

### **A382 Drumbridges to Newton Abbot Major Road Network Scheme (Phase 3)**

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: That Cabinet:

- (a) approves the preliminary scheme layout shown on the scheme plans (attached to the report in Appendix 1) and delegates to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Climate Change, Environment and Transport and relevant local member(s), to make minor amendments to the scheme details and to progress towards a Full Business Case (FBC);
- (b) approves the commencement of the acquisition of land through negotiation and/or a Compulsory Purchase Order (CPO) and any associated Side Road Orders;
- (c) approves the funding of advance works for utility diversions, land acquisition and mitigation measures of £2.469 million in 21/22 and 22/23 and £1.5 million in 23/24 funded by Local Transport Plan (LTP) grant (which will be eligible for DfT grant funding, if the scheme receives FBC approval; and
- (d) approves that the Scheme may proceed to tender and prepare a Full Business case submission to the Department for Transport at an estimated cost of £44.85 million of which £38.12 million will be funded by the DfT with the remaining £6.73 million funded by developer contributions and LTP grant.

#### **1. Summary**

The A382 Drumbridges to Forches Cross Major Road Network (MRN) Outline Business Case (OBC) was given programme entry by the Department for Transport (DfT) in May 2021.

This report seeks approval to progress activities associated with the preparation of the Full Business Case (FBC) for the A382 Corridor Improvement scheme from Drumbridges to Newton Abbot in a Major Road Network bid to the DfT. This requires approval to progress with detailed design, approval to acquire land, approval to begin advance works like planting and land acquisition mitigation measures, and approval to go to tender to confirm the scheme cost prior to submitting the FBC. Further Cabinet approval will be sought prior to the submission of the FBC and award of construction contract.

The scheme will enable the local plan development to come forward and improve access to Newton Abbot and the A38 by improving the A382 corridor for all modes. The scheme consists of road widening, upgrading pinch point junctions, providing new roundabouts, and providing a new link to the south of the corridor. The scheme also includes major upgrades to walking and cycling provision.

## 2. Background

The A382 is a key route connecting Newton Abbot at Churchill's Roundabout with the A38 Strategic Road Network at Drumbridges roundabout. The existing road (excluding the recently upgraded link between Forches Cross and Whitehill Cross) is of a low standard with poor alignment, high traffic flows, a poor safety record and no facilities for pedestrians or cyclists.

Teignbridge District Council's adopted Local Plan sets out proposed residential and employment developments in the area between 2013 and 2033. In the Heart of Teignbridge, 6,000 homes and 11,000 jobs are included. In particular this features a large amount of residential development (2,300 homes) to the west of Newton Abbot and land for employment allocated at Forches Cross which will have a direct access onto the A382. These developments will result in significant traffic, pedestrian and cycle growth along the A382 corridor, travelling to and from Newton Abbot as well as vehicles travelling further using the A38 to Exeter and Plymouth.

The scheme identified to meet these objectives and improve the A382 between Drumbridges and Newton Abbot comprises a combination of road widening, junction improvements and new non-motorised provision to support the large amount of housing and employment on the A382 corridor allocated in the Teignbridge Local Plan.

