

Agenda Item No: 11

Report To: **Joint Transportation Board**

Date: 15 June 2010

Report Title: (1) M20 Junction 9/Bridge and
(2) Drovers Roundabout, improvement schemes, Ashford

Report Authors: John Farmer, KHS Countywide Improvements Manager
Andy Phillips, AFCo. Head of Transport



Summary:

This report updates the Board on progress with the scheme. The Regional Infrastructure Funding (RIF) agreement with SEEDA has been completed, KCC have entered into contract with BAM Nuttall to construct the works, land acquisition has been completed (subject to finalisation of land for the bridge), advance site clearance has been carried out. The tender sums allow the scheme to be carried out within budget and timescales for the funding (subject to the risks outlined below).

Key Decision: NO

Affected Wards: Stour, Godinton, Bockhanger

Recommendations: **The Board:-**
1. Notes the progress with scheme
2. Notes that the new foot/cycle bridge over the M20 is included in the contract let by KCC.

Policy Overview: The junctions and link from M20 Junction 9 to Drovers Roundabout together form a key route into the town centre and south west Ashford and require improvement to support the growth agenda. The scheme is consistent with policy CS15 of the adopted LDF Core Strategy.

Financial Implications: The RIF funding for the scheme has been secured. The RIF fund is a forward funding mechanism that will need to be repaid by a combination s106/s278 contributions and future Strategic Infrastructure tariff payments from developers.

Risk Assessment YES - A full risk assessment has been carried out for the scheme.

Equalities Impact Assessment NO

Other Material Implications: None

Exemption Clauses: None

**Background
Papers:**

Risk Assessment table
Plans to be displayed

Contacts:

John.farmer@kent.gov.uk – Tel: (01622) 696881
Andrew.phillips@ashford.gov.uk – Tel: (01233) 330823

Report Title: (1) M20 Junction 9/Bridge and (2) Drivers roundabout improvement schemes

Purpose of the Report

1. The Board approved the schemes at its meeting on 8 December 2009 (minute 330 refers). This report updates the Board on progress with the schemes' delivery.

Background

2. The junctions and link from M20 Junction 9 to Drivers Roundabout together form a key route into the town centre and south west Ashford and require improvement to support the growth agenda.
3. The schemes involve improving Drivers Roundabout to create an elongated 'roundabout junction with a wider circulating area and wider approaches and generally under traffic signal control. Fougères Way is widened and a junction created into the future Warren Park & Ride site. The M20J9 circulating area is widened and slip road approaches widened with improvement to the diverges from the M20. The junction will be under full traffic signal control. A new feature pedestrian/cycle bridge across the M20 to the east of the junction will replace the existing pedestrian/cycle route through the junction.

Funding

4. Regional Infrastructure Fund (RIF) funding was secured to allow a comprehensive improvement to be carried out and avoid the incremental improvements that would otherwise occur in fulfilment of individual s106 planning obligations and conditions. £8.1m was granted for M20 Junction 9 and the new foot/cycle bridge, £7m for Drivers roundabout and Ashford's Future has provided £2.5m of Growth Area Fund funding to cover the extra-over cost of the feature bridge.
5. RIF is provided by the Department of Transport and managed by SEEDA. It is provided as a forward funding mechanism to be paid back by future tariff funding, s106 obligations and the amendment of existing s278 obligations into financial contributions.
6. ABC is the accountable body for the RIF and has entered into a tri-party agreement with KCC to draw down the funding for the delivery of the scheme. ABC as planning authority is responsible for repayment.
7. Completing the formal RIF Agreements between KCC, ABC and SEEDA became an onerous and lengthy process and the critical activity to allowing the scheme to proceed. The existing s278 agreements for Repton Park and Eureka Park also required amending to change the obligations from carrying out works to that of an equivalent cost contribution. A related s106 also needed to be varied. All the Agreements were completed on 5 May.

