

Progress Report on Major Capital Projects

A report by the Head of Major Projects to the Highways Advisory Board on 6 March 2007.

Introduction

1. From 1 April 2007, the Major Transport Projects Team activity will come under the portfolio of the Cabinet Member for Environment, Highways and Waste and as a consequence will rejoin Kent Highways Services. The benefits of being within Regeneration & Economy since 2004 will be maintained by continued co-operative working and early conceptual feasibility work will continue to be carried out within that Division. It is an appropriate time to update the Board on progress of the major transport and highway schemes following the last Report in September 2006.

Progress

2. A progress or status 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, Newtown Road Bridge, Ashford, A2 Canterbury Slips, Greenhithe Station, South East Maidstone Strategic Route, A228 Colts Hill Bypass and Land matters is given in the Appendix to this Report. For brevity, only some of the background provided in previous reports is provided with the focus on activity in the last half-year
3. In the last six months, the key achievements and progress milestones have been:
 - The opening of the A228 Leybourne & West Malling Bypass.
 - The completion of the M20 Junction 4 improvements.
 - The publication of the statutory Orders for East Kent Access Phase 2.
 - The publication of the statutory Orders for Sittingbourne Northern Relief Road.
 - Planning permission for Fastrack Everards Link Phase 2.
 - Contract award for Fastrack Thames Way.
 - Planning application submitted for Rushenden Relief Road.
 - Commencement of Ashford Ring Road transformation to two-way operation.
4. The key problems in this period have been:
 - The delay in commencing the traffic calming associated with the opening of the A228 Leybourne & West Malling Bypass traffic calming.
 - Getting Network Rail to agree a Permanent Easement for the Station Access Link to West Malling Station
 - The slippage in publishing the statutory Orders for Sittingbourne Northern Relief Road.
 - The need to defer the upgrade of Greenhithe Station because of the pressure on the capital budget.
 - The difficulty generally of progressing DCLG funded growth area infrastructure projects against the funding deadline of 31 March 2008.

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Conclusion

5. Some of the issues referred to are live and an update will be given at the meeting where necessary.
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Scheme Contacts

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Kent Thameside *Fastrack*, Everards Link – John Turner

A228 Leybourne and West Malling Bypass – Geoff Cripps

M20 Junction 4 – John Farmer

East Kent Access Phase 1 – Geoff Cripps

East Kent Access – Geoff Cripps

A228 Colts Hill Strategic Link – John Turner

South East Maidstone Strategic Route – John Turner

Sittingbourne Northern Relief Road – John Farmer

Ashford Ring Road – John Farmer

Newtown Road Bridge, Ashford – John Farmer

Rushenden Link Road – Richard Shelton

Eurokent, Thanet – John Farmer

Kent Thameside Fastrack

Phase 1 Major Scheme

The Fastrack Route B operations between Gravesend and Dartford using the scheme continue to be a success with patronage continuing to rise although expected to level off soon. Latest figures for the week commencing 29 January are nearly 37,000 passengers per week.

The Phase 1 Major Schemes works element has been delivered in budget but the overall budget is under threat because some landowners are being successful in obtaining S17 Certificates from the Planning Authority that would have given the land taken for Fastrack development potential and hence increased value in a 'no scheme' world.

Kent Thameside Everards Link Phase 2

Phase 2 will provide a link from the bus interchange at Greenhithe Station through to Ingress Park and eventually 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 Community Infrastructure Fund (CIF) funding is £5.24m.

Everards Link Phase 2 will be a bus-only route with buses every 10 minutes, on a route between Dartford and Gravesend.

Planning permission was formally granted in January 2007.

Two pieces of land are required. The main part of the works sits on land owned by F T Everard and Sons. The funding deadline demands that this land is acquired by agreement and discussions with the owner's agents are underway. A Licence has already been granted to allow extensive Japanese Knotweed to be cleared. The other piece of land, needed to construct the underpass at The Avenue, will be transferred by Crest Nicholson.

