. Buses are given priority at traffic signal junctions by a Global Positioning System (GPS) based system. Some problems with the location of virtual “trigger points” and with equipment on buses meant that not all junctions were giving, and not all buses were requesting proper priority. The problems have now largely been overcome, although there are one or two junctions where lines of sight and proximity of stops to junctions is still preventing maximum priority.

The fleet of new buses, acquired by KCC with funding from ODPM (now DCLG), has suffered from problems with the air-conditioning systems. Arriva, who are operating the buses are working with the manufacturer to correct the problem.

On-board destination displays depend on radio links with a timetable database and it has been found that in operation, radio coverage is not consistent. A new radio transmitter, being provided as part of the bus management system for The Bridge development, is due on stream in August, after which further on-board passenger information will go live.

Fastrack Phase 1 – Major Scheme was entered for two awards.

The Kent Thameside Fastrack Phase 1 – Major Scheme was the winner of the Brassey Award 2006. This award, from the Institution of Civil Engineers Kent & East Sussex Branch was awarded “For an outstanding example of a civil engineering project completed in 2005/06”. The award was given jointly to the County Council, as client, Jacobs as designer and Fitzpatrick as contractor.

The scheme was also entered for the British Construction Industry awards but unfortunately was not shortlisted.

### **Kent Thameside Everards Link Phase 2**

Phase 1 of Everard's Link, providing a bus interchange for Greenhithe Station was opened in Spring 2005. Phase 2 will extend from the bus interchange to provide a link through to Ingress Park and Swanscombe Peninsula and will become part of the Fastrack riverside route. The scheme interfaces with S106 obligations by Crest Nicholson as developers of the Ingress Park site. The approved CIF funding is £5.24m.

The announcement of CIF funding, made in March, was some 6 months later than expected and the programme to complete the works is now tight. The Cabinet Member for Regeneration & Supporting Independence approved plans for the scheme and the submission of a planning application after a report was made to the July meeting of the Board.

The scheme for Everards link adopted in 2003 showed land being acquired from Network Rail in order to allow some development of land by F T Everard. In the light of claims made by Network Rail against the County Council for development value on other schemes it was decided that acquiring land from Network Rail was not appropriate. A scheme that avoids Network Rail land has now been approved. The scheme continues the embankment that supports Phase 1 through to The Avenue where an underpass will connect to the Fastrack section to be built by Crest Nicholson in Ingress Park. The embankment will be landscaped to blend it in with the adjacent chalk cliff face. Everards Link Phase 2 would be a bus-only

route with buses every 10 minutes, on a route between Dartford and Gravesend. There will also be a cyclist and pedestrian route.

A planning application has been submitted and local residents, local Members and the Borough Council have been informed. It is possible that the application will be determined at the November meeting of the Planning Applications Committee.

Two pieces of land are required. The main part of the works sits on land owned by F T Everard and Sons. It is hoped that this land can be acquired by agreement and discussions with the owner's agents have already begun. The other piece of land, needed to construct the underpass, will be transferred by Crest Nicholson.

Subject to planning consent and securing the land, works could start in early 2007 and be complete by the end of the year.

There are also proposals for the upgrading of Greenhithe Station, see the separate item in this Report.

### **Thames Way**

Thames Way, Gravesend, is a road built about 15 years ago that runs from A226 Overcliffe towards Ebbsfleet Station. The scheme will provide dedicated bus-only lanes adjacent to existing carriageway with priority through the junctions. The approved CIF funding is £8.12m.

In addition to this, SEEDA is the Lead Partner and in receipt of funding in connection with the HST4i initiative aimed at improving access to the European high speed train network. The County Council is a partner with SEEDA and has been allocated €3,000,000 of European Regional Development Funding (ERDF) which will provide further funding support towards the Fastrack public transport access improvements.

A scheme for Fastrack Thames Way was first adopted in 1999, along with other off-development sections, including Phase 1 – Major Scheme, opened in March this year.