Land

8. RIF has a funding deadline of 31 March 2011 and land had to be secured by voluntary negotiation as time did not permit normal compulsory purchase procedures.
9. These negotiations were difficult at times but land for the roadworks was secured to allow the construction contract to be awarded on 5 May immediately on completion of the RIF agreement. Close to Drovers roundabout the land agreements have included for access to future development sites to the north east and north west of the roundabout and to co-ordinate some future servicing provisions.
10. Securing the land for the bridge has been more difficult but more time was available and this was achieved by the required deadline of 31 May. In particular routes to and from the new foot/cycle bridge have been co-ordinated with plans to extend the Sainsbury's supermarket and improve access arrangements to The Warren Retail Park.
11. Planning applications are expected to be received shortly for development proposals on sites close to Drovers roundabout and for the Sainsburys supermarket extension.

Approvals

12. Only the bridge required planning consent and this was granted in April 2010 subject to a number of conditions. A s6 agreement with the Highways Agency has been signed to cover works constructed by KCC on HA land.

Construction Contract

13. Tenders were invited in accordance with normal European procurement procedures. Tenders were invited from 6 firms and assessed on the basis of 80% price and 20% quality. BAM Nuttall was successful and the contract was formally awarded on 5 May. The formal start date was 10 May.
14. For practical reasons it is one construction contract but it is structured as two discreet projects to reflect that RIF is provided separately for Drovers Roundabout and M20 Junction 9.

Communications Strategy and Publicity

15. Ashford's Future are co-ordinating a strategy for handling publicity about the scheme. Publicity about the contract works themselves will be via the site team and KCC's press office.
16. The advance vegetation clearance inevitably caused local concern because of the dramatic visual changes to the appearance of the area and the press coverage reflected those concerns. Despite some comments to the contrary, all clearance was done under the supervision of an ornithologist to ensure no nesting birds were disturbed. A full landscaping scheme is part of the works contract.

17. Unfortunately normal highway notification procedures were not possible because of the purdah advice from government related to the general election. A detailed letter drop has since been made to 2500 homes and businesses in the area. Further newsletters will be distributed at appropriate times during the construction period and regular updates will be posted on both KCC and Ashford's Future web sites.

Programme

18. Advance vegetation has been carried out to avoid the increasing risk to the construction programme from nesting birds. This will be followed by environmental mitigation with the trapping and relocation of reptiles to land that has been secured at Godinton House. In the coming weeks, BAM Nuttall will be setting up their site offices and compound. Trial holes will be dug to accurately locate utilities together with CCTV surveys of existing surface water drainage.
19. The delay in completing the RIF agreement has led to the delay in awarding the contract and this will put intense pressure on the contractor and site team generally to try and achieve completion by the funding deadline of 31 March 2011.

Risk Assessment

20. A risk assessment has been carried out and summarised in a risk assessment table. The estimated cost of the project based on the tender returns and a priced risk register is within the overall RIF and GAF funding available.
21. The biggest risk will be delivering the project by the funding deadline of 31 March 2011. Working within a constrained busy site with traffic management measures that demand that road capacity is maintained as much as possible at peak periods, extensive utility diversion and a further bad winter are the biggest threats. Every effort will be made to achieve by the deadline but SEEDA recognise that the contract has been awarded later than intended and the practical realities of road construction. In the event of the contract period overrunning and KCC not being able to claim beyond 31 March 2011, the works will be completed and KCC will have first claim on developer contributions to repay any shortfall in scheme funding.

Conclusion

22. Significant progress has been made in securing the funding and planning agreements, land acquisitions and other permissions to allow these schemes to proceed. A works contract has been let by KCC which allows the works to be completed within budget and timescales for the funding, with contingency measures agreed between the parties, should the contract period overrun.

Portfolio Holder's Views

23. Updates on all Ashford's Future led projects and the Growth Area Funding programme are regularly reviewed at Ashford's Future Company Board

meetings now attended by new director Councillor John Kemp (previously Cllr Paul Bartlett), and at Ashford's Future Partnership Board meetings chaired by Councillor Paul Clokie.

24. Members of the Boards have expressed continued support for the project.

Contact:

Email: John.farmer@kent.gov.uk – Tel: (01622) 696881
Andrew.phillips@ashford.gov.uk – Tel: (01233) 330823