

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**26 February 2007**

**Report of the Director of Planning, Transport & Leisure  
and the Cabinet Member for Planning & Transportation**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken  
by the Cabinet Member)**

**1 CAPITAL PLAN PROGRESS REPORT**

**Summary**

**This is a regular report to advise members of the progress with the schemes contained in the Planning & Transport section of the Capital Plan. It also contains details of a possible financial settlement for the Aylesford Traffic Management Scheme for members' consideration.**

**1.1 Introduction**

- 1.1.1 Engineering and transportation schemes of various types make up a substantial part of the Council's overall capital plan and consequently it is important that progress is kept under regular review. One of the key reasons for this is to ensure that resources available for design and construction management of capital works are flexible to changing needs and focus on priorities.
- 1.1.2 This report therefore deals with engineering and transport schemes within List A and also with the other capital works which are handled by the Projects Team such as the Larkfield Leisure Centre car park improvements.
- 1.1.3 Members may have particular project matters to raise and officers will be able to deal with these at the meeting. It would be helpful, to ensure as full a response as possible, if queries could be raised in advance so that any required research, investigation or analysis can be carried out.

**1.2 Parking Schemes**

- 1.2.1 **Car Park Enhancement Programme Phase 1** – This is the first year of the programme of capital investment in the Borough's car parks. The programme is tackling the improvement work identified in the comprehensive condition surveys carried out last year and also serving to co-ordinate all other necessary car park work.

- 1.2.2 Work this year has included drainage surveys, provision of entry boards, back boards and replacement of ticket machines. The major item of expenditure from the phase 1 budget however, will be the refurbishment of the Lower Castle Fields car park focussing upon drainage improvements and reconstruction/resurfacing.
- 1.2.3 **Ryarsh Lane Car Park, West Malling** – The work to the car park was completed in September and the extended section was immediately in use. This left two items of necessary work remaining; the removal of the large tree adjacent to the railway and the planting of trees.
- 1.2.4 The removal of the tree involved the safety of the live railway and needed a track possession which Network Rail would only grant at night. This was a frustrating process. Two possessions were cancelled at short notice and residents previously notified of the night work had to be contacted again each time regarding the cancellations. On the third scheduled possession however the tree was finally removed.
- 1.2.5 The planting of new trees, marking the completion of the project, took place earlier this month.
- 1.2.6 **Parking Action Plan** – The position statement is being reported separately elsewhere in these papers.
- 1.2.7 **Larkfield Leisure Centre Car Park Improvements** – These extensive works were completed on schedule before Christmas with the minimum of disruption to the operation of the Leisure Centre.
- 1.2.8 In addition to the maintenance work of resurfacing, lining and drainage, the main benefits of the scheme are the accommodation of parking of disabled persons on the level and close to the entrance, better located coach parking and improved pedestrian access. Some long standing lighting problems were also picked up whilst the contractors were on site.

### 1.3 Community Security Schemes

- 1.3.1 **Upper Castle Fields to Tonbridge Pool Footpath Lighting** – The lighting has been installed and connected to the mains electricity supply. Irritatingly, I have been waiting for the lighting manufacturer to supply the timing gear necessary to switch the lights on and off at the appropriate time, but hopefully this will be operational by the date of the meeting.
- 1.3.2 **Hugh Christie to Cage Green & Ridgeway to Town Acres Footway Lighting Schemes** – These two schemes have been progressed working with Kent Highway Services' Street Lighting Team who also had aspirations to improve the footway lighting in these areas. KHS will be the client for the contract work and they will also arrange necessary footpath closures. I anticipate that the most likely time to implement the schemes will be the Easter school holidays.

