**From:** Simon Jones – Corporate Director of Growth, Environment and Transport

**To:** Peter Osborne – Cabinet Member for Highways and Transport

**Subject:** A226 Galley Hill – Funding acceptance, land acquisition, procurement and delivery

**Decision no: 26/00065**

**Key Decision:** Yes – Scheme affects more than two Electoral Divisions; scheme involves expenditure of greater than £1m

**Classification:** *Unrestricted*

**Past Pathway of report:** Growth Environment and Transport Cabinet Committee 10 November 2026

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** Cllr Thomas Mallon – Swanscombe and Greenhithe
Cllr Matthew Fraser Moat – Northfleet and Gravesend West
Cllr Sharon Roots – Northfleet and Gravesend West

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**Is the decision eligible for call-in?** *Yes*

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**Summary:**
There is a continuing need to address the highway and utility infrastructure damage caused by the collapse of A226 Galley Hill on 10 April 2023.

Following a report to Environment & Transport Cabinet Committee in May 2026, Record of Decision 26/00019 gave a wide range of authorities to allow the A226 Galley Hill scheme to proceed through to detailed design.

To deliver the scheme, the Council has applied for funding through the Department for Transport's Structures Fund. This funding, if awarded, along with identified match funding, will cover the forecast scheme cost. An announcement is expected imminently, it is appropriate therefore, to seek a further key decision to accept this funding (subject to a review of the terms and conditions of the grant), if awarded.

The Structures Fund requires the grant to be spent and the infrastructure to be delivered by March 2030. To meet this deadline, governance approval to progress land acquisition and procurement activities is required.

**Recommendation(s):**

The Growth, Environment and Transport Cabinet Committee is asked to CONSIDER and ENDORSE or MAKE RECOMMENDATIONS to the Cabinet Member for Highways and Transport in relation to the proposed decision as detailed in the attached Proposed Record of Decision document (Appendix A), to approve the progression and delivery of the A226 Galley Hill scheme, through to completion,

including the necessary funding, land acquisition, statutory approvals and consents and procurement arrangements.

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## 1. Introduction

1.1 The A226 Galley Hill is an important route linking Dartford, Gravesham and Ebbsfleet. On 10 April 2023, a section of the chalk spine between Swanscombe High Street and Snowden Hill, Northfleet collapsed causing highway and utility infrastructure damage.

1.2 Restoration of the route is vital for supporting local communities, businesses, and planned growth within Ebbsfleet Garden City, as well as the reinstatement of the Fastrack bus network. As part of the Kent Resilient Network, the route is important for the efficient management of highway network flows.

1.3 To deliver the scheme, the Council has applied for funding through the Department for Transport's Structures Fund. This funding, if awarded, along with identified match funding, will cover the forecast scheme cost. An announcement is expected imminently.

## 2. Key Considerations

2.1 No pre-existing capital funding is available to deliver this scale of reinstatement works arising from an unplanned event.

2.2 The scale of the collapse meant that the costs could not met from existing highways maintenance budgets. The cliff structure below the road is not a KCC owned asset, and KCC's responsibility is limited to the carriageway construction.

2.3 The Strategic Statement prioritises improving connectivity and network resilience. The A226 Galley Hill is identified in Local Transport Plan 5 (LTP5) as a key part of the local road network, with its restoration recognised as essential to reducing congestion, improving journey time reliability, and enabling the return of bus and Fastrack services along this corridor.

2.4 Restoring the route directly contributes to the Council's objectives to improve transport reliability, reduce pressure on the wider network, and enhance sustainable travel options.

2.5 Due to these policies and importance to the local area, the Council has progressed with the scheme design for restoration and pursued identification of external funding for the route. In the short term the Council covered some initial optioneering and survey costs at risk, reimbursement from the party at fault for the collapse will be sought in due course as the Structures Fund will only cover expenditure from the date of award.

## 3. Background

3.1 The A226 Galley Hill is a strategically important route linking Dartford, Gravesham and Ebbsfleet, forming part of the Kent Resilient Network and supporting local communities, businesses, and planned growth within Ebbsfleet Garden City. A

section of this chalk spine collapsed to the north of Galley Hill, triggering a significant landslide that resulted in the loss of part of the carriageway and footway and caused damage to buried utility infrastructure serving the local area. As a result, the A226 Galley Hill has remained closed since that time.

3.2 The ongoing closure of the A226 Galley Hill continues to have a significant impact on the surrounding highway network, with diverted traffic, including heavy goods vehicles, using less suitable local routes. In turn this has placed additional pressure on the local maintenance budget. The closure has disrupted public transport services, including the Fastrack bus network, and has wider implications for the delivery of planned housing and employment growth in Ebbsfleet and Northfleet. Restoration of the route is therefore considered critical to maintaining network resilience, supporting sustainable transport, and enabling future development in the area.