As the scheme is funded from CIF the same time constraints that apply to Everards Link also apply here. The programme is tighter in that the Interreg money, associated as it is with the high speed train network, suggests that the scheme should be completed in time for a new bus service to run between Gravesend and Dartford via the Ebbsfleet International and Domestic Station from its opening day, in Autumn 2007.

The scheme, for bus lanes on either side of Thames Way from Overcliffe to Springhead Road, has been refined but is substantially the same as the 1999 scheme. The scheme is contained within the highway boundary for most of its length but does require the acquisition of a small piece of a former land-fill land from Gravesham Borough Council.

Bus priority will be provided at the junctions on Thames Way and new stations with shelters and passenger information systems will be provided at three locations.

The works do not need planning permission. A procurement Notice has already been published in the Official Journal of the European Union inviting expressions of interest from contractors and tenders will be issued later this year. The objective is to try and start construction in January 2007.

### **A228 Leybourne & West Malling Bypass**

Construction has progressed well and the opening of the Bypass is planned for early October – ahead of programme.

While there is still some way to go, the construction is sufficiently advanced to have confidence that the overall scheme cost should be delivered close to the approved funding

allocation. Land negotiations and compensation will take time to conclude and hence it may be several years before it is known whether the total scheme cost has been delivered within the overall budget allocation.

The traffic management proposals for the existing road system for implementation following the completion of the Bypass were approved following the Highways Advisory Board meeting in July 2006. Detailed design of the proposals is in hand and construction is programmed to start soon after the bypass is opened to traffic. A programme of monitoring will be implemented to assess the effectiveness of the traffic management measures.

The bus link to West Malling Station is also under construction. Network Rail are in the process of giving a Licence to the County Council, in time for the opening of the Bypass, granting rights to use the connection to the Station forecourt for buses, taxis, cyclists and pedestrians. The County Council, Tonbridge & Malling Borough Council, the Parish Council and Network Rail are anxious that this link should not be used as a 'rat-run' between the Bypass and West Malling. Physical control mechanisms and enforcement are currently difficult and the intention is initially to rely on layout, coloured surfacing, signage and road marking and to actively monitor the situation. A fall back position for the retro-fit of a control mechanism has been planned but it is hoped that this will not be necessary prior to 2008 when local authorities will have access to approved vehicle detection equipment and associated enforcement powers.

#### **M20 Junction 4**

The County Council is facilitating the improvements on behalf of the developers of Kings Hill Phase 2, Holborough and Leybourne Grange in fulfilment of their planning obligations to the Highways Agency. The works involve widening the western overbridge and improvement to all four slip roads.

Construction is progressing well and on programme for completion in early November 2006. The key activity of lifting in the steel beams for the widened west overbridge was successfully completed during night time closures of the motorway on the weekend of 29 & 30 July. Subsequent night time closures have allowed the placing of the permanent formwork to support the concrete deck and the placing of pre-cast concrete parapet units. A further closure will allow concrete to be placed to form the deck of the bridge.

#### **East Kent Access – Phase 1**

Full Acceptance of LTP funding was approved by DfT in July 2005 and construction of Phase 1C started in September, 2005 with completion programmed for Summer 2007.

The works have proven to be extremely complex and difficult. This has necessitated a high level of programme management to cope with changes and ongoing design modifications caused by unforeseen difficulties. At Stonar Cut, where numerous and large services cross the waterway in restricted conditions, and where there is a requirement to construct new sluice gates and a new road bridge, surveys for unexploded ordnance and the unpredictable locations of existing services have required innovative solutions. Changes in layout and construction logic have sought to recover time that was lost in the early stages of construction. Environmental constraints associated with an adjoining waste disposal site plus delays created by theft of special cables for critical service diversions have not helped matters. The scheme is nevertheless now progressing well and is anticipated to be completed to programme by early autumn 2007.