Access to the site to clear the Knotweed has revealed that the ground conditions are poorer than expected and in particular that previous use contamination that was understood from the Environment Agency to have been cleared is still present to some extent. Construction tenders are currently being assessed. Subject to the tenders being satisfactory, securing the land and completing the interface legal Agreement with Crest Nicholson, it is hoped that construction can commence in summer 2007.

Thames Way

The scheme will provide dedicated bus-only lanes adjacent to existing carriageway with priority through the junctions between A226 Overcliffe towards Ebbsfleet Station. The approved CIF funding is £8m.

SEEDA is 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.

As well as satisfying the CIF time constraints, the ERDF funding 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 November 2007.

A contract has recently been awarded to Fitzpatrick Contractors Ltd (who also did the Fastrack Phase 1 Major Scheme) and work is likely to commence in mid March.

A228 Leybourne & West Malling Bypass

The Bypass was opened on 18 October 2006 by the Leader of the County Council.

Final completion works have taken longer than hoped and there have been some teething problems with traffic while M20 Junction 4 was still under construction. Whilst traffic signal timings are being optimised in advance of the associated traffic calming works, further fine tuning will be required.

Procedures for the traffic calming works are taking longer to finalise than had been hoped. This in part was due to the Police response to the consultation prior to publication of Traffic Regulation Orders and wanting to keep Castle Way available as a diversion route if a problem occurred on the Bypass. This has now been resolved and the final proposals for the traffic calming and the Traffic Regulation Orders are being progressed. A Report and any objections to the TRO will be taken to the Tonbridge & Malling Joint Board meeting in March. Subject to a satisfactory outcome it is hoped that work on the traffic calming can start during April. The work will be undertaken by Ringway under the Alliance term contract.

The Station Link to West Malling Station opened on 25 November 2006 and is already proving popular for the permitted users of buses, taxis, cyclists and as a 'kiss & ride' facility. CCTV and interactive signs are being installed to try and minimise abuse of the connection and satisfy the planning obligation of not creating a rat run between West Malling and the Bypass.

The connection to the Station Access and associated user rights is operating under a 1 year Licence from Network Rail. Network Rail is being slow to translate this into a Permanent Easement. The matter is being taken up at the highest level within Network Rail and the Department of Transport. As a fall back position a separate Report to this Board will seek authority to use Compulsory Purchase powers.

When the traffic calming works are completed and use of the overall network has stabilised a programme of monitoring will be implemented to assess the effectiveness of the traffic management measures and the Bypass.

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.

The improvement works were substantially completed on 22 December when the widened bridge came fully into use and all traffic management was removed from both the M20 and A228.

Remaining works have been completed and in particular the traffic signals on the A228/Junction 4 gyratory were fully commissioned at the end of January.

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.

All the complexity is at Stonar Cut where the scheme requires a replacement sluice, major Southern Water and other utility diversions and a new bridge to carry the new south bound carriageway.

The roadworks are largely completed and there have been significant milestone achievements at Stonar Cut. The replacement sluices gates have been completed, commissioned and handed over to the Environment Agency. The major diversion to Southern Water apparatus has been completed successfully within the specified 6 hour close down period to prevent loss of supply to Thanet. A cycle/footbridge has been lifted out of place to allow the construction of the road bridge which is now underway.

The scheme remains on programme for completion in Autumn 2007.

A separate Report to this Board explains the reasons for not proceeding with the High Occupancy Vehicle lane proposals which were part of the original scheme concept in 1999.

East Kent Access – Phase 2

Government indicated its intent in principle to fund the £64m cost when Programme Entry status was approved in July 2006.

Following Programme Entry and to give confidence in their intended funding, the Department of Transport require to be satisfied that appropriate project management, quality assurance, Gateway review, risk management and procurement strategies are in place. A submission was made and following an interrogation at an Inception Meeting in November, the Department of Transport gave a very positive response of satisfaction, stating that the information provided was the best they had seen from around 16 inception meetings thus far around the country.