3.3 Following the previous decision (26/00019), design work has progressed, the optioneering and appraisal process are complete, and the preliminary design stage is progressing. In parallel, further engagement with stakeholders has continued through technical review meetings, including discussions with Natural England regarding Site of Special Scientific Interest (SSSI) constraints and mitigation. This work has progressed ahead of a Structures Fund decision using identified funding.

3.4 The proposal being progressed is for approval to accept the Structures Fund if awarded, proceed and progress scheme development through to construction, including approval for land acquisition through Compulsory Purchase Order, if required. This option is recommended so that the KCC will be able to progress the scheme development and delivery to the timescales set out by the Structures Fund and is further discussed below.

## 4. Funding Acceptance - Options considered and associated risk

4.1 KCC has applied for funding through the Department for Transport's Structures Fund. This funding, if awarded, along with identified match funding, will cover the scheme forecast capital cost. An announcement is expected in imminently. As such a decision is due imminently; however, a further Grant Funding Agreement (GFA) will be required between the parties prior to the award of funding. To ensure that the scheme can progress to budget and programme, approvals are sought to delegate the decision to accept funding from the DfT in case of a positive announcement.

4.2 It should be noted however, that there remains a risk of programme slippage for the scheme if the award and grant agreement is not agreed within the expected timescale. This will be mitigated by allocating the additional legal resource to reduce the risk of delays. Slippage would present a financial risk also, as the grant has to be spent by 31 March 2030, after which point, KCC would be liable for any costs to complete, including spend above the budgeted amount.

4.3 **Option 2 (discarded)** – Completely pause all project development work until funding is secured or received. This option has the following significant drawbacks. KCC would place unnecessary delay on a tight delivery programme and reduce the ability to meet the deadlines set by the Structures Fund. Delay at

this stage would continue to cause ongoing congestion and have a significant impact on the surrounding highway network, with diverted traffic, including heavy goods vehicles, using less suitable local routes. It will also put the Structures Fund grant (if awarded) at risk if the DfT's deadlines cannot be met.

4.4 **Option 3 (discarded)** – Completely stop the scheme to reinstate the A226 Galley Hill. This is not considered a viable option. Separate legal advice concluded that stopping up of this route would have significant ramifications and did not recommend it as an option for KCC. Modelling work of this scenario also shows current and future significant congestion completely curtailing all growth across the Ebbsfleet area.

## 5. Land acquisition - Options considered and associated risk

5.1 The proposal recommended to progress is to provide approval for voluntary acquisition and CPO if necessary. The delivery of the A226 Galley Hill scheme requires KCC to secure the land and property rights necessary to construct, access and subsequently maintain the infrastructure. The proposed extent of land take is shown in Appendix B.

5.2 KCC will utilise specialist land advice to support this process, including land valuation, engagement with affected landowners and advice on the potential use and programme for compulsory purchase powers. The intention is to seek acquisition by voluntary agreement wherever practicable. However, to retain programme and delivery certainty to enable KCC to meet the 2030 deadline, a Compulsory Purchase Order (CPO) needs to be progressed in parallel to ensure all land can be secured. A CPO is also a mechanism to gain title to any unknown or unregistered land, and to remove any restrictive covenants affecting use of the land.

5.3 Most of the land required is held by commercial organisations, and no land is required from any residential property. Further detail on the proposed CPO is provided in Appendix B. If formal governance approval is provided, discussions will commence in earnest with all landowners to see all land can be secured by voluntary acquisition. It should be noted that the CPO (if needed) cannot be finalised until funding for the scheme is secured.

5.4 **Option 2** (discarded) – provide approval only for voluntary acquisition and not CPO. Voluntary acquisition is the preferred approach as it provides an opportunity to reach agreement with affected landowners without resorting to statutory powers. However, not allowing for use of a CPO increases the risk that agreement cannot be reached with all relevant interests within the timeframe required for delivery, or potentially at all, jeopardising scheme delivery.

## 6. Procurement - Options considered and associated risk

6.1 It is recommended that approval is provided to proceed to procurement. Procurement is similarly required to be progressed because of the programme constraints associated with a potential Structures Fund award. Due to the complexity of the structure, and the need for specialised temporary works designs, a two-stage contract (using NEC4 Option X22 Early Contractor

Involvement (ECI)) is one of the options under consideration. Note that this proposed contract approach is subject to approval via internal governance.

