

Cabinet Meeting on Wednesday 15 December 2021

Burton Town Deal – River Trent Cycle / Footbridge Update



Cllr Philip White, Deputy Leader and Cabinet Member for Economy and Skills said,

"The proposed River Trent cycling, and pedestrian bridge would utilise nearly £7million from Burton's Town's Fund allocation – offering a fantastic opportunity to improve sustainable transport and revitalise the riverside areas. Our aim is to secure the additional funding needed to ensure we have an all-year round accessible facility.

The bridge would also extend the leisure uses of the Washlands area, including proposed new visitor centre, by creating a circular walking or cycling route without traffic.

The Towns Fund investment would bring long-term benefits to Burton and the surrounding areas and complement other proposed projects in the programme. These in turn will help attract future investment, businesses and create jobs."



Cllr David Williams, Cabinet Member for Highways and Transport said,

"The new bridge over the River Trent would support the future regeneration of Burton and improve connectivity into the town for walkers and cyclists on the east of the river. It would also attract visitors and boost tourism on the riverside area and businesses located there. During the pandemic more people have discovered enjoyment through walking and cycling and we want to sustain that legacy in Staffordshire wherever we can.

The new bridge would provide a pleasant traffic-free route for people, providing benefits for communities in the long-term. We recently completed a public consultation on the project with most respondents supporting the scheme.

Their feedback on elements such as lighting will help us to shape the design. The funding allocation unfortunately falls short of the bridge we would need to build – one which is accessible all year and that will not be affected by high water levels. We will work with the Towns Fund Board to bid for the additional funding needed.”

Report Summary:

This report updates Cabinet on progress since August 2020 in respect of the proposal to create a new traffic free bridge over the River Trent in Burton to improve access for pedestrians and cyclists between the east and west sides of the river, increasing access to the town centre and the Washlands park.

Recommendations

We recommend that Cabinet:

- a. notes the earmarked award of £7,183,099 from the Burton Town Fund grant towards the creation of a new traffic free bridge over the River Trent at Stapenhill Hollows, Burton.
- b. notes the feedback received as part of the public consultation exercise which was conducted as part of the Business Plan process.
- c. notes the risks around affordability and useability in the flood plain and is supportive of the project proceeding conditional on these issues being mitigated to the Council’s satisfaction which will require additional external funding to be secured to enable the full scheme to be implemented as originally presented to the Town Deal Board.
- d. approves the submission of the Business Case to East Staffordshire Borough Council, as the accountable body, in conjunction with the Burton Town Fund process agreed by Government, in the sum of £7,183,099 to secure the pre-Business Case costs, future design fees, tendered cost of the river crossing, associated ramps and footway links and a 12.5% construction contingency fund as set out in the Business Case
- e. approves the preparation of a complimentary Business Case in readiness to include within the County Council’s bid to the Levelling Up Fund, or other suitable external funding opportunities, to secure the necessary additional funding to complete the entire length of the stilted walkway structure either side of the new river crossing linking to Stapenhill Road to the east and Andressey Bridge and the Remembrance Gardens to the west

- f. receives further reports once the detailed design stage has been completed and the tendered construction costs are known in order to establish the position of the separate funding bids which combine to create an overall project and does not proceed to award any construction contract until Cabinet are satisfied that sufficient funding and contingencies are in place

- g. agree the principle of adopting the bridge, ramps and stilted walkway structures as part of the local publicly maintainable highway network whilst continuing to work with East Staffordshire Borough Council and Government to investigate innovative ways of offsetting future maintenance costs including potential commercial sponsorship and the retention of any unspent construction contingency to be ring-fenced to this specific bridge as a commuted maintenance sum



Local Members Interest	
Conor Wileman	Burton Tower
Arshad Afsar	Burton Town

Cabinet – Wednesday 15 December 2021

Burton Town Deal – River Trent Cycle / Footbridge Update

Recommendations of the Deputy Leader and Cabinet Member for Economy and Skills and Cabinet Member for Highways and Transport

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Report of the Director for Economy, Infrastructure and Skills

Reasons for Recommendations:

1. Following production of an initial feasibility study prepared in conjunction with the Town Investment Plan submission to Government in December 2020 further design work has been carried out and a public consultation has been completed to gauge public opinion on the proposals.
2. The allocation of significant external funding from the Towns Fund enables the construction of a significant piece of infrastructure earmarked for delivery in Staffordshire's Local Cycling and Walking Improvement Plan (LCWIP), as presented at Prosperous Staffordshire Select Committee on 15 April 2021 and approved by Cabinet Member for Highways and Transport Delegated Decision on 14 June 2021.

Report Summary

3. At their meeting in August 2020 Cabinet received an update on the County Council's proposal to bid with East Staffordshire Borough Council for a new traffic free bridge over the River Trent between Stapenhill Hollows and Burton Town Centre.
4. In December 2020 East Staffordshire Borough Council (ESBC) submitted a £25m Town Investment Plan to MHCLG as part of the Stronger Towns Fund programme. The bid received an earmarked funding allocation of £22.8m in March 2021 (later increased to £23.8m).
5. The responsibility for submitting the bid and delivering the project management sits with ESBC as the accountable body. The Borough Council have created a Burton Town Deal Board, chaired by Mr. Ben Robinson, Chairman of Burton Albion Football Club. The development of the Town Investment Plan was a consortium approach, with SCC,

amongst others, actively involved at Board level. SCC are represented on the Board by the Deputy Leader and Cabinet Member for Economy and Skills and the Cabinet Member for Communities and Culture with officer support from the Strategic Delivery Manager.