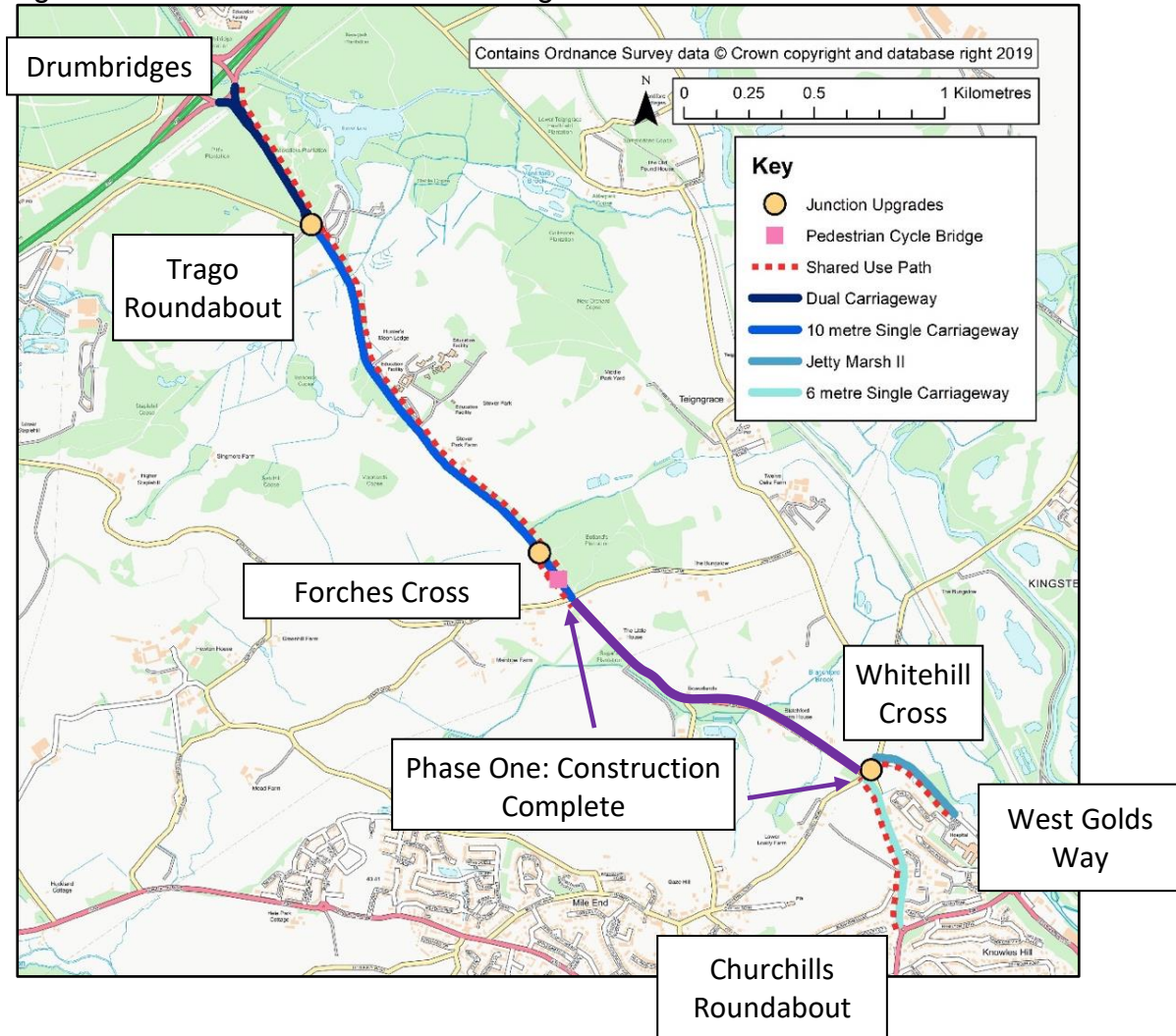
The improvements are being delivered in phases, determined by the deliverability of each section of the improvements in relation to land and funding. Phase 1 is shown on the location map in Figure 1 and has now been constructed. Phase 2 comprises a link between the A382 and A383 (Houghton Barton Link) and is currently under construction. This Cabinet report concerns Phase 3 of the A382 Corridor Improvements ("The Scheme") comprising elements described in Table 1 and shown in Figure 1.

