

Progress Report on Major Capital Projects

A report by the Capital Programme Manager to the Highways Advisory Board on 18 September 2007.

Introduction

1. This report provides an update on progress of the major transport and highway schemes following the last report in March 2007. It is understood that the Board welcomes these reports and the intention is to continue to provide them half yearly and when there are important issues to bring to Members' notice.
2. From 1 April 2007, the Major Transport Projects Team rejoined Kent Highway Services and came under the portfolio of the Cabinet Member for Environment, Highways and Waste.
3. The first 6 months of 2007/08 have been dominated by the considerable efforts of the Team in trying to progress the Growth Area schemes in Kent Thameside and Ashford that are constrained by the funding deadline of 31 March 2008.
4. Several schemes have been recognised in various industry awards:

Fastrack

- National Transport Awards 2007 – Winner of the bus category. This is a major achievement as the National Transport Awards are probably the most prestigious of the many transport awards.
- Certificate of Excellence –2007 from HST Integration Project. HST is the Interreg funded initiative for accessibility improvements related to the high-speed train network in Northwest Europe.
- Jacobs Performance Excellence Award 2007 – This is a Jacobs European award and particularly satisfying to the consultant and client team that Fastrack should have been selected from a diverse range of projects.

A228 Leybourne & West Malling Bypass

- Considerate Contractors - Bronze Award

M20J4

- Institution of Civil Engineers Thomas Brassey Awards 2007 – Runner up in Major Schemes Category.
- Considerate Contractors - Silver Award

Progress

5. A progress or status report on Fastrack Thames Way, Fastrack Everards Link Phase 2, Ashford Ring Road, Newtown Road Bridge, Ashford, Rushenden Relief Road, Eurokent Phases 4 & 5, Sittingbourne Northern Relief Road, East Kent Access Phase 1, East Kent Access Phase 2, A228 Leybourne & West Malling Bypass traffic management works, other schemes 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 given to activity in the last half year

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6. In the last half year, there has been substantial progress and the key milestones achievements have been:
- Contract award and start of construction for Fastrack Thamesway – completion in November 2007.
 - Contract award and start of construction for Fastrack Everards Link Phase 2 – completion in July 2008.
 - The completion of the first stage of Ashford Ring Road and transformation to 2 way operation on 1 July.
 - The award of contract for public realm improvement of Bank Street, Ashford – completion in March 2008.
 - Tender invitation for the complex innovative public realm next stage of Ashford Ring Road – contract award in September 2007 and completion in July 2008.
 - Advance contract award for Newtown Road bridge Ashford – Contract award in August 2007 and completion July 2008.
 - Tender invitation for Eurokent Phases 4 & 5 – contract award likely in September 2007 and completion October 2008.
 - Tender invitation for Rushenden Relief Road – tenders returned in August 2007.
 - Regain of momentum on Sittingbourne Northern Relief Road.
 - East Kent Access Phase 1 completed – completion in September 2007.
 - Construction of the traffic management works associated with the A228 Leybourne & West Malling Bypass – completion in September 2007.
 - Withdrawal of statutory objections to East Kent Access Phase 2 Orders and a short uncontroversial public inquiry – Public Inquiry held in April 2007.
 - DfT has identified us as an exemplar for having good project management arrangements in place with regard to major schemes and offered us as contacts to other promoters to share good practice and experience.
7. The key problems in this period have been:
- The continued difficulty in progressing Government funded growth area infrastructure projects against the funding deadline of 31 March 2008 and the need to be innovative in trying to keep them on track.
 - The statutory objections to the Compulsory Purchase Order for Sittingbourne Northern Relief Road that have demanded a rethink on the junction layout at Ridham Avenue.

Conclusion

8. 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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Scheme Contacts

Kent Thameside Fastrack Thames Way – John Turner
Kent Thameside Fastrack, Everards Link – John Turner
Ashford Ring Road – Jamie Watson
Newtown Road Bridge, Ashford – Jamie Watson
Eurokent, Thanet – John Farmer
Rushenden Relief Road – Richard Shelton
Sittingbourne Northern Relief Road – John Farmer
East Kent Access Phase 1 & 2 – Geoff Cripps

A228 Leybourne and West Malling Bypass – Geoff Cripps

Kent Thameside Fastrack Thames Way

The scheme will provide dedicated bus-only lanes adjacent to existing carriageway with priority through the junctions between A226 Overcliffe and Springhead Road towards Ebbsfleet Station. The approved Community Infrastructure Fund (CIF) funding is £8.12m.