The scheme formally achieved planning consent in September 2006 when the Secretary of State confirmed that the application would not be called in for a Planning Inquiry.

The statutory Orders were published in October. There are objections to the Orders which is inevitable for a major greenfield scheme of this extent and the Secretary of State has announced his intention to hold a Public Inquiry commencing on 17 April 2007.

Subject to a satisfactory outcome to the Public Inquiry and Government giving Full Acceptance to the funding the earliest start of construction would be during 2008/09. The first year of activity will be mainly archaeological investigation and environmental mitigation measures.

To progress the scheme during 2007/08 some £60,000 is needed from the Forward Design budget.

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 (RFA) for 2006-2011 and it is also not in the indicative list of schemes that might be funded in the remaining RFA years of 2009/10 – 2015/16. SEERA intends to seek further advice on schemes for possible funding from 2011/12 and the Strategy Team continue to put the best case forward.

No further work is being done on the scheme other than providing input required to support any further submission to SEERA.

South East Maidstone Strategic Route

As reported previously 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 is premature and requires the outcome from the Local Development Framework, the Core Strategy of which has just been published by Maidstone Borough Council for public consultation.

Sittingbourne Northern Relief Road

The scheme formally achieved planning consent in September when the Secretary of State confirmed that he would not call the application in and hold a Planning Inquiry.

Although the Sustainable Communities funding end date of March 2006 has passed, the Department of Communities and Local Government have agreed to continue funding the preparation costs during 2006/7 and 2007/08. They can make no guarantees that the residue of their element of the capital funding will still be available and a further bid for this funding will need to be made.

The statutory Orders were published in February 2007. There will be objections to the Orders which was expected because it was known that the private sector was strongly opposed to the route and the boating community was opposed to a fixed bridge crossing of Milton Creek.

The Secretary of State will certainly give instructions for a Public Inquiry that would probably be held in late Summer 2007. Although objections are expected, the formal objections will need to be properly considered and a view taken as to whether the objections can or should be mitigated in any way.

Subject to a satisfactory outcome to the Public Inquiry and Government giving Full Acceptance to the LTP funding stream of £29m and acceptance of a new bid for the residue of the £10.4m Sustainable Communities funding, the earliest start of construction would be during 2008/09.

Ashford Schemes

Ashford Ring Road Transformation

A comprehensive Report on the Ring Road scheme was submitted to the November meeting of the Board. The scheme is supported by £8.3m of Growth Area funding and some £3.0m of other public and private sector contributions.

The works to convert Station Road, Wellesley Road and North Street in the west and north west sector of the Ring Road to two-way operation commenced in January and are being undertaken by Ringway under the Alliance term contract.

Traffic management is essential to provide room for construction plant and safety for both drivers and the workforce and some disruption is unfortunately inevitable. There have been some initial problems when peak hour delays have been particularly long but action has been taken so that the situation was improved the following day. Any work within the town centre is bound to cause delays but every effort will be made to give as much notice of traffic management changes beforehand by signage, news to the local radio and notice in the local press. A monthly liaison forum has also been set up with representatives of the local community.

This first stage will be completed in June and once the Tour de France has passed through the main contract for the rest of the Ring Road including the innovative shared space concepts along Elwick Road and West Street including the Bank Street improvements, will be able to start.

Newtown Road Rail Bridge

The scheme is to replace the deck carrying the railway, lower the road and gain width so that increased headroom is available for a future high quality Smartlink bus service and to provide a better and less oppressive route for pedestrians and cyclists. The scheme has £3m Growth Area funding.

Considerable progress is being made with Network Rail who are leading on the bridge design and whose consultant's are expert on the innovative thin deck construction that is required. Track possessions have now been booked and construction is programmed to start in November 2007 until May 2008.

