



Purpose: For Decision

Committee report

Committee	CABINET
Date	TUESDAY, 12 OCTOBER 2010
Title	MILITARY ROAD (A 3055) - OPTIONS
Report of	CABINET MEMBER FOR THE ENVIRONMENT, TRANSPORT AND CORPORATE SERVICES

PURPOSE

1. To consider the outcome of the consultation undertaken with regards to the future of the Military Road and to confirm the Council's approach to stability issues on the Military Road, specifically at the cliff edge between Brook Bay and Hanover Point.

OUTCOMES

2. An agreement as to what action, if any, the Council should take to address the land stability issues on the Military Road between Brook Bay and Hanover Point.

BACKGROUND

3. This matter was previously considered by Cabinet at its meeting of 30 March 2010. The report considered by Cabinet at that meeting, which included a detailed history of the Military Road, the problems associated with coastal erosion and in particular the loss of over 12 metres of cliff edge during the first few weeks of 2010, can be found at the following web address:
www.iwight.com/council/committees/cabinet/30-3-10/Paper%20I.pdf.
4. At the meeting of 30 March 2010, Cabinet noted the very significant difficulties in re-routing the Military Road inland and resolved to engage in further consultation with local communities, landowners and relevant bodies prior to making a formal decision as to which option to pursue.

STRATEGIC CONTEXT

5. The previous cabinet report set out in detail a number of issues relevant to this area. These included the fact that land in the area had national and European environmental designations, was within an Area of Outstanding Natural Beauty and formed part of the Heritage Coast. The report referred to the Unitary Development Plan and designation within the Shoreline Management Plan as being within an area which precluded any active intervention and works to provide or maintain sea defences.
6. Actions to improve the condition of our local roads, make them safer and increase travel choice are integral part of the Council's Corporate Plan and the PFI investment programme.

7. The March 2010 cabinet report also identified that much of the relevant land, including key areas alongside the immediately critical section, is owned by the National Trust and is “inalienable land” – to be protected in perpetuity. Critically it also highlighted that works to underpin and reinforce the high level section of the road at Afton Down received planning approval with the condition that the piles installed had to be removed within 50 years of the approval, which gives the road a further maximum lifespan of 43 years.

CONSULTATION

8. The Council has previously sought advice and comment from a range of organisations and bodies as part of the consideration of the options available. These included Environment Agency (EA), Natural England (NE), the Isle of Wight Area of Outstanding Natural Beauty Partnership (IOWAONBP), Brighstone Parish Council, Isle of Wight Chamber of Commerce, Tourism and Industry and National Trust.

Meetings

9. Further and more wide-ranging consultation has been carried out following the decision taken by Cabinet on 30 March 2010. This includes:
- A meeting on 17 May 2010 with environmental bodies, National Trust and others.
 - A meeting on 11 August 2010 with Brighstone Parish Council. This meeting was attended by 32 members of the public.

The issue has also been raised again with Department for Transport and the European Union (EU).

Exhibitions, displays and website

10. A set of ten exhibition panels were designed explaining the history of the road, the geology of the area (with detail inset illustrating the extent of clays and marine gravel), local policies, finance and the position taken by the relevant environmental bodies.

These were used in the manned exhibition trailer at the following locations:

- Chale Show
 - Freshwater Bay Car Park
 - Compton Bay Car Park
 - Brook Village Green
11. The panels were also reproduced and mounted on an unmanned display trailer which was made available for inspection 24 hours a day in a number of prominent locations including:
- Brighstone village - Main Road.
 - Brook - village green.
 - Compton Bay Car Park.
 - Blackgang View point car park.
12. A full copy of the display was available on our website at www.iwight.com and in Brighstone Library. Copies of the feedback forms were available on the website and at all the manned locations – including Brighstone Library.