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 was awarded to Fitzpatrick Civil Engineering Ltd and construction commenced at the beginning of April. Good progress is being made and work is on programme to be sufficiently complete to run bus services in time for the full commencement of Eurostar services stopping at Ebbsfleet Station on 19 November. Road closures have been required to allow the work to proceed efficiently and safely and with minimal inconvenience to drivers and local residents.

Kent Thameside Everards Link Phase 2

Phase 2 will provide a link from the bus interchange at Greenhithe Station 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 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.

Getting the scheme to the construction stage has been a major challenge. Land had to be acquired by voluntary negotiation because the funding deadline did not permit compulsory purchase. A land and funding agreement was also required with Crest Nicholson to cover an extension to the underpass works at the interface between the two schemes.

Negotiations have clearly not been from a position of strength and particularly when time was not of the essence to the private sector. However, sufficient progress was made to allow a contract award to Birse Civils Ltd and work commenced in June. Crest Nicholson has experienced technical problems with the design of their works that has threatened the ability to progress our scheme but I am hopeful that this can be resolved.

Ashford Ring Road 2 Way Transformation

The transformation of the Ring Road to 2-way operation is a top priority for Ashford's Future. The scheme is all about improving the appearance of the town centre, allowing it to expand beyond the boundaries of the old Ring Road, and supporting future developments that will benefit the town as it grows. The objective is to stimulate growth for new business and make Ashford a more attractive place for residents, business and visitors alike. It will also strike a better balance between the needs of motorists, pedestrians and cyclists.

It is a difficult concept in the sense that some traffic capacity and discouragement to traffic movements through the town centre are required to achieve the wider regeneration benefits. Inevitably with a growth area that involves many public and private sector partners, different and time constrained funding streams and uncertain development scenarios it is not always possible to implement infrastructure changes at the ideal time. The issue is always a tension between that of leading and trying to influence or retrospective implementation.

The overall cost of the scheme is some £14m of which £8.3m is from Growth Area Funding (GAF) and the remainder coming from a variety of public and private sector sources.

Stage 1 of the Ring Road transformation has been completed with conventional highway improvements and changes implemented in the north and east sectors. Although any town centre highway works will be disruptive every effort was made to be responsive to traffic impacts by flexible traffic management and key activities were rescheduled to evening or weekends in order to limit the inconvenience. Ringway carried out the work and on 1 July the whole Ring Road was converted successfully to 2-way operation.

Public reaction has been mixed and this is not surprising when put into the context of the wider regeneration objectives and not as a narrowly based traffic improvement scheme. With the opening of the County Square shopping centre, the Stour Leisure centre, the new Learning Campus, the development of the sites south of Elwick Road and the launch of High Speed Domestic train services there will be an even greater need to improve pedestrian access in and around the town centre.

The focus is now on Bank Street and Stage 2 of the Ring Road involving the southern and western elements. A contract for the high quality public realm improvement of Bank Street has been awarded to Jackson Civil Engineering and work will commence in September. Every effort will be made to minimise inconvenience to shoppers and traders and the intention is to suspend work over the critical December trading period and resume again in January and seek to be substantially complete in time for the County Square opening in mid March.

The tenders for the Ring Road works involving the high quality public realm and shared space improvements to Elwick Road, West Street and Forge Lane; and the improvement of the Beaver Road/Victoria Road /Romney Marsh Road junction are being assessed. It is already known that the complete scheme is estimated to cost some £3m more than the funding currently available and consideration is currently being given to the options. This will involve either reducing the extent of the shared space public realm works to match the confirmed funding and bidding for funds to do the full scheme later; or doing the full scheme now on the premise of the additional funding coming from the next tranche of Growth Area Funding.

Newtown Road Bridge, Ashford

The scheme is to replace the bridge deck carrying the railway and build a new abutment to gain width and increased headroom for the future high quality Smartlink bus service and to provide a better and less oppressive route for pedestrians and cyclists. The scheme has £3.08m GAF funding and Network Rail is contributing about £600,000 that they would have incurred in a conventional deck replacement.

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 to achieve the increased headroom.