## **1.4 Transportation Schemes**

- 1.4.1 **LTP Programme** – This is reported separately elsewhere in these papers.
- 1.4.2 **Aylesford Centre Traffic Management** – Remarkably, this scheme was constructed six years ago during the Winter of 2000/1. The contractor had submitted a final account totalling £250,000 but the Engineer was only able to agree an interim payment of £171,156.80 due to the lack of proper substantiation of claims and additional work. The circumstances were reported to Cabinet on 6<sup>th</sup> March 2002 and Members approved virements in anticipation of a final outturn in excess of the interim payment.
- 1.4.3 Whilst the contractor has never reduced the amount of his claim, the process of obtaining proper substantiation of the amounts claimed has been long and tortuous and has drawn considerable staff time over the interim period which could have been used productively elsewhere. Unfortunately both the contractor's and Council's site staff left their respective employments soon after completion and this made the assessment of site events even more difficult.
- 1.4.4 However, on the retirement of the company director responsible for the contract, an offer of a commercial settlement was made to the Council by the contractor. The final settlement figure offered is £198,419.70 and I believe this to be a fair and pragmatic settlement in all the circumstances.
- 1.4.5 If members agree to this settlement, the final payment of £27,262.90 can be met from the current budget allocation of £48,000, resulting in an overall capital saving on the project of approximately £21,000.
- 1.4.6 **Fairfield Road, Borough Green** – Although this is a relatively simple and inexpensive footpath improvement, its implementation has been delayed by the need to acquire a small strip of private land necessary to provide a footpath of adequate width.
- 1.4.7 However recent discussions with the owner have resolved this issue. I am therefore optimistic that the scheme can soon move forward to implementation once the conveyance has taken place.
- 1.4.8 **New Hythe Lane to Chaucer Way, Larkfield, Footpath/Cycle Track** – This scheme has been progressed in liaison with the Parish Council, adjacent Sports and Social Club, Kent County Council's Public Rights of Way section and local members.
- 1.4.9 Design is complete and orders have been placed for the lighting and site clearance elements. Tenders are being sought for the main construction work which is likely to take place in April following on from the lighting installation.
- 1.4.10 **Wouldham Traffic Management** – The traffic management measures, designed and progressed in liaison with the Parish Council, have passed the highway

authority's safety audit. The works are now fully funded with the developer Section 106 monies being supplemented by Local Transport Plan funding as detailed elsewhere in these papers.

- 1.4.11 The scheme has been formally accepted by Kent Highway Services who will implement the work early in the new financial year. I shall maintain a watching brief until work is complete.
- 1.4.12 **LTP Programme: West Malling Station Northern Access** – As mentioned in the earlier paper on Borough Council Input on Highway Works, all necessary approvals and consents for the scheme from Network Rail have been obtained and clearance given to proceed. One of the outcomes of these negotiations is that the road is being built as an adoptable highway rather than remaining as a private road in railway ownership.
- 1.4.13 I am pleased to report that construction work started at the end of January and is progressing well towards anticipated completion in early April. The train operating company, SouthEastern Railways, are providing the necessary ticket machine and gate within the station in parallel such that the project becomes operational on completion of construction.
- 1.5 West Malling Station Southern Access** – The new link road from the bypass opened just before Christmas and is now operational. The focus has now shifted to the station forecourt area and the new car park. The latter will be constructed by a third party and has the benefit of planning permission. The adopted masterplan for the station provides for considerable alterations to accommodate a new enhanced bus interchange, part of which requires land that is currently part of the station car park. The proposals for the forecourt, partly funded from developer contributions and monies from the Local Transport Plan, will need to be driven by the highway authority, Kent County Council, and include Network Rail as a key partner.
- 1.5.1 Before then, the County Council needs to facilitate agreements with Network Rail for permanent access from the new link road to the station forecourt. The work towards securing this agreement is continuing but at the time of writing is proving highly frustrating. The Borough Council is assisting where it can in pressing the case so that the full benefits of the link can be permanently secured.
- 1.6 Environmental Schemes**
- 1.6.1 **Woodlands Parade Shopping Parade Enhancement** – At the Cabinet meeting on the 17<sup>th</sup> January, members resolved that authority be given to the Chief Solicitor to commence compulsory purchase of the areas in private ownership that are required for the scheme. The order, which is currently being drafted, will allow a two month period for objection on the basis of absent landlord procedures.
- 1.6.2 **Town Lock Area Enhancement** – This scheme still needs substantial external funding to proceed further. Members may recall that £100,000 is allocated to the

scheme in the Capital Plan as a primer to the estimated cost of the first phase of approximately £500,000. Unfortunately the Environment Agency's bid to the Big Lottery Fund was unsuccessful and we are therefore continuing to search for alternative external funding to make the project viable, including developer contributions from schemes in the town centre.

### **1.6.3 Tonbridge Castle, East Curtain Wall Footpath & Railings**

1.6.4 In the autumn of 2005, the state of repair of the footpath alongside the East Curtain Wall gave rise to serious concerns about the stability of the slope in this area. The immediate risk for the safety and welfare of people using the path was compounded by the risk of damage to the fabric of the Ancient Monument. As a result, investigation was carried out to determine the extent and nature of the slope stability problem and to identify what options there might be to deal with it.

