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## **A28 Chart Road Dualling, Ashford**

**To: Ashford Joint Transportation Board – 13 March 2018**

**Main Portfolio Area: Growth, Environment & Transport**

**By: Roger Wilkin, Director of- Highways & Transportation**

**Classification: For Information**

**Ward: Godinton, Great Chart with Singleton North, Victoria, and Singleton South**

**Division: Ashford Central, Ashford Rural West and Ashford South**

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**Summary:** This report provides an update on the progress of the A28 Chart Road Improvement Scheme

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### **1.0 Introduction**

1.1 This report provides an update on the progress of the A28 Chart Road Improvement Scheme covering the three months since the last JTB meeting in December.

### **2.0 Chilmington Funding**

2.1 The agreed funding arrangement with the Chilmington developer is that KCC forward fund their contribution to the project, which is paid back over a 10-year period. To safeguard KCC of any risk of non-payment and to recover interest charges the Section 278 Agreement included a provision for the developer to provide a security bond prior to awarding the construction contract.

2.2 In accordance with the requirements of the Section 278, KCC served a notice for the bond on 14 December 2017 that required the bond to be in place by 26 January 2018.

2.3 To date this bond has not been provided by the developer and KCC are unable to award the construction phase of the project and consequently cannot commence this work.

2.4 High level discussions have been taking place between KCC, Ashford Borough Council, Homes England and the developer to find a resolution. These are currently ongoing but at the time of writing this report there is not a solution that will allow the construction works to commence.

2.5 To mitigate the risks of nesting birds delaying the programme any further, it was agreed that trees in programme critical areas would be removed and this work is currently ongoing. The remainder of the trees will be cleared either in the autumn, subject to a security bond, or at such time when a bond is provided, subject to the presence of nesting birds.

### **3.0 Compulsory Purchase Order**

3.1 The compulsory purchase order (CPO) was confirmed at the beginning of February and notices to treat and enter are due to be issued to land owners at the beginning of March, although apart from two land owners early access has already been agreed.

### **4.0 Land Acquisition**

4.1 Formal agreements are in place with all but two of the landowners regarding the voluntary acquisition of the land. Discussions are ongoing to conclude the two outstanding plots of land but if not successful the land will be secured through the CPO.

4.2 The transfer of Ashford Borough Council land has been completed and a licence granted for works which fall within other areas of their land.

### **5.0 Programme**

5.1 Until such time that a bond is provided the detailed construction programme cannot be confirmed.

### **6.0 Public Engagement**

6.1 Further engagement, including public exhibitions, will be held as soon as there is confirmation of the project proceeding.

### **7.0 Conclusions**

7.1 Except for the vegetation clearance, KCC are unable to progress the project including any public engagement until such time that the Chilmington developer provides the security bond but there are risks that the project may not start in 2018 as previously advised. A verbal update will be provided at the JTB meeting.

### **8.0 Recommendations**

FOR INFORMATION

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| Future Meeting if applicable: As necessary but none planned at present | Date: |
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| Reporting to:    | Mary Gillett - Major Capital Programme Manager                                                                                              |