Comments and Feedback

13. Comments and feedback were received electronically and in hard copy via the feedback forms, as well as by email and letter.
14. The Council's head of highways and transport briefed Brighstone Parish Council on the consultation plans at their meeting of 11 August and answered questions posed at that time. The minutes of this meeting are available on the Brighstone Parish Council's website at:
www.iwight.com/council/parish_councils/brighstone/images/MINUTES_A_20100811_A_UG_2010_DFT.rtf.
15. A petition containing 38 signatures, all from the Midlands, lobbying for the road to be retained was forwarded to the Council from Andrew Turner's office.
16. Formal responses were also received from those bodies listed in paragraph 8 above. We received individual responses from:
 - The Chair of the Tourism Development Board, Isle of Wight Chamber of Commerce, Tourism and Industry.
 - Shanklin Chine Historic Gorge
 - Simon Dabell – Blackgang Chine
17. A total of 341 people attended manned exhibitions which were staged at the Chale Show, Freshwater Bay, Compton Bay and Brook Village Green. An indeterminate number of others viewed the material on the Council's website and on panels displayed on an unmanned trailer which was moved to various locations throughout the area.
18. The majority of the responses received (47.5%) supported the retention of the road, and when asked what priority they would give this work the majority (37.9%) also thought this to be the highest priority.
19. The reasons cited were:
 - The road is vital to the local economy and was seen by many as one of the most spectacular roads in the country and a tourist attraction in its own right.
 - It is a vital link between Ventnor and the West Wight
 - Every effort should be made to save the road and "doing nothing was not seen to be an option"
 - Rerouting traffic inland through Brook and other villages was seen as being unacceptable, particularly in terms of traffic, road width and junction layout.
 - It was seen to be contrary to previous efforts where "millions had been spent" maintaining the Afton Down section only to allow it to disappear in a location where re-routing is possible.
 - Some respondents felt that the scheme should be included in the Highways Maintenance PFI and were concerned about the longer term implications of erosion on residential properties and businesses.

Alternative suggestions

20. A number of alternative suggestions have been made as a result of the consultation and publicity. These include reinforcing the cliff edge, pilling the road, building a bridge structure and installing a cut off drain to intercept groundwater.

21. The suggestion that a “cut off” or “French drain” be dug inland of the road has been put forward by two local experts including environmental consultant, Dr Bruce Denness, and Portsmouth University Professor in geology, Derek Rust. They highlighted the problems caused by underground water and suggest the digging of a drainage trench inland to take the water away from the area for controlled disposal. Dr Denness has subsequently suggested that surface water leaking into the ground from a water course may be contributing to the problem.
22. Fuller details of the consultation, dates, numbers attending the exhibitions and comments made are included within Appendix 1 of this report

FINANCIAL / BUDGET IMPLICATIONS

23. The previous report www.iwight.com/council/committees/cabinet/30-3-10/Paper%201.pdf identified the potential costs of providing a bypass around the affected area as being approximately £8 million. The report also concluded that this level of funding was not achievable, either from the Council’s own resources or from the European Union (EU) or the government. The report was also clear that PFI funding was only for road maintenance and not the construction of new roads. The possibility of achieving funding support has, if anything worsened since March 2010.

Private Finance Initiative

24. Further consideration has been given to the possibility of carrying out works under the PFI. It remains the case that our PFI bid is for the maintenance of existing roads and not for new road construction. If the road could be secured until the PFI became operational then there would be scope within the PFI funding envelope to maintain the route whilst it remains practical to do so. This may provide potential for more extensive interventions to secure the future of the road although they would need to be developed in detail with the successful PFI contractor.

Government funding

25. The previous report explained that the Council has previously been successful in achieving funding for major bids (£5 million+) from the government through the South East of England Partnership Board (SEEPB), to whom the government had devolved its funding allocation process.
26. The situation has changed since March 2010. The incoming government has brought about a number of reductions and the regional tier of government (SEEPB) was dissolved on 31 July 2010. The government has already reduced the level of funding available for local authorities and indications are that there will be further, significant reductions announced in October 2010 as part of the government’s spending review. It is highly unlikely that there would be a successful bid for funding to government in the current economic climate, particularly when considering that the cost / benefit ratio for works on the Military Road would be low

European funding

27. The Council had already investigated the possibility of achieving funding from the EU prior to the preparation of the previous report to cabinet. We have subsequently contacted the EU again and it remains unlikely that any funding could be achieved from this source.