There has been some increase in the estimated cost and slippage in the programme but this is a complex scheme and Government has recognised the progress that has been made and agreed to cover the additional cost and allow expenditure to roll forward into the first quarter of 2008/09.

Land has been secured and Agreements completed with Network Rail and with the funding arrangement above, Network Rail has been able to place the advance contract for the steel and fabrication of the deck.

Rushenden Relief Road

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

SEEDA has had difficulty in securing all the compensatory land required to satisfy the environmental impacts of the road and its associated development. These issues have now been resolved to the satisfaction of the statutory and local environmental organisations and the planning application for the road will be considered by the County Council Planning Applications Committee meeting in September.

SEEDA are discussing the funding and spend profile with Government but they still need to secure some land and with the approaching autumn/winter it is probable that a start of construction will be deferred until early 2008.

Tenders for the road have been returned and these are currently being assessed. There is no immediate urgency to award a contract and negotiations will be required to reflect the changed programme for construction.

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

Eurokent Phases 4 & 5, Thanet

The County Council is working in partnership with Thanet District Council (TDC), SEEDA and Rosefarm to construct Phase 4 & 5 of the access road at Eurokent business park to facilitate early job creation.

Phase 5 was granted planning consent by TDC in July 2007. The detailed design has been completed. Although it is a conventional highway scheme a considerable amount of effort has been required to agree with Southern Water an acceptable and affordable solution to provide foul drainage to serve the new development.

The County Council has entered into a Collaborative Agreement with TDC. A four-way Agreement is being finalised with SEEDA, TDC and Rosefarm to cover detailed issues such as land transfers and funding contributions. SEEDA are making a £500,000 contribution as a developer of part of the site and Rosefarm are contributing the cost of Phase 4 which is a planning obligation on their development.

Construction tender for Phase 4 & 5 have been invited and subject to the Agreement and funding being satisfactorily concluded a contract award is likely in September with construction commencing in October. Advance archaeological works commenced in September.

Sittingbourne Northern Relief Road

This scheme was the subject of a detailed Report to the July meeting of the Board. The compromise layout at Ridham Avenue that aims to be a balance between the interests of the local community and the private sector objections to the statutory Orders was approved by the Cabinet Member following a period of consultation. A planning application for the revised layout was submitted on 20 August. Subject to satisfactory progress and receipt of planning consent the next stage would be publication of the statutory Orders in December and a probable public inquiry in summer 2008.

There were also many objections to the concept of a fixed bridge over Milton Creek. A Report by our consultants, Jacobs, explaining in detail why an opening ridge is not appropriate because of the higher capital and annual operation and maintenance revenue costs will soon be circulated to the objectors for their information although it is unlikely to change their position.

East Kent Access Phase 1

The scheme was completed in September 2007.

The overall scheme has had several phases that first commenced in autumn 2003 after the Open Golf Championships. The latter phase between Pfizer and the old Richborough power station has been particularly difficult where the scheme has required a replacement sluice,

major southern water utility diversions and a new bridge to carry the new south bound carriageway over Stonar Cut.

This scheme has been deceptive in its complexity. The successful completion is a credit to the partnership working between Jacobs and May Gurney and the tenacity that has been shown in resolving problems.

An opening ceremony was not appropriate as this was an on-line improvement. However, an event was held in July with the Sandwich Town Council and the local schools. The vice Chairman of the County Council was in attendance with Raven, the childrens television celebrity, when children from the schools were invited to bury time capsules at Stonar Cut. The party then went on to the primary school where a mosaic created by the children was unveiled celebrating the history of the school and then on to the Town Hall at the invitation of the Mayor.

This was a very successful day and reflects the very close working relationship that the site team established with the Town Council and local schools.

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.

The statutory Orders were published in October 2006 and a Public Inquiry was held in April 2007. Statutory objections were successfully negotiated away and the Inquiry only lasted 2 days. The Inspector's Report is with the Secretary of State and we remain hopeful that the Orders will be confirmed before the end of 2007.

The next stage is a formal application to the Department for Transport (DfT) for Conditional Acceptance of funding. This is an onerous task and requires a detailed submission that updates the Programme entry bid and seeks to confirm the business case and scheme cost estimates. An important part of the submission will be the outcome of an independent Gateway Review carried out by 4ps which was the key recommendation from the very successful Inception Meeting held with DfT in November 2006. The Gateway Review is planned to be held over three days commencing on 9 October and part of the process will involve the reviewers interviewing key stakeholders. I am confident that we can respond successfully to this external challenge and it will give weight to the Conditional Acceptance submission.