#### **East Kent Access – Phase 2**

As stated in the covering Report, Government has indicated its intent to fund the £64m scheme following the Regional Funding Allocation announcement to SEERA on 6 July 2006.

In June 2006, the County Council as planning authority granted planning consent subject to referral to the Secretary of State as the scheme is a Departure from the Local Plan. The

next stage is the statutory Orders and the Compulsory Purchase Order and Side Roads Order were published at the end of August 2006..

If there are objections to the Orders that could not be resolved, and it would be surprising if there were none for a scheme of this size, then the Secretary of State will probably give instructions for a public inquiry. Such an inquiry would probably be held in Spring 2007.

There remain some District and Local Member concerns about the operation of the proposed Lord of the Manor junction. This is not surprising as the layout is slightly unconventional in appearance and largely dictated by the route combining the A299 and A256 entries to the junction. It is however considered to be the best solution in the circumstances, without major and much more expensive junction enhancements, and is capable of coping with predicted traffic flows. A presentation including the demonstration of a visual simulation model has been arranged for local Members to aid their understanding and to hopefully provide reassurance.

With planning consent, publication of Orders and approval of funding the scheme has made a major step forward. Meetings have been arranged to update the parishes of Cliffsend and Minster and the ultimate aim is to publish a six monthly newsletter for the overall East Kent Access project.

### **A228 Colts Hill Strategic Link**

Although a priority in the County Council's Local Transport Plan the scheme was not accepted for funding in the Regional Funding Allocation for 2006-2011 announcement in July 2006, in line with the recommendation from SEERA. Neither is the scheme in the indicative list of schemes that might be funded in the remaining RFA years of 2009/10 – 2015/16. However, it is acknowledged that SEERA intends to seek further advice on schemes for possible funding from 2011/12.

With this uncertainty and the difficulties that the current alignment has for a local aquifer reported in the May 2006 Report there is no justification for incurring further expenditure other than providing input to any further submission to SEERA.

### **South East Maidstone Strategic Route**

As reported in May 2006, the Leeds & Langley Bypass is unlikely to be a candidate for funding in its present form and preliminary discussions have been held with Maidstone Borough Council on a more locally strategic route, informally known as South East Maidstone Strategic Route (SEMSR).

The scheme is flagged up in the LTP as a contender for construction in the LTP(3) period of 2011-2016.

Any further feasibility work at the moment would be premature and requires the publication by Maidstone Borough Council of their Local Development Framework. The development aspirations are essential to fully inform the route corridor, route standard, junction strategy, estimated cost and the potential for development contributions. This in turn will influence the benefits and the prospect for achieving a high regional priority and therefore the likelihood of attracting future public funding support.

### **Sittingbourne Northern Relief Road**

See also separate more detailed Report to this Board at Item 5.

In July 2006, the County Council as planning authority granted planning consent subject to referral to the Secretary of State as the scheme is a Departure from the Local Plan. The next stage is the statutory Orders and the Compulsory Purchase Order and Side Roads Order are expected to be published in early September 2006.

The private landowners remain opposed to the proposed route and they have indicated that they will object to the Compulsory Purchase Order. Similarly there are certain to be objections to the S106 Scheme under the Highways Act to bridge Milton Creek from those who want an opening bridge. The Secretary of State will therefore probably give instructions for a public inquiry that would be held in Spring 2007.

While there are understandable concerns from the boating community about not prejudicing navigation of the Creek, the reality is that it is little used by sailing craft and there are no proposals for frontage housing with moorings. The previous consultation and operational, capital and revenue cost aspects all confirm the proposal for a fixed link. However, the fixed link proposal and its justification will be tested at public inquiry and hence work has been commissioned to research the implications of an opening bridge so that there is robust fact based evidence available.

Subject to a satisfactory outcome the current estimated earliest start of construction would be early 2008 and this will have spend profile implications that are being discussed with the DCLG and DfT.