28. The text of the response from government and the EU is included in appendix 1.

Possible costs

29. Every option has a financial implication and these are set out in the table below. The possible costs vary from £8 million for a major realignment, to £50,000 to close the road and divert the displaced traffic inland.

30. The potential costs are set out below.

Description of works	Approximate cost £s
To protect the coastline under immediate threat by the construction of sea defences.	£600,000
Retain the existing road by drainage through pile foundations.	£500,000
Retain the road on its current alignment by intercepting ground water from the adjoining land.	£200,000
To realign the road further inland	£8,000,000
Construct a by-pass for Brook	£8,000,000
Divert traffic via existing roads.	£50,000

31. It is clear that there is currently no scope to secure funding for works on the Military Road from external sources and there is limited flexibility within the Council's capital programme to meet these costs.

32. Should Cabinet choose to implement the recommended option, the £200,000 would be found from the following sources:

Funding from Highway Maintenance Programme

- Middle Road between Swainston Manor and Pump Lane – patch and surface dress rather than resurface (£40,000)
- Whitcombe Road, Carisbrooke – patch and surface dress rather than resurface (£40,000)
- South Street, Newport – defer resurfacing until 2011/12 (£100,000)
- Horsebridge Hill, Newport – defer footway resurfacing until 2011/12 (£20,000)

LEGAL IMPLICATIONS

33. The previous report set out the relevant legal implications and these remain valid. For as long as the vulnerable sections of Military Road remain in existence, the Council will need to carry out highway maintenance in accordance with its statutory duties as highway authority. This will include repair and maintenance to the extent that this can be carried out within the physical limits of the highway and any supporting structures. However, this would not include works necessary to stabilise the surrounding land which forms part of the landslip geological complex, or works to resolve the underlying movement problems attributable to groundwater seepage through the landslip areas.

34. Officers have taken the opportunity to discuss the issue with the National Trust, who own the land adjoining the critical section near Brook Bay, although as supportive as

they can be, any move to re-route the road inland through land within their ownership would require an approach under the Special Parliamentary Procedure under the Statutory Orders (Special Procedure) Act 1945. This would involve legal expenses and there is no guarantee that it would be successful.

EQUALITY AND DIVERSITY

35. If pursued further full consideration of the Equality and Diversity issues will be given and an Equality Impact Assessment carried out to look at what impacts any scheme may have on the community of the Island.

OPTIONS

36. A number of options exist, these are as follows:

- Option A) Protect the coastline under immediate threat by the construction of sea defences.
- Option B). Retain the existing road by drainage through pile foundations.
- Option C) Retain the road on its current alignment for as long as is possible by intercepting groundwater from the adjoining land.
- Option D) Realign the road further inland.
- Option E) Construct a by-pass for Brook.
- Option F) Close the road either side of the failure, install turning points, improve car parking, revise road signing and divert traffic via existing roads.

EVALUATION

37. Although classified as an A road the Military Road does not link any major settlements and is lightly trafficked.
38. The coast here is constantly changing and the complex and unstable nature of land and impact of underground water means that it is likely that any engineering solution will be overtaken by events. Officers have carried out further investigations of the area including the digging of a number of test pits adjacent to the failure which have helped inform our understanding of the complex geology of the area.
39. In any event the life of the road is ultimately limited by the works at Afton Down and the planning requirement to dismantle the piles within 43 years. It is considered highly unlikely that the Council would be able to successfully overturn this decision.
40. The coast here is covered by some of the most important nature conservation policies and the funding for any works will have to be found from within existing budgets.
41. Option A) – would involve the protection of the coastline under immediate threat by the construction of sea defences
42. It would be physically possible to protect the existing coastline using engineering techniques, however these works would require planning and other consents, including those required by the Coast Protection Act, would be contrary to the Shoreline Management Plan, European, national and local designations and are highly unlikely to be approved.

