

From: David Brazier - Cabinet Member for Environment & Transport  
Mike Austerberry - Corporate Director Growth, Environment & Transport

To: Environment & Transport Cabinet Committee – 17 September 2014

Subject: 14/00091 A28 Chart Road Widening, Ashford

Key decision Major Scheme with cost over £1m

Classification: Unrestricted

Past Pathway of Paper: None

Future Pathway of Paper: For Cabinet Member decision

Electoral Division: Ashford South, Ashford Central, Ashford Rural West

**Summary:** Approval to take the highway improvement scheme through the next stages of development and delivery including authority to progress statutory approvals and to enter into land and funding agreements and construction contracts.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Environment & Transport on the proposed decision as follows (and indicated on the proposed decision sheet attached at Appendix A):

- i) give approval to the preliminary design scheme for A28 Chart Road Widening for development control and land charge disclosures shown in principle on Drg. Nos. B1620900/H/003A and B1620900/H/007A;
- ii) give approval to progress the A28 Chart Road Widening scheme shown as a preliminary design on Drg. Nos. B1620900/H/003A and B1620900/H/007A, including any ancillary work such as drainage and environmental mitigation;
- iii) give approval for Legal Services to undertake a dedication, transfer or other such legal mechanism to secure the land required to deliver the A28 Chart Road Widening Scheme as shown in Drg Nos. B1620900/H/003A and B1620900/H/007A, including any ancillary works such as drainage and environmental mitigation and subject to any substantive amendments arising from the design being approved by the Corporate Director of Growth, Environment & Transport;
- iv) give approval to the publication of Compulsory Purchase Orders, any other statutory approvals and any other necessary legal rights or consents required for the scheme shown in principle on Drg, Nos. B1620900/H/003A and B1620900/H/007A, including any ancillary works such as drainage and environmental mitigation and subject to any substantive amendments arising from the outline design being approved by the Corporate Director of Growth, Environment & Transport;
- v) give approval to enter into an agreement with Network Rail to allow the County Council to design and deliver a scheme on Network Rail infrastructure;

- vi) give approval to enter into funding agreements required for the scheme such as for the Single Local Growth funding, developer funding and other such funding agreements subject to the approval of the Corporate Director of Finance & Procurement, and
- vii) give approval to enter into construction contracts as necessary for the delivery of the scheme, subject to the approval of the Procurement Board, to the recommended procurement strategy.

## **1. Introduction**

- 1.1 The A28 Chart Road is a principal corridor serving residents and businesses to the southwest area of Ashford. It is the main infrastructure link from the M20 Junction 9, to the Growth Area of the southwest.
- 1.2 The A28 Chart Road runs through an urban area, with the residential periphery of Godinton Park to the northwest and Cobbswood Industrial Estate to the south east. The highway crosses the London to Dover Railway Line, which runs from west to east through the middle of Ashford town.
- 1.3 The proposed widening of the A28 Chart Road is a KCC strategic proposal designed to ease local congestion issues and provide additional highway capacity to allow for the full strategic growth identified by the adopted Ashford Core Strategy 2008, including the Chilmington Green development.
- 1.4 The widening extends from the Great Chart Bypass eastern roundabout (Matalan roundabout) and the Templar Way roundabout (Tank roundabout). See Drg. Nos. B1620900/H/003A and B1620900/H/007A, attached as Appendix B.
- 1.5 The improvements will include the provision of an additional lane to the A28 Chart Road in both directions, between the Matalan roundabout and the Tank roundabout, resulting in a dual carriageway in both directions. Both roundabouts will also be improved, together with junction improvements to Loudon Way, Hilton Road and Brunswick Road. It will be necessary to widen the existing bridge over the railway to accommodate the dual carriageway. See Drg. Nos. B1620900/H/003A and B1620900/H/007A, attached as Appendix B.
- 1.6 In order to optimise the design, reduce costs, minimise disruption and realise the benefits at the earliest time, it is intended that these strategic improvements are delivered as a single scheme.
- 1.7 The recently announced award from the Single Local Growth Fund is very welcome news and together with developer contributions, to be secured via a proposed S278 agreement, will enable the scheme to be progressed.
- 1.8 This report provides an overview of the project and recommendations for the required decisions to allow the scheme to be progressed through the next stages of development.