### **Ashford Schemes**

Two schemes are being progressed as part of the Ashford growth agenda using funding from DCLG which have a target date for completion by 31 March 2008.

### **Ashford Ring Road Transformation**

Following the Report to the July 2006 meeting of the Board the priorities and strategy for the transformation of the Ring Road were approved.

Conceptual discussion has been concluded and work is now tightly focussed on the detailed design so that the works can be procured and delivered within the DCLG funding deadline of the end of 2007/08.

In order to support the growth agenda for the town, it is planned to turn the current one-way Ring Road into a series of two-way quality streets so that the current severance imposed by the Ring Road will be significantly reduced and pedestrians and cyclists given the same priority as traffic. The shared space concept involves the slowing of traffic to 20 mph or less and the narrowing of carriageways so that better eye contact is established between drivers/pedestrians.

Funding of £8.0m has been approved by central government and a formal funding agreement with DCLG is now in place. The first phase of works will now include reversion of the entire Ring Road to two-way flow, signalisation of the Victoria Road/Beaver Road/Romney Marsh Road junction and the introduction of a high quality public realm environment along Elwick Road, West Street and Forge Lane. The remainder of the Ring Road will retain a more traditional highway environment at this time although it is hoped that further funding bids can be made in order to transform the entire Ring Road to a high quality, slow speed, shared space environment.

The scheme has made very good progress over the past few months and it has now received outline approval from the Ashford Joint Transportation Board (JTB) and this Board following a successful public exhibition in June 2006. The scheme is now being progressed to detailed design and the advertisement of the necessary Traffic Regulation Orders. A further public exhibition is planned for late September 2006 followed by further Reports on development of the detailed design to the JTB and this Board in November. The scheme is currently planned to commence construction in Spring 2007.

### **Newtown Road Bridge**

One of the key elements of the Ashford Transport Strategy is the realisation of a significant increase in the number of trips by sustainable means, particularly passenger transport. A new advanced passenger transit system (SMARTLINK) aims to provide the vision for new services in Ashford by offering high quality, frequent, reliable, affordable, integrated bus provision across the town. One of the current constraints to implementing SMARTLINK is the lack of height and width underneath the existing Newtown Road bridge. The objectives of the scheme are to replace the existing bridge and improve the headroom from 3.0 metres to 3.7 metres in order to allow use by single decker buses, including future SMARTLINK buses, as well as improving the width of the carriageway and footway to improve safety for cyclists and pedestrians.

Funding of £3,08m has now been agreed by central government and a formal funding agreement with DCLG is now in place. Progress with the scheme during the last 6 months has been slower than expected because of the difficulty of engaging with Network Rail who will be progressing and implementing the scheme. However, better progress is expected over the coming months including the completion of a detailed feasibility study by December 2006. The scheme will then move forward to outline design and the appointment of a design and build contractor to hopefully enable construction during 2007/8.

### **Rushenden Relief Road**

As the Board is aware, at SEEDA's request, the County Council has taken over the lead on this project although SEEDA remain very much involved, particularly on the land assembly and wider Master Planning of the area.

SEEDA has recently had to amend the route alignment to meet environmental buffer zone requirements whilst maintaining the development requirements. Following the July Board meeting, the revised route was approved. Progress on developing the outline design of the scheme and preparation of a planning application has therefore only recently become possible. Despite apparently being overlooked in the final announcement of CIF funding, DCLG has recently been able to approve £9m of funding support together with the approval to reallocate £3m of previous support to SEEDA. While this is significantly less than the original bid there is confidence that together with developer contributions available, the key element of the scheme between the A249 Neats Court roundabout and Cullet Drive can be delivered.

### **Eurokent Thanet**

In partnership with Thanet District Council (TDC) and SEEDA, the County Council is looking to construct the access road at Eurokent business park to facilitate early job creation. The County Council would fund the gap in the construction costs in return for an interest in some of the land held by Thanet District Council. Outline design work is in hand to develop a scheme that would be compatible with the most beneficial development opportunities.

