

**From: David Brazier, Cabinet Member – Transport & Environment
John Burr, Director, Highways & Transportation**

**To: Environment, Highways & Waste Cabinet Committee – 3
October 2013**

Decision No: 13/00031C

**Subject: North Farm Link Road (Longfield Road) Improvement,
Tunbridge Wells**

Classification: Unrestricted

Past Pathway of Paper: EHW Cabinet Committee - 19 June 2013

Future Pathway of Paper: Cabinet Member Decision

Electoral Division: Tunbridge Wells East and Tunbridge Wells North

Summary:

Update on discussions with landowners and scheme development. Approval sought to the amended scheme plan and authority to progress detailed design and tender documentation.

Recommendation(s):

Subject to the views of this Committee, the Cabinet Member for Transport & Environment proposes to:

- i) approve the scheme for the improvement of Longfield Road, shown as an outline design on Drg 4300034/000/01/Rev 2 and Drg 4300034/000/065 Rev 0, if land cannot be secured from Asda, for land charge disclosures and development control.
- ii) give approval to progress the detailed design, tender preparation and any ancillary works and approvals for the scheme for the improvement of Longfield Road.
- iii) give approval for Legal Services to take a dedication, transfer or by some other appropriate legal mechanism to secure the land required to deliver the Longfield Road scheme, shown in outline on Drg 4300034/000/01/Rev 2 including but not limited to any ancillary works such as drainage and environmental mitigation.
- iv) give approval to the Masterplan for North Farm shown in concept on the plan in Appendix C and for taking forward to the next stage of feasibility assessment.

1. Introduction

1.1 At the meeting of this Cabinet Committee on 19 June 2013, approval was given to continue scheme development on the basis of progress on land assembly and with an aspiration to secure a commitment on all the land required by the end of July 2013. (Item B1 and Decision 13/00031B refers). The scheme is shown diagrammatically on the plan attached.

2. Funding/Finance

2.1 The 2013/14 tranche of £600,000 of the Pinch Point funding offer of £3.5m has been received from the Department of Transport.

2.2 KCC has committed to contribute up to £1.5m and Tunbridge Wells has indicated a willingness to underwrite £0.5m, and there are potential opportunities for s106 contributions.

2.3 The Pinch Point funding bid was predicated on an indicative overall scheme cost of £5m. With the benefit of survey information, commencement of initial detailed design, initial responses from utility companies and considerations of buildability, a more informed view can be taken. Cost consultants have been retained and the current estimate is £6.3m. The detailed design and utility diversions need to be developed but the estimate of £6.3m reflects the state of current knowledge with an appropriate allowance for risk and is affordable when taking account of anticipated s106 contributions. Expenditure to date in developing the scheme and securing the land is approximately £250,000.

3. Bold Steps for Kent and Policy Framework

3.1 Supports the objectives of supporting existing businesses, encouraging economic activity and job creation by improving accessibility by reducing traffic congestion and improving safety.

4. Land Aspects

4.1 Land negotiations have been protracted with the main issue being that, despite most owners being supportive of the scheme, concerns were raised that they might be liable to claims from their retail tenants for any economic loss that might be attributable to disruption caused during construction of the scheme. KCC cannot provide an indemnity for economic loss and it is uninsurable. We have reassured businesses that we will do everything practical to maintain access and minimise disruption particularly during key trading periods such as December and January and stressed that any disruption will be short term compared with the wider, longer term benefits.

4.2 It has taken a while for owners and tenants, between themselves, to come to terms with this aspect but considerable progress has been made. We require 8

plots of land for the scheme and have secured a commitment to 7. The remaining plot is held by Asda.