43. It is considered that these works would not stabilise the road on their own as the primary cause of slippage along this coast is not wave action, but is instead as the result of geological conditions and the actions of underground water.
44. Option B) - It has been suggested that the solution is to drain the existing road through the drilling of a number of vertical holes, filling them with rocks or aggregate to de-water the area under the road, taking any water away to beach level.
45. This option has its merits; however we know from geological studies that the area was once a river bed and the test holes recently dug on land nearby indicate that the extent and location of the marine gravel and clay deposits, would lead us to believe that this solution would be inadequate to cope with the amount of underground water that exists in the area.
46. However if this option was combined with option c) below, increasing the cost to £700,000, this would help to stabilise the ground beneath the road and would address the issue of ground water migration. Given the complex geology in the area no scheme can be guaranteed to be effective in securing the road.
47. Option C) - This option involves dewatering the unstable land by intercepting groundwater which is currently making its way into the gravel of an extinct river bed, travelling under the road and out through the cliff edge, causing the problems. This could be done by the construction of a cut off drain intercepting the water as it nears the road and by lining the adjacent stream so as to eliminate any seepage from this source. The water would then be taken into the existing drainage system for safe disposal at sea. Whilst geological conditions and previous experience in this area and elsewhere on the Island, has shown that nothing can be guaranteed, having undertaken test pits in the relevant area there is some confidence that this work would help stabilise the immediate area and possibly temporarily extend the life of the road at this point. Given the complex geology in the area it is not possible to be certain about how long the alignment would be retained with this intervention although that could be for another three or four years. The cost of the work has been estimated in the order of £200,000, although the works would need to be designed in detail to establish a more accurate cost.
48. It is important to note that this option will retain the section of road that is under threat as it currently is. In other words the road will continue to be one way under traffic lights.
49. As stated above, this option could extend the life of the road by three to four years. During this time it is possible that a source of funding for a more extensive project would be forthcoming, however this is unlikely given the environmental designations of the area and likelihood of a low cost / benefit ratio. It is also possible that extending the life of the road to the point where the PFI contract has commenced will enable the PFI provider to consider possible solutions, however any further works would still need to be funded from the Council's own resources. Ultimately, should no viable alternative solution be found it is likely that the road will be lost at this point and at that stage Option F would be come the fallback position.
50. Option D) - The major realignment of the route to the required standard would require land outside of the existing highway and as a consequence there would need to be a planning application to authorise the scheme. The National Trust own part of the land required and English Nature and the Environment Agency would be just two of the statutory consultees.

51. It is likely that any planning application will be challenged by the Natural England, AONB partnership, Environment Agency and others and that the planning application would be called in for a public inquiry. This whole process would not take less than three years, would be likely to cost the Council in the region of £500,000 - £750,000 and is highly likely to result in the proposal being rejected.
52. Subject to any necessary planning approval the Council would need to find funding for the new road, which taking into consideration the cost associated with construction, land acquisition and mitigation is thought to be in the region of £8 million.
53. Even if the scheme received planning approval, the cost would take it beyond the scope of the Council's budget, it is very unlikely that we would receive government support - especially in the current economic climate - and as a new construction it would not be possible to fund it through the PFI process.
54. Even if we were able to overcome all of these hurdles, this realignment of the route would only be a temporary solution bearing in mind the ongoing problem of coastal erosion. Looking at the erosion rate in this area, unless we re-route the road well inland we would still be facing the same sorts of issues within a comparatively short period of time. In any event, the planning approval for the higher section ultimately limits the use of this road making a strategy to continually realign the road further inland unsustainable.
55. Option E) - Brighstone Parish Council and others have suggested the construction of a by-pass for Brook. This option has a separate set of environmental issues which would need to be considered as part of a planning application. The construction of a by-pass here would have a similar order of cost and face similar funding issues to a major diversion on the Military Road.
56. Option F) - In view of the issues relating to funding, land designation / protection, ownership and ongoing landslides at Shippards Chine and elsewhere, the pragmatic alternative may be to terminate the existing road at appropriate points on either side of the failure and create turning point and improve car parking as required. The creation of an alternative cycleway / footpath through the upgrading of the remaining verge or improvements to the existing rights of way network would help to maintain the coastal path and cycle route.
57. The enforced closure would reduce the numbers of vehicles using the road. The road will in effect become two long cul-de-sacs with the result that a reduced total amount of traffic will divert to alternative inland roads and be dissipated across a number of routes.
58. This option raises significant concerns for those people living at Brook, Brighstone and other settlements in the vicinity, however it is considered that the capacity of the existing roads are sufficient to cater for dispersed traffic. If the Military Road is closed, the Council would put in place measures to ensure the free flow of vehicles and ensure the safety of all road users on alternative routes. This may include the restriction of parking in one or two areas, particularly where visibility may be an issue. We would monitor the situation across the area and will introduce other measures should they be required.
59. The signing of cross-Island traffic would be revised so as to divert traffic away from this area onto alternative roads such as the A3054, Newport to West Wight road and B3401