Rushenden Relief Road

The County Council is progressing this scheme on behalf of and at the request of SEEDA.

The scheme design has been developed and an Environmental Impact Assessment produced to support the planning application that was submitted in December.

The detailed design and contract documentation is being prepared and subject to receiving planning consent and SEEDA securing the land it is hoped that tenders will be invited during May.

This remains a challenging scheme in the sense of the interface with adjacent development and the involvement of Network Rail. The delayed and reduced funding offer of £9m from DCLG with approval to reallocate £3m of previous support to SEEDA has also imposed a restraint but a forthcoming meeting with DCLG will hopefully clarify and give some flexibility.

The County Council and SEEDA continue to work in partnership to deliver this important regeneration infrastructure scheme for Sheppey.

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. Subject to funding being available and appropriate agreements being in place, the intention is that 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.

Detailed design is being progressed and Environment Studies produced to support the detailed planning application that was submitted to Thanet District Council in December.

The detailed design and contract documentation is being prepared and subject to receiving planning consent and funding arrangements being in place it is hoped that tenders will be invited during May.

Greenhithe Station

The upgrade of the Station was to be funded from the borrowing approvals given by Government in connection with the retention of tolls on the Dartford crossing.

Considerable progress was being made but Network Rail has been informed that the County Council is unable to proceed. This is because the Government's abolition of the capital adjustment in the general grant floor means that authorities, like the County Council, who are on the 'floor' will not obtain any additional revenue grant towards meeting the capital financing charges arising from Government supported borrowing approvals in 2006/07.

Greenhithe Station is a key transport node within Kent Thameside and much in need of improvement. However, for the upgrade to proceed it will either require Government to provide direct grant as was the expectation when Dartford toll funding was first mooted or for Network Rail to fund.

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 nearly completed and this will inform the future of the scheme and funding opportunities. It is possible that one of the slip roads at Wincheap could be funded from the Integrated Transport funding stream and the scheme is being designed on this basis. However, implementation will also require the approval of the Highways Agency to the principle of slip roads, resolution of the overall funding and the specifics of the Wincheap scheme.

Land Matters

Property and Land 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 in Maidstone for its potential widening. Some £5m of asset is held and its condition is of increasing concern. Many ad-hoc parcels of land and several properties are also held.

The need to retain this land is being robustly reassessed in support of the corporate initiative to realise capital receipts from tied up assets so that they can be better directed at services and more immediate and deliverable projects in support of T2010 objectives.

Land Compensation Act Part 1 Claims (LCAPart1)

The only current substantive activity is for South Thames-side Development Route – Stage 4 and settlement of claims is close to completion.

Claims continue to be handled in respect of S278 schemes where developers indemnify the County Council for any liability.

Land Acquisition

In the September Report to this Board I referred to the major claim by London & Continental Railways/Union Railways North against the County Council in connection with South Thames-side Development Route Stage 4. The claimant has elected to make reference to the Lands Tribunal where previously they had pursued it as an insurance claim and the effect is that it reverts to the County Council to defend the claim rather than the insurers and this has significant resource implications.

A Directions Hearing was held in January 2007 for the Tribunal to give Directions for the conduct of the Hearing itself which will be held sometime between September and December 2007.

The intent is for the Hearing to consider Preliminary Issues and this relates to whether the claimants had an interest in the land and if so the nature of that interest and if that interest was a compensatable interest and if so, the extent of that compensatable interest. The County Council is robustly defending this claim.

Other

A claim has also been made by a Developer that an obligation on the County Council to commence a junction improvement by 31 December 1994 was not fulfilled and that a contribution of £150,000 that with interest would now amount to approaching £500,000 should be returned. Why this claim should be made now some 12 years after the event and just within the Statute of Limitations period is uncertain. The claim is being robustly defended and will go to Court if the claimant does not withdraw following the evidence provided.