Table 1 - Elements of A382 Drumbridges to Newton Abbot MRN Scheme - Phase 3

Location	Description
Drumbridges to Trago roundabout	Widening to 2 lane dual carriageway Parallel shared pedestrian and cycle path
Trago roundabout	Junction improvements
Trago roundabout to Forches Cross	Realignment and widening to 10 metre single carriageway Parallel shared pedestrian/cycle path
Forches Cross	New roundabout junction and short section of road widening Pedestrian and cycle bridge
Whitehill Cross	Junction improvements, including conversion to a roundabout

Whitehill Cross to West Golds Way	Jetty Marsh II, a new 6.5 metre wide single carriageway Parallel shared pedestrian and cycle path
Whitehill Cross to Churchills roundabout	Widening to 6 metre single carriageway Widening of the footway to 3.5 metres to accommodate a shared pedestrian and cycle path New pedestrian refuge island north of Whitehill Close

Figure 1 - Elements of A382 Drumbridges to Newton Abbot MRN Scheme - 3



### 3. Proposal

The scheme's Outline Business Case was given programme entry in May 2021 by the DfT. To progress to full approval Devon County Council must submit a Full Business Case (FBC), including a tender price and confirmation of land availability, to the DfT for consideration. This is currently programmed for November 2023, with several key activities which must be completed prior to FBC submission including detailed design, land acquisition, advance works and confirmation of a preferred contractor and tender price.

### Detailed Design

To progress to FBC submission further detailed design work must be undertaken to confirm scheme details within the outline design presented in the OBC. A grant has been agreed by the DfT, which can be used for activities relating to the production of the Full Business Case.

### Land Acquisition

To progress the scheme several land parcels must be acquired in the scheme locality. These are for both the scheme's physical footprint and for local accommodation works. Some of this land acquisition will impact on several gardens and business land (including a golf course). No buildings will be purchased.

Though a grant has been agreed by the Department for Transport this can only be used for activities directly relating to the production of the Full Business Case. Advance works such as advance planting, land acquisition, and mitigation measures must therefore be funded by Devon County Council (at risk subject to full approval of the Full Business Case in 2023).

The preferred route for acquisition is land purchase by negotiation, and conversations are in progress with landowners to progress this route. However, due to time constraints posed by the scheme's programme for FBC submission it is also necessary to run a Compulsory Purchase Order for all land parcels to ensure that any stall in negotiations would not impact the programme for the overall scheme.

### Tender

Decisions relating to the scheme's procurement are overseen by the scheme's dedicated Procurement Strategy Board. The team will work to procure the construction of the scheme in a way that provides Value for Money, and which is aligned to DCC's appetite for risk.

Further Cabinet approval will be sought once the preferred contractor(s) and final price for the scheme is known prior to awarding any contract(s). A tender will not be awarded before FBC approval and grant award.

## **4. Options and Alternatives**

### Scheme Design & Progression to FBC

The scheme design has been through consultation and planning, with feedback incorporated as required prior to OBC submission. At this stage of scheme development, the strategic nature of the scheme is fixed.

If the Full Business Case is not progressed, the programme will stall, and the current MRN funding opportunity will be lost. This would also mean that any money that DCC has spent to date at risk would be lost.

### Land Acquisition & CPO

Throughout the design process work has been undertaken to minimise the amount of additional land required to build the scheme. Wherever possible DCC will continue to work with landowners to identify opportunities to secure the land by negotiation and mitigating any impacts of acquisition where it is required.

### Advance Works

The scheme's planning permission has several planning conditions attached which must be met. Several of these relate to advance works and in particular advance planting. In addition, there is a need to carry out land acquisition mitigation measures and utility diversions.

If these activities were not undertaken at risk in tandem with the production of the Full Business Case and were instead undertaken after full approval was given by the DfT, then the programme for delivery would be significantly extended and there would be additional risks placed on the contractor. This extension of programme would be unlikely to be accepted by the DfT, as the ability to deliver the scheme quickly is a key aspect of the scheme's business case.

### Tender

The FBC cannot be submitted without going through a robust and full procurement process, identification of a preferred contractor and tender price (though some smaller elements may be submitted as an estimate where these are to be procured significantly later in the programme).

## **5. Consultations, Representations and Technical Data**

The Drumbridges to Forches Cross stretch of the scheme was included in the Teignbridge Local Plan. The scheme itself was also subject to a full public consultation. Further consultation was carried out as part of the planning application, prior to it being granted planning permission in June 2017.