### **Greenhithe Station**

Borrowing approval related to the Dartford Crossing is allocated for the upgrade of Greenhithe Station. The station has had no real improvement over the years and is not very accessible. The station is a key node within Kent Thameside and the facilities needs to reflect its modern role.

Up until recently, Network Rail has been slow to engage but there are signs of improvement and a recognition that they need to improve intermediate stations and engage partners particularly when they are offering funding. They are developing a high standard modular layout with flexibility in finishes to suit local circumstances and the idea is that Greenhithe should be a pilot project for roll out nationally.

Work is in hand to develop outline options for the station upgrade involving a new booking hall and footbridge linking the platforms to replace an underpass. Network Rail will take over the lead and develop the detailed design, secure planning consent and construct the Works. Agreements will be required to cover the release of funding and appropriate project management and audit roles for the County Council.

### **A2 Canterbury Slip Roads**

The existing junctions do not cater for all movements causing a high degree of unnecessary congestion in Canterbury and around the ring road. The LTP2 identifies the future provision of the missing slip roads as a potential scheme for LTP3.

Outline design, traffic assessment and feasibility work is close to completion that will inform the future of the scheme and funding opportunities. It is however possible that one of the slip roads at Wincheap could be funded from the Integrated Transport funding stream.

### **Land Matters**

#### **Property Held for Highway Purposes**

Property is held for future highway schemes. Most of these were acquired many years ago and in the main are held at Tonbridge for the London Road – Hadlow Road Link and in Upper Stone Street for its potential widening. Some £5m of asset is held and its condition is of increasing concern. Last year demolition was required at Tonbridge of two properties that were delapidated and no longer capable of beneficial use. In Maidstone, two properties will require demolition in 2006/07 and Wrens Cross remains a major concern.

Net rental income is increasingly being negated by the demolition and increased maintenance costs.

#### **Land Compensation Act Part 1 Claims (LCAPart1)**

With the completion of the A299 Thanet Way claims, activity in this area is much reduced. The only new substantive County Council scheme where claims are currently being considered is South Thames-side Development Route – Stage 4.

Claims against Fastrack Phase 1 – Major Scheme can be made from March 2007. Although evidence submitted at the Compulsory Purchase Order Inquiry suggested that noise, pollution, light and dust would not significantly increase, that is unlikely to prevent a number of claims being made by agents acting on a “no win, no fee” basis. Each claim must be dismissed or accepted on the basis of an assessment which is time-consuming and can have a significant cost in its own right.

Claims continue to be handled in respect of S278 schemes where developers indemnify the County Council for any liability. It still often remains difficult convincing developers of the validity of any compensation that is intended to be offered and also in receiving reimbursement but efforts are being made to minimise this by greater involvement and liaison.

#### **Land Acquisition**

Where compensation for land acquisition or consequential disturbance cannot be agreed through negotiation, claimants have the right to refer matters to adjudication at the Lands Tribunal. Both claimants and the County Council seek to avoid this but sometimes it becomes unavoidable, particularly where the basis or quantum of the claim is so contrary to our own agent's view.

References to the Lands Tribunal are normally made just as the period approaches 6 years from the date of taking entry to avoid such claims becoming time barred under Statute.

In the previous Report I referred to two references to the Lands Tribunal where the claims were significant in terms of quantum. I am pleased to report that both references have now

been withdrawn and I believe this is the result of the joint efforts of highway and District colleagues and our consultants Mouchel Parkman in robustly convincing the claimant that relating claims to development value were tenuous.

There does however remain a major claim against the County Council in connection with South Thames-side Development Route Stage 4 where the claimant has elected to make reference to the Lands Tribunal where previously they had pursued it as an insurance claim. The effect is that it reverts to the County Council to defend the claim rather than the insurers and this will have significant resource implications.