## **2. Financial Implications**

- 2.1 The overall estimated scheme cost is £32.8m. The allocation from the Single Local Growth Fund is £10.23m. A major scheme business case is required to be submitted to the South East Local Enterprise Partnership (SELEP) for approval before the Single Local Growth Funding is released. The remaining £22.57m is to be provided via developer contributions.
- 2.2 A forward funding mechanism is proposed for the developer contribution element of the scheme cost (excluding scheme planning/preparation costs which will be funded upfront by the developer), as agreed with Finance and Procurement, subject to the implementation of a S278 agreement. The agreement will ensure that all the County Council's costs are met including all borrowing costs, the provision of a robust allowance for risk and inflation and the provision of a bond by the developers to ensure that the repayments are met.
- 2.3 The scheme cost includes an allowance for planning/preparing the scheme and this can be covered initially by the Major Schemes Preliminary Design budget allocation until the 2014/15 developer contribution for this element is received.
- 2.4 Network Rail is likely to require a commuted sum to reflect the increased inspection and maintenance liability of the widened bridge and this has been allowed for within the scheme estimate.
- 2.5 There is a higher level of potential revenue maintenance liability but this will be offset by it being new build, robustly constructed and replacing some older parts of the network.

### **3. Policy Framework**

The scheme supports the objective of supporting existing businesses and encouraging economic activity with housing growth and job creation by reducing congestion and improving infrastructure and accessibility. The scheme contributes to the unlocking of over 7000 homes.

### **4. Scheme Update**

- 4.1 An environmental screening report has been prepared and submitted to the Head of Planning Applications who has been confirmed that the scheme does not require an Environmental Impact Assessment and that the scheme does not require planning permission and can be delivered as Permitted Development.
- 4.2 A significant proportion of the land required for the scheme is within the existing highway boundary. However, there are several areas that will need to be acquired to deliver the scheme and this will be progressed via voluntary acquisition where possible. It is likely that a Compulsory Purchase Order will be promoted for the land required for the scheme at the same time, in order to give programme certainty.
- 4.3 Some data such as engineering details of the existing bridge from Network Rail and a topographical survey has already been obtained. Engineering and cost consultants have also been commissioned.

- 4.4 The design and construction of the widened bridge will need to satisfy Network Rail. It will be delivered by KCC under an Asset Protection Agreement. This element of the scheme will require careful planning as track possessions will be required and structural engineers have already been appointed.
- 4.5 The A28 Chart Road is a key utility corridor and identifying the impacts of the proposed widening and any required diversions or protection measures are important aspects of scheme cost and programme. The location of existing utility apparatus has already been obtained and a review is underway.
- 4.6 Once the outline design is sufficiently developed, it is proposed to hold a public consultation to allow the scheme to be refined and the design to be confirmed.
- 4.7 Delivery of the scheme will be dependent on obtaining the necessary land, completing the detailed design, arranging track possessions and procuring a contractor through a competitive tender process under European procurement rules.
- 4.8 On the basis of the funding agreements being confirmed, design and procurement proceeding satisfactorily and track possessions being granted by Network Rail, a construction start date in 2018 is anticipated.

## **5. Conclusions**

This is an important strategic scheme to help reduce congestion on the A28 corridor and to support housing development, job creation and general economic activity. The recent announcement of Single Local Growth funding, combined with the developer funding that will allow the scheme to proceed is very welcome news. On the basis of the funding agreements being confirmed, design and procurement proceeding satisfactorily and track possessions being granted by Network Rail, a construction start date in 2018 is anticipated.

## **6. Recommendations**

6.1 The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Environment & Transport on the proposed decision as follows (and indicated on the proposed decision sheet attached at Appendix A):

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- iii) give approval for Legal Services to undertake a dedication, transfer or other such legal mechanism to secure the land required to deliver the A28 Chart Road Widening Scheme as shown in Drg Nos. B1620900/H/003A and B1620900/H/007A, including any ancillary works such as drainage and environmental mitigation and subject to any substantive amendments arising

- from the design being approved by the Corporate Director of Growth, Environment & Transport;
- iv) give approval to the publication of Compulsory Purchase Orders, any other statutory approvals and any other necessary legal rights or consents required for the scheme shown in principle on Drg, Nos. B1620900/H/003A and B1620900/H/007A, including any ancillary works such as drainage and environmental mitigation and subject to any substantive amendments arising from the outline design being approved by the Corporate Director of Growth, Environment & Transport;
  - v) give approval to enter into an agreement with Network Rail to allow the County Council to design and deliver a scheme on Network Rail infrastructure;
  - vi) give approval to enter into funding agreements required for the scheme such as for the Single Local Growth funding, developer funding and other such funding agreements subject to the approval of the Corporate Director of Finance & Procurement, and
  - vii) give approval to enter into construction contracts as necessary for the delivery of the scheme, subject to the approval of the Procurement Board, to the recommended procurement strategy.

## **7. Background Documents**

None

## **8. Contact details**

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