The revised Jetty Marsh II section was granted planning permission in September 2019.

Proposed improvements to Exeter Road were consulted on in November 2018 and presented to Devon County Council's Cabinet in February 2019.

## **6. Financial Considerations**

The majority of the scheme's funding is expected to come from a bid to the Department for Transport's Major Road Network investment programme. This total cost includes a local contribution of 15% which is a requirement of the MRN funding process. This local contribution will be a combination of LTP grant, section 106/Community Infrastructure Levy (local development contributions) and South West Exeter Housing Infrastructure Fund recycled developer contributions as agreed at Cabinet 14/10/2020 PTE/20/25. The majority of which is located in Teignbridge and is aimed at unlocking/enabling housing. It should be noted however that whilst the expenditure is profiled to take place in 2025/26, the majority of the developer

contributions are not expected until 2026/27 at the earliest. This has been taken into account in forward funding reporting and monitoring.

In the immediate term, activities which are not covered by the DfT grant for developing the Full Business Case will be funded from the Local Transport Plan<sup>1</sup> with these funds repaid in future years assuming approval of the FBC.

Table 2: Funding Profile

		Local Transport Plan & Developers £million	DfT £million	Total £million
20/21 Sunk Costs	OBC submission	0.4		0.4
Advance Works 21/22 – 22/23	Land, planning, utilities & advance works	2.5	0	3.4
	Detail design, legal & tender	0	0.9	
Advance works 23/24	Land planning, utilities & advance works	1.5		1.9
	Detail design, legal & tender		0.4	
Construction 2024 -2027		2.33	36.82	39.15
Total		6.73	38.12	44.85

## 7. Legal Considerations

The lawful implications of the recommendations have been considered and taken into account in the formulation of the recommendations set out above.

Private land belonging to a number of landowners is required for the Phase 3 scheme. It is the aim that all land and rights required would be secured by negotiation or by Compulsory Purchase Orders. If there are objections to the Compulsory Purchase Order then a public inquiry may be necessary, and this will require significant legal input.

## 8. Environmental Impact Considerations (Including Climate Change)

For the Planning Application, environmental considerations for the whole scheme were assessed through an Environmental Impact Assessment.

Regarding biodiversity impacts, construction of the scheme will lead to potential loss of habitats, disturbance from lighting and risk of traffic associated mortality. Mitigation measures will be implemented to avoid impacts where possible and

<sup>1</sup>

[https://urldefense.com/v3/\\_\\_https://democracy.devon.gov.uk/documents/g4174/Public\\*20reports\\*20pack\\*2008th-Sep-2021\\*2010.30\\*20Cabinet.pdf?T=10\\_\\_JSU!JSU!!B5cixuoO7ltTeg!XuYtoRaNdpMtLch9kCfulAxtQqB5\\_kzpk7r2NhMlldSbrPep3yJ2v8UhVpUdOnKbLg\\$](https://urldefense.com/v3/__https://democracy.devon.gov.uk/documents/g4174/Public*20reports*20pack*2008th-Sep-2021*2010.30*20Cabinet.pdf?T=10__JSU!JSU!!B5cixuoO7ltTeg!XuYtoRaNdpMtLch9kCfulAxtQqB5_kzpk7r2NhMlldSbrPep3yJ2v8UhVpUdOnKbLg$)

reduce the potential impacts such as habitat re-creation and a sensitive lighting plan. With this mitigation in place, the scheme is shown to have a neutral impact on biodiversity.

In terms of landscape, the scheme will alter the width and alignment of the existing A382 carriageway. Replanting trees and hedgerows will help to mitigate the impact on landscape, therefore the impact on landscape is slight adverse.

The noise assessment considered the impacts on annoyance and disturbance associated with changes in the road traffic noise in terms of numbers of properties affected. With mitigation in the form of a low noise road surface and acoustic fencing the noise impact of the scheme is expected to be neutral. The Air Quality impact of the scheme is predicted to be neutral.