6.2 A procurement approach incorporating Early Contractor Involvement aims to improve the quality of the detailed design and buildability through contractor expertise and avoid extensive design changes as construction begins. There are considerable project and site constraints which will impact upon buildability and require ongoing design review by an experienced contractor.

6.3 **Option 2** (discarded) – no approval for procurement at this stage. Delaying procurement would delay delivery of the scheme, increasing the risk that KCC is unable to meet the required delivery timescales. KCC would not be able to benefit from contractor expertise during the design period. This has the potential to reduce the quality of the design output.

## 7. Financial Implications

7.1 KCC has submitted a Structures Fund bid for £45.3m, comprising of £40.8m funding from the DfT and £4.5m match funding. This scheme cost estimate includes substantial risk and contingency to protect against potential cost increases.

7.2 Ebbsfleet Development Corporation have committed a total of £1.5m match funding towards the scheme and will work in close partnership with KCC due to the importance of the scheme to Ebbsfleet. If successful, KCC will fund £3m towards the scheme. This funding is proposed to be funded from the Strategic Transport Infrastructure Fund (STIP) and KCC Highway Capital Funding. A breakdown of funding stream and project costs is shown in Table 1.

| **Funding/Income** | | |
|---|---|---|
| Structures Fund, DfT | £40.8m | |
| KCC Match Funding | £3.0m | Comprising £1.5m STIP; £1.5m Highway Capital Funding |
| EDC Match Funding | £1.5m | Conditional on funding award |
| **Scheme Expenditure Profile** *(dependent on funding award)* | | |
| 2026/27 | £2.4m | |
| 2027/28 | £1.5m | |
| 2028/29 | £21.2m | |
| 2029/30 *and future years* | £20.2m | Includes cost for minor works and potential LCA claims after completion |
| **Total** | **£45.3m** | |

7.3 The scheme cost outlined above have been prepared by specialist cost consultants and is based on a detailed measure of the proposed works. Non-construction costs including design fees, professional fees, supervision costs, land acquisition costs and all other anticipated project costs have been included within the cost estimate, but excluding costs incurred to date (see below). A proportionate approach to risk has been taken in preparing the cost estimate,

combining quantified and measurable allowances for understood risks, with an additional percentage-based contingency for residual and emerging risks.

7.4 In accordance with the requirements of the fund, c£2m historic development costs, operational costs to make the cliff safe and legal costs have not been included within the £45.3m scheme costs. These costs have been sourced from existing budgets and reserves.

7.5 Should the bid to the Structures Fund be unsuccessful, KCC will continue to pursue potential external funding opportunities. Early-stage development and design work associated with capital projects may result in abortive costs if funding cannot be secured to enable scheme delivery. Where a scheme is not subsequently approved or funded, these costs cannot be capitalised and must be met from revenue budgets. If funding cannot be identified in the longer term and the scheme is not able to proceed, there is a possibility that scheme development costs to that date will be abortive, representing a revenue risk of approximately £160k, plus any land fees associated with the purchase of land to the south of the spine. This £160k comprises the cost of the land purchase and minor capital abortive spend to date. This is in addition to the costs already incurred in 7.4.

**Ongoing maintenance costs**

7.6 The chalk spine on which Galley Hill is routed is not a highway asset. As such, the construction of this scheme will introduce a new bridge asset to KCC's asset register. KCC operates an established asset management approach for our highway structures. Following handover of a new structure into KCC's asset portfolio, structures are managed through KCC's Structures inspection and maintenance arrangements.

7.7 An initial commuted sum has been calculated at £7.1m. This represents the total future cost of owning, operating, and maintaining the bridge over its design life (120 years). This cost is not included within the scheme costs above, nor can it be funded through the Structures Fund (this is a requirement of the fund and most government funding). The funding for maintenance of the new bridge structure will be from the Highways Asset Maintenance Block Allocation, which itself is based on the asset lengths and volume of KCC highway assets across the county. Periodically KCC are required to provide DfT with updated asset data to enable the block calculation. Once constructed, Galley Hill Bridge and other new structures will be reported under this mechanism.

7.8 Without intervention, the whole-life costs associated with the continued closure of the A226 Galley Hill would be significant and ongoing and would exceed £7.1m over 120 years. These costs arise not only from the deteriorating asset itself, but also from increased maintenance pressures on the surrounding network.

7.9 It is also expected that, if awarded, the Structures Fund grant will include terms and contractual obligations to spend the grant by 2030. It is also anticipated that the grant amount will be fixed. Through acceptance of a grant KCC will take on additional risks associated with this. For instance, if costs exceed the budgeted amount, or if the 2030 date is reached and the project is not complete, then KCC will be liable to fund the remaining works and

potentially repay any grant uncommitted at the deadline. This risk has been minimised by progressing the scheme at pace and including a healthy price risk and contingency within the scheme cost.