“middle road” Newport to West Wight route. Any remaining local traffic would be diverted inland and onto the middle road from junctions at Chale, Brighstone, Brook and Freshwater Bay.

60. Traffic figures would indicate that the possible inland diversion route through Brook and the other roads are operating at a fraction of their capacity and are more than able to carry the additional traffic flows which would result from a diversion of the Military Road traffic, if that was to be the decision.
61. In view of this there would be no need for parking restrictions to ensure adequate capacity, although occasionally people would have to give way to those travelling in the opposite direction if parked vehicles were encountered.
62. In terms of the safety and traffic speed on the inland route, the Council has no reason to assume that there would be any greater risk of accidents on this route than on any of the island's other roads. It is considered that speed limits already in place are appropriate and the Council has no reason to assume that those would not be respected by motorists. As with any planned change to traffic routes, the Council would monitor speeds, traffic flows and accident rates carefully in Brook village and along the whole route and make whatever interventions are thought necessary to ensure that the route continued to operate safely.

RISK MANAGEMENT

63. Without intervention it is clear that over time the road will become progressively less safe for use by vehicular and non-vehicular users as the carriageway becomes distorted and/or further sections collapse. The Council will need therefore to consider in the future of the route and how to manage this risk.
64. Options A to C to retain the road on the existing alignment with the existing one way traffic signal control represent a risk to the Council both in cost and reputation. There is no budget provision for this work and limited scope to release funding through reprioritisation of the capital programme.
65. Given the uncertainty of the effectiveness of the options to retain the road online there is a risk that if pursued these options may not be successful.
66. Option A and C would require the consent of the land owners to allow implementation. Whilst it has been established that they are comfortable with that in principle these agreements have yet to be secured formally. If these cannot be achieved then the schemes could not be implemented.
67. Option F is of a lower risk; however consideration must be given to any impact on tourism and residential properties from the closure of the road to through traffic. Consideration must also be given to residents who live along the existing inland routes and who believe that roads in their area may experience additional traffic.
68. These concerns may however be offset by others including those who may welcome the comparative tranquillity brought about by the absence of traffic along this section of the coast and be happy to access the area from either end or travel through on foot or cycle.
69. When the road becomes unsafe, the redirection of unnecessary traffic away from the Military Road would present fewer risks to the remainder of the road and may help

prolong its life. However there may be opposition from those who believe that they will be affected by rerouted traffic.

RECOMMENDATION

70. Option C) - Retain the road on its current alignment for as long as is possible by intercepting groundwater from the adjoining land.

APPENDICES ATTACHED

71. [APPENDIX](#) – Details of consultation and feedback.

BACKGROUND PAPERS

72. Cabinet Report 30 March 2010 www.iwight.com/council/committees/cabinet/30-3-10/Paper%201.pdf
73. Minutes of Cabinet meeting 30 March 2010
www.iwight.com/council/committees/cabinet/30-3-10/minutes.pdf
74. Unitary Development Plan www.iwight.com
75. Isle of Wight Local Transport Plan 2001-2006 www.iwight.com/transport
76. Isle of Wight Local Transport Plan 2006-2011 www.iwight.com/transport
77. Shoreline Management Plan – Latest consultation www.coastalwight.gov.uk/smp/

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