The scheme includes measures which would reduce impacts on air quality including road design to encourage free flow of traffic and the new shared pedestrian and cycle path which will encourage the use of sustainable transport modes.

Water Environment impacts have been assessed and a detailed Surface Water Sustainable Drainage Strategy (SuDS) has been produced. Due to the lack of formal drainage currently in place, along with the age of the existing structures along the current route of the A382, it is considered that the proposed development will have a net improvement in relation to water quality, flood risk and watercourse conveyance once appropriate mitigation measures have been put into place.

The scheme will lead to positive social impacts, by benefitting all road users including bus users through improved journey time reliability and pedestrians and cyclists through the introduction of new facilities. The scheme will improve access to and from Newton Abbot resulting in a cost saving for new and existing residents. Economic, social and environmental wellbeing will be improved through better access to employment, education and recreational destinations.

Further work is being undertaken as part of the production of the FBC to fully understand the carbon implications of the scheme.

## **9. Equality Considerations**

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment/Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this particular scheme, an Impact Assessment has been prepared which has been circulated separately to Cabinet Members and is also available alongside this Report on the Council's website at: [A382 MRN Improvement Scheme Impact Assessment September 2021](#), which Members will need to consider for the purposes of this item.

The scheme will have a positive impact on pedestrians and cyclists with the provision of new shared pedestrian/cycle infrastructure including paths and a bridge. This will enable sustainable travel in the future to/from new and existing employment, educational and residential developments on the A382 corridor and surrounding areas.

In economic terms the scheme will facilitate travel and development which will have a beneficial impact upon the local economy by enabling employment and housing development in the area to proceed with mitigated impact.

## **10. Risk Management Considerations**

The scheme is subject to the normal engineering risks. A quantified risk assessment has been undertaken and these risk costs have been included in the scheme estimate. The top four risks are as follows:

- An environmental issue (such as discovery of a protected species) occurs such that it is not possible to obtain a license for clearance, delaying the programme. To mitigate this, advance surveys continue to be undertaken to understand if any protected species may be present
- Inflation or other market conditions occur such that the bid prices returned during the tender process are beyond the funding envelope of the scheme. This risk will be monitored through ongoing procurement exercises for other schemes and through market research
- Unexpected ground conditions could occur such that the feasibility for building the scheme as it is currently designed becomes impossible. This risk is being mitigated through ground surveys which are currently being undertaken to inform the detailed design process
- Statutory utilities are found to be impacted by the scheme such that extensive mitigation or relocation works are required, delaying the programme and impacting the budget. To mitigate this risk early meetings are being held with the relevant utilities and the lead in time for any works is monitored against the programme.

## **11. Public Health Impact**

Many scheme elements, including increased road width, better alignment, new junction layouts and segregation of non-motorised users will have a demonstrable improvement on the poor road safety record of the existing road.



The provision of a shared pedestrian/cycle path will also encourage travel by sustainable, active modes in the future to/from new and existing employment, educational and residential developments on the A382 corridor and surrounding areas.

The scheme is and will continue to be subject to Road Safety Audits.

## **12. Reason for Recommendation**

The scheme enables the third Phase of the A382 improvements to be constructed with the aim of fulfilling the overall scheme objectives to deliver development, improve journey times, improve safety and encourage the use of sustainable modes of transport. The scheme is consistent with the aims of the Devon and Torbay Local Transport Plan 3 and the Local Enterprise Partnership with regard to economic growth.

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Electoral Divisions: Newton Abbot North and Newton Abbot South

Cabinet Member for Climate Change, Environment and Transport: Councillor  
Andrea Davis

### **Local Government Act 1972: List of Background Papers**

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Background Paper	Date	Reference
Nil		

A382 Drumbridges to Newton Abbot Major Road Network Scheme Phase 3 - Final

Appendix 1 to PTE/21/32 – Scheme Design