## 8. Legal implications

8.1 The A226 Galley Hill is a highway maintainable at public expense, and KCC is the highway authority for the route. As such, KCC is subject to the section 41 duty under the Highways Act 1980 to maintain the highway and keep it reasonably safe for ordinary use.

8.2 The collapse of the carriageway and footway in April 2023 meant that the A226 was no longer reasonably passable without danger requiring the authority to act to prevent danger to highway users. Although KCC are responsible for the highway on the cliff spine, at the time of the collapse the Council did not own the chalk cliff supporting the road.

8.3 Given the complexities around ownership of the spine and the planned legal proceeding against those deemed responsible for the collapse, legal support and advice has been ongoing since April 2023.

8.4 A full legal review of any proposed grant agreement will be undertaken prior to acceptance of grant funding to highlight and reduce risk to KCC. Ongoing legal support will be employed throughout the land acquisition and procurement processes.

## 9. Equalities implications

9.1 The current EQIA Assessment is included as Appendix C. The EQIA was most recently updated in March 2026 and identifies that individuals who fall within the Age, Disability, Pregnancy & Maternity, and Carer Responsibility groups have faced negative impacts following the closure of the route and may face minor, short-term negative impacts during the construction.

9.2 However, these groups are expected to experience significant long-term benefits from the scheme and no negative long terms impacts have been identified.

## 10. Data Protection Implications

10.1 A DPIA is not required for this decision or scheme. There are no foreseen data protection implications.

## 11. Other corporate implications

11.1 It is not considered that this decision will have further corporate implications to other Directorates within KCC other than the aforementioned legal and infrastructure impacts discussed in Sections 5.1 and 8.

## 12. Governance

12.1 This decision builds upon the approvals previously granted under Record of Decision 26/00019, which enabled the scheme to progress through to detailed design.

12.2 The proposed decision seeks approval from the Cabinet Member for Highways and Transport to progress the A226 Galley Hill scheme through to completion. This includes acceptance of the Department for Transport Structures Fund and associated match funding, acquisition of the land and rights required for the scheme, including the use of compulsory purchase powers where necessary, progression of the required statutory approvals and consents, and procurement and award of the contracts required to deliver the scheme.

12.3 Subject to approval, authority will be delegated to the Corporate Director of Growth, Environment and Transport to take all further decisions and actions necessary to implement and complete the scheme within the approved £45.3m funding envelope. This will include, but not be limited to, finalising and accepting the Structures Fund, in consultation with the Corporate Director of Finance, entering into associated funding agreements, contracts and other legal documentation, and taking any other actions necessary to give effect to the decision. The procurement strategy and subsequent contract awards will remain subject to the Council's relevant internal procurement and governance requirements

12.4 Separate authority will be delegated to the Director of Infrastructure, in consultation with the Director of Growth, Environment and Transport to approve and enter into the contracts, agreements and other legal documentation required to secure the necessary land and property interests.

12.5 The existing approvals contained within Record of Decision 26/00019 will remain extant.

12.6 Any proposal to increase the approved £45.3m scheme funding envelope will be subject to the Council's relevant financial and decision-making requirements.

## 13. Conclusions

13.1 There is a continuing need to address the highway and utility infrastructure damage caused by the collapse of A226 Galley Hill on 10 April 2023.

13.2 Following a report to Environment & Transport Cabinet Committee in May 2026, Record of Decision 26/00019 gave a wide range of authorities to allow the A226 Galley Hill scheme to proceed through to detailed design.

13.3 To deliver the scheme, the Council has applied for funding through the Department for Transport's Structures Fund. This funding, if awarded, along with identified match funding, will fully cover the scheme cost. An announcement is expected imminently, it is appropriate therefore, to seek a further key decision to accept this funding if awarded.

13.4 The Structures Fund requires the grant to be spent and the infrastructure to be delivered by March 2030. To meet this deadline, governance approval to progress land acquisition and procurement activities is required.

## 14. Recommendation(s):

The Growth, Environment and Transport Cabinet Committee is asked to CONSIDER and ENDORSE or MAKE RECOMMENDATIONS to the Cabinet Member for Highways and Transport in relation to the proposed decision as detailed in the attached Proposed Record of Decision document (Appendix A), to approve the progression and delivery of the A226 Galley Hill scheme, including the necessary funding, land acquisition and procurement arrangements.

## 15. Background Documents and Appendices

15.1 Appendix A – PROD
15.2 Appendix B – Compulsory Purchase Order
15.3 Appendix C – Equality Impact Assessment

## 16. Contact details *(please insert details below)*

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