1.6.5 The critical finding of the investigation was that the slope stability was assessed as being a shallow feature affecting the top metre or so. Movement is continuing but is not severe. The immediate conclusion from this is that action is essential to deal with this progressive slope stability problem but not of the emergency character believed to be required when the problem worsened in the autumn of 2005.

1.6.6 The range of options extends from regrading the slope, applying external reinforcement, gabion supporting walls and soil nailing. Leaving the situation untouched is not a viable way forward because of the progressive nature of the slippage and the risk this presents to path users and the Scheduled Ancient Monument. A further option is to remove the path altogether and this arose in the course of discussing the more intrusive interventions described above with English Heritage. This is the option preferred by English Heritage as having the best outcome for the future of the Scheduled Ancient Monument. It also removes the risk to personal safety because there would be no access for pedestrians.

1.6.7 There are a couple of trees near the footpath and it is proposed that these be removed also. This would be in line with general long term tree management around the castle mound to enhance the historic interpretation of the Scheduled Ancient Monument.

1.6.8 The next step is to consult local historic interests for their views on the proposed works as a preparation for a List C assessment. This will highlight the financial implications of the scheme, including the cost of rerouting the audio-tour of the Castle grounds. This is scheduled for early in the next financial year.

## **1.7 Land Drainage & Flood Defence Schemes**

1.7.1 **Pen Stream Phase 3** – As the name suggests, this was intended to be a third tranche of environmental improvements to the Pen Stream. The previous phases had been predominantly concerned with the replacement of decaying weirs whose

purpose was to retain water in pens in dry conditions and provide varying depths of flow at other times.

- 1.7.2 The Grange Farm flood investigation served to temper the third phase with a need to consider the potential to improve or minimise the flood risk to the properties at the lower end of Darwin Drive. The hurdle was that the cost of carrying out hydraulic modelling was out of proportion with the scheme's capital allocation and so a different approach was needed.
- 1.7.3 The Borough Council has recently been approached by Southern Water who has drafted management plans for various streams as a natural extension of work on pollution and biodiversity. The plan for the Pen Stream centres around a more naturalised regime using alternating riffles and pools instead of weirs to provide a varying habitat. The Environment Agency, now the operating authority for the Pen Stream, is supportive of this principle.
- 1.7.4 I consider that this idea merits further investigation and the first step will be discussion at the Woodland Walk Community Management Group on the 8<sup>th</sup> March where a representative of Southern Water will be in attendance.
- 1.7.5 **East Peckham Flood Defence Scheme** – Since my last report, the ownership of the dam has been transferred to the Environment Agency from the Borough Council.
- 1.7.6 The Council is now very close to finalising the contract accounts, following which, the final claim for grant aid from Defra can be made and the project concluded.
- 1.7.7 **Aylesford Village Flood Alleviation Scheme** – The Borough Council is now working in Partnership with the Environment Agency to reduce the flood risk to properties in the centre of Aylesford village.
- 1.7.8 Our consultant, Bureau Veritas, has been refining their hydraulic modelling and doing background work for the economic appraisal of the scheme. The next step will be to devise and test various solutions against the model to move towards a preferred option. That preferred option will be the basis of a flood protection funding bid to Defra in the same partnership manner as the East Peckham scheme.
- 1.7.9 At this stage and particularly with more changes to the flood defence funding regime in prospect, it is too early to predict an implementation date for the scheme.

## 1.8 New Work for Next Financial Year

- 1.8.1 Projects to be designed and implemented following April 1<sup>st</sup> include:
- **Residents' Car Parking, Eccles** – a balance between the needs of access and on-street parking by sourcing appropriate alternative or off-street parking space.

- **Bailey Bridge Road, Aylesford – Footpath Extension** – provision of a missing section of footway to link new development south of the Medway with the village centre.
- **Haysden Stone Lock** – initial clearance work to halt deterioration of the structure.

## 1.9 Legal Implications

1.9.1 Varying from scheme to scheme and dealt with as appropriate as each is progressed.

## 1.10 Financial and Value for Money Considerations

1.10.1 Dealt with on a scheme by scheme basis in accordance with the Capital Strategy.

## 1.11 Risk Assessment

1.11.1 Not applicable.

## 1.12 Recommendations

That:

- 1) progress on Planning & Transport capital schemes **BE NOTED**;
- 2) the commercial settlement for the contract for Aylesford Traffic Management Scheme **BE APPROVED**.

The Director of Planning, Transport & Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Contact: Steve Medlock

Nil

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Director of Planning, Transport & Leisure

Cabinet Member for Planning & Transportation