Subject to the confirmation of Orders and Government giving Conditional Acceptance to the funding the next stage would be the invitation of construction tenders. Provided tender returns are consistent with the estimates and Conditional Acceptance then a final submission is made to DfT for Full Acceptance of funding. If successful this will allow full commitment to be given to the scheme and the construction contract awarded. The first year of activity will be archaeological investigation, environmental mitigation measures and developing the design and build elements. Main construction is expected to commence in spring 2009 and the road to be open in summer 2011.

A228 Leybourne & West Malling Bypass

The Bypass was opened on 19 October 2006.

The traffic calming works to Park Road, Birling Road and Castle Way will be completed in September. This will then allow the optimisation of the traffic signals between M20J4 and Kings Hill and the first opportunity since the Bypass opened to commence monitoring the local network operating in its final state.

After a year of frustration and lobbying, the Deed of Easement with Network Rail giving permanent access rights between the Bypass and West Malling Station is still not completed. However, I remain optimistic that this will be completed soon and this will then

allow the construction and implementation of the 300 space private car park to proceed although this will be a matter for the developer.

Other Schemes

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 was informed that the County Council was unable to proceed because of the Government's abolition of the capital adjustment in the general grant floor and lack of additional revenue grant towards meeting the capital financing charges arising from Government supported borrowing approvals.

Greenhithe Station is a key transport node within Kent Thameside and much in need of improvement. Network Rail recognise this and have recently decided to proceed with the installation of a station building using their modular station upgrade concept with the objective of this being in place by the time Ebbsfleet Station opens in November. Network Rail hope to follow this with the platform and access improvements but this will be subject to them securing funding.

Fort Hill De-dualling, Margate

In connection with Turner Contemporary, the proposal is to remove the adjacent isolated section of dual carriageway to optimise land use, reduce the perception of severance and improve the connectivity between the town and the new development.

Detailed design is progressing in line with the commitment given to commence these works in April 2008 so that they are completed by the autumn 2008 when construction of Turner Contemporary is likely to start.

Land Matters

Property and Land Held for Highway Purposes

Property and land is held for future highway schemes. There are also areas of land that we happen to own or have been acquired in the past or required to be taken as part of other acquisitions. Not all this land is required for operational purposes and 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 used in support of Towards2010 objectives.

The opportunity to dispose of the Red Lion Public house that is held for the future dualling of the A228 Snodland Bypass is the subject of a separate Report to this meeting of the Board.

Following the decision earlier in the year to abandon major improvements to Upper Stone Street, Maidstone work continues with Corporate Property, Regeneration & Economy and Maidstone Borough Council to achieve some limited highway improvements as part of the wider consideration of the regeneration of the general Wrens Cross area.

Land Compensation Act Part 1 Claims (LCAPart1)

Current activity is mainly in respect of claims received for the Fastrack Phase 1 Major Scheme and the earlier Fastrack related scheme for Everards Link Phase 1. In October, claims can be expected for the A228 Leybourne & West Malling Bypass.

Claims continue to be handled in respect of S278 schemes where developers indemnify the County Council for any liability. There are situations where developers build a section of a wider highway proposal and they challenge the basis of assessment that is partly judged on future higher traffic flows. Counsel's advice is being taken so that a definitive view can be taken about the correct basis of assessment.

Land Acquisition

In previous Reports to this Board I have referred to the major claim by London & Continental Railways/Union Railways against the County Council in connection with South Thames-side

Development Route Stage 4. The claimant elected to make reference to the Lands Tribunal whereas 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 our insurers and this has significant resource implications.

A Directions Hearing was held in January 2007 for the Lands Tribunal to give Directions for the conduct of the Hearing itself. A further procedural hearing in August has led to a further Pre- Hearing Review on 19 September at which it is expected that the Tribunal will give further Directions and set a new date for the Hearing.

The Hearing will 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 the extent of that compensatable interest. The County Council is robustly defending this claim.

Other

Previous Reports have also referred to a claim 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. The claim is being robustly defended and is being heard in the High Court at a hearing on 1 & 2 October.