4.3 Despite an extensive supply of traffic information and discussion that shows that the scheme will result in an improvement to journey times to and from their store, Asda have not agreed to release the land required for the scheme. Their position, given on 18 September, is that they are unable to support the scheme unless it is amended to retain all current movements to and from their store. This requirement would result in the scheme being amended to provide a dedicated left-turn in lane and a dedicated left-turn out lane from the store together with a dedicated right-turn in lane to the store from the east. In addition, Asda have asked for an additional right turn out movement to be provided from their secondary access on Dowding Way. The view is that these amendments will significantly compromise the scheme and is therefore not acceptable. Greg Clark MP is kindly making arrangements to meet Asda's CEO in a last attempt to secure their support for the scheme.

4.4 As Asda are the only firm who has not indicated support, we have investigated options to amend the scheme without their land so that the scheme can still proceed. Since Asda are located at the start of the scheme and land take is only required for road widening and not a junction improvement, we have been able to retain the dualling through this section, through slightly reducing lane widths and a narrowing of the central reservation. However, it also means that a section of shared footway/cycleway will be need to be deleted from the scheme.

4.5 This would not be an ideal situation but the overarching scheme benefits of reduced congestion and improved journey times could still be achieved. In particular, it maintains the opportunity for the scheme to proceed and avoids all the support and work done by all the other retailers and land owners being wasted.

4.6 Of the 7 plots with landowner/retailer commitment, Officers are continuing to formally agree the Deeds of Dedication. To date 3 have been executed, 2 are to be finally agreed and 2 with a verbal commitment and discussions to commence on the terms of the draft Deed. Some landowners are asking for their tenants, who have no direct legal interest, in the land to be parties to the Deed of Dedications. This is not an ideal situation but acceptable if it is a necessary means to secure the land. However, involving more parties who will be taking their own legal advice does risk a protracted period before some of the remaining Deeds may be completed. On that basis and whilst there has been considerable progress, further effort will be required to formally secure the land required to proceed with the scheme. See Appendix B for full land summary.

5. Design

5.1 Further surveys continue in preparation for the detailed design stage. Geotechnical site investigation, coring of the carriageway to determine the robustness of the existing pavement construction, drainage surveys to understand the existing system and a tree survey have all been completed. Environmental surveys continue.

5.2 There has been slight refinement of the outline design particularly in the context of verges and minor earthworks and it would be appropriate as part of this Report to seek approval to the latest outline design scheme plan, 4300034/000/01 Rev 2, and including a possible alternative amendment should the Asda land not be secured, 4300034/000/065 Rev 0.

5.3 Liaison has commenced with the Highways Agency to ensure the Link Road scheme and the A21 Tonbridge – Pembury scheme and other associated interface issues such as utility diversions and any interim traffic management aspects are effectively co-ordinated and abortive work minimised.

6. Conclusions

6.1 Considerable progress has been made since the June Committee meeting and commitment has been received from the landowners/retailers of 7 out of the 8 plots required. The process to complete Deeds of Dedications is protracted with 3 having been executed to date. Every effort will be made to progress the remaining Deeds where we currently have a strong commitment of support in principle. A verbal update will be given when the Committee meets.

6.2 Commitment to release the land required has not been received from Asda but we have been able to amend the scheme so that their land is not required. However, this means that a section of the shared footway/cycleway has to be deleted from the scheme and, whilst neither ideal nor desirable, allows the scheme to proceed and the wider benefits to be achieved. Of course, it is still hoped that Asda will give their full support following the intervention of Greg Clark MP.

6.3 The continued focus on securing the land means that the programme has unavoidably slipped and it is expected that it will not be possible to invite construction tenders until January 2014 with a construction start in May 2014 and completion in May 2015. Any continued significant delay in formally securing the land will cause the programme to slip further and might well prejudice the availability of the Pinch Point funding.

6.4 However, the opportunity to improve access to North Farm will not be repeated in the near future and should not be given up without making every effort although KCC continues to operate at risk.

7. North Farm Master Plan

7.1 At the Cabinet Committee meeting in June, Members asked for an overview of the Masterplan for North Farm of which the Longfield Road improvement is the key catalyst, known collectively as Phase 1 & 2 in the Masterplan.

7.2 Continuing severe traffic congestion in the North Farm retail and industrial estate is inhibiting existing business and preventing further economic growth in Tunbridge Wells Borough. Intense development over the years has created enormous demand in North Farm, particularly on Longfield Road (a single carriageway) from the A21 to Dowding Way and including the two signalised junctions at King Standing Way and Great Lodge.

7.3 In April 2011, Tunbridge Wells Borough Council (TWBC) and KCC commissioned the previous term consultant, Jacobs, to undertake a traffic study for the North Farm Estate and to identify some possible solutions to the congestion issues. The brief for the study was developed in consultation with local businesses, and a meeting to discuss the draft report was held in early July 2011, chaired by Greg Clark MP. The study identified a range of short term measures as well as some medium and longer term options to ease congestion in the North Farm area.

7.4 The short term measures were implemented in 2012 funded by s106 contributions. These measures were not expected to address the continuing congestion issues in North Farm. It was clear to KCC that to tackle existing congestion issues and enable TWBC to plan for future employment and commercial growth, a Masterplan or strategy for the area was essential.

7.5 A Masterplan for North Farm was developed by KCC in September 2012, and was based on the phased implementation of independent improvement schemes. It incorporated improvement measures and priorities identified in previous studies. The Masterplan would be incorporated into the emerging Transport Strategy which would support development aspirations set out in the Tunbridge Wells Local Plan. The lifespan of the Local Plan is to 2026 and the implementation of all phases of the Masterplan is required within this time period.

7.6 The suggested phases of the Masterplan are:

Phase 1 and Phase 2 – dualling of Longfield Road between A21 and Dowding Way.

Phase 3 – one way system incorporating the southern end of Longfield Road, Lambert Road and Dowding Way.

Phase 4 – alternative route through North Farm Lane.

Phase 5 – widening of High Brooms Railway Bridge on North Farm Road to allow vehicles to pass side by side and allow access to buses, pedestrians and cyclists.

7.7 The Masterplan phases are shown indicatively on the plan attached as Appendix C.

7.8 A costed master plan will allow contributions to be collected from developer contributions, s106, Community Infrastructure Levy (CIL) and central government funding bid opportunities.

7.9 Of the remaining phases, the most problematic in terms of feasibility and cost is the improvement of High Brooms Railway Bridge which has reduced headroom, no footway and operates under shuttle traffic signal working. It is a significant constraint for access to and from the core urban north east sector of Tunbridge Wells.

7.10 Amey are being commissioned to carry out initial feasibility assessment and estimates of the remaining phases of the Masterplan and particularly for the High Brooms bridge element to better inform possible options for securing the funding and future delivery programme.

7.11 However, it is impractical to rely only on often expensive infrastructure improvements and the existing Demand Management strategy will remain a fundamental underpinning aspect of the Masterplan.

8. Recommendation(s):

Subject to the views of this Committee, the Cabinet Member for Transport & Environment is proposes to:

- i) approve the revised scheme for the improvement of Longfield Road, shown as an outline design on Drg 4300034/000/01/Rev 2 and Drg 4300034/000/065 Rev 0, if land cannot be secured from Asda, for land charge disclosures and development control.
- ii) give approval to progress the detailed design, tender preparation and any ancillary works and approvals for the scheme for the improvement of Longfield Road.
- iii) give approval for Legal Services to take a dedication, transfer or by some other appropriate legal mechanism to secure the land required to deliver the Longfield Road scheme, shown in outline on Drg 4300034/000/01/Rev 2 including but not limited to any ancillary works such as drainage and environmental mitigation.
- iv) give approval to the Masterplan for North Farm shown in concept on the plan in Appendix C and for taking forward to the next stage of feasibility assessment.

Background Documents

Appendix A – Draft Record of Decision

Appendix B - Land Summary

Appendix C – Preliminary Masterplan – North Farm – September 2012

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