6. Further to the earmarking of funds at the Town Investment Plan stage it became a requirement of each project sponsor to prepare a Full Business Case for their individual projects, to the Green Book standard expected by Central Government. The County Council is the project sponsor for the "New Pedestrian & Cycle Crossing over the River Trent", which now has an earmarked allocation of £7,183,099 from the Town Fund. Further public consultation of the proposals was a pre-requisite element of preparing the Full Business Case. A copy of the Burton Town Fund Grant allocation and conditions are provided at Appendix 1.
7. This report sets out the findings from the public consultation and seeks approval to the submission of the Full Business Case.

Background

8. The Burton upon Trent Regeneration Strategy (February 2019) was approved by Cabinet on 17th July 2019. Cabinet agreed to support further exploration and implementation of the recommendations contained within the report through the Burton Town Regeneration Board. The Strategy detailed a 'six step approach' to make the town centre whole and to improve its profile as a town centre. This included "re stitching the high street, connecting the Washlands to the town centre, addressing circulation and movement in and around the town centre, improving and identifying new public realm space, introducing new green links into the town centre and repopulating the town centre making it a place to work, live and play".
9. In July 2019, the Government announced a £2.6 billion Stronger Towns Fund (STF) programme, and ESBC were invited to bid for resources to improve Burton. An indicative £25 million has been earmarked and can be drawn down over a period of up to 5 years. Interventions that could be supported through the Towns Fund include, Local Transport, Digital Connectivity, Urban Regeneration, Planning and Land Use, Arts, Culture and Heritage, Skills and Enterprise infrastructure. Community engagement and consultation is a requirement of the bid process to ensure local ownership of the plan.

River Trent Cycle Bridge

10. The STF investment criteria placed a significant emphasis on green transport infrastructure. Residents from the east of the River Trent can only reach Burton by one of two bridges; Burton Bridge to the north and

St. Peters Bridge to the south which substantially adds to the walking / cycle distance into the town centre, or more likely creates a dependency on private car. Once in the car from that side of the river it is just as easy to drive out of Staffordshire to shops in nearby Swadlincote than battle the traffic over the two river bridges and to find a parking space.

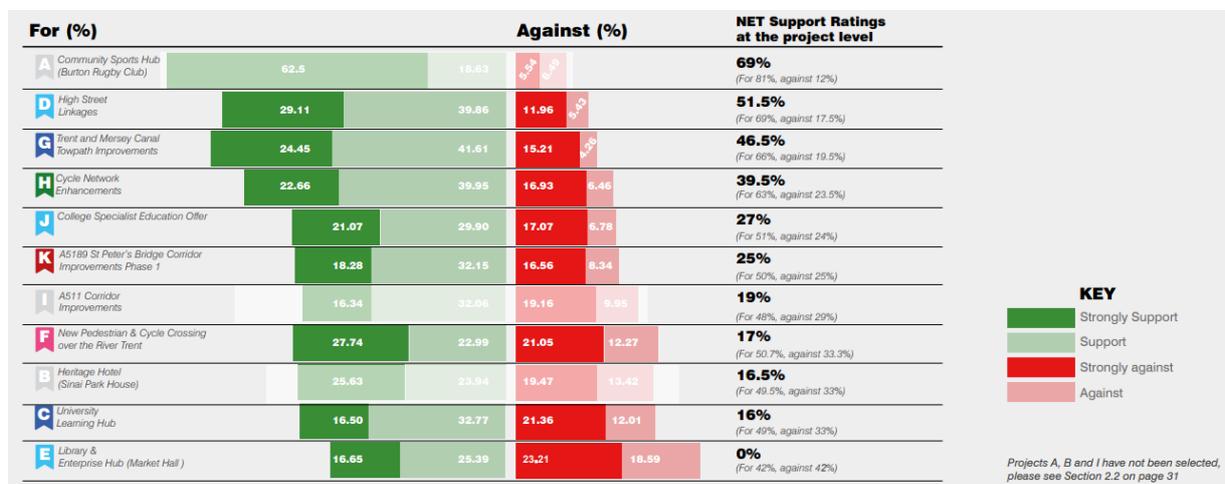
11. Amey Consulting has produced a full feasibility study (December 2020) to create a new foot / cycle bridge over the river midway between the two existing river crossings. There are a range of options contained within the report from purely bridging the river (circa 60 metres) itself accepting that this would be unreachable in times of flooding (circa £7.5m), to creating a structure which would provide a permanent access above the flood plain (circa 400 metres) which would be open regardless of whether the flood plain is in operation or not (circa £11m).
12. A new bridge in this location will improve walking and cycling access to the town from the communities to the east of the River Trent, namely Brizlincote, Winshill and Stapenhill. It also fully aligns with the ambitions of the STF funding guidance and the ambitions of Staffordshire's LCWIP which was reported to Prosperous Staffordshire Select Committee on 15 April 2021 and approved by a Cabinet Member for Highways and Transport Delegated Decision on 14 June 2021.
13. The new bridge features in the approved Staffordshire LCWIP where under the Burton commentary it states "Going forward, investment in the walking and cycling network will support regeneration proposals for the town centre that could potentially be delivered through Town Deal funding, including improved access to the rail station and investment in the Trent & Mersey canal".
14. The Town Board was unable to support the full scheme (circa £11m) as it would impact on their ability to fund other complimentary schemes but has agreed to support a reduced scheme (circa £7.2m) providing access over the river itself and accepting that for a small percentage of the year (estimated at around 5%), when the river has burst its banks, that the bridge will not be usable. The Council welcomes the support of the Town Deal Board whilst noting the risks around affordability and useability in the flood plain and is supportive of the project proceeding conditional on these issues being mitigated to the Council's satisfaction which will require additional external funding to be secured to enable the full scheme to be implemented as originally presented to the Town Deal Board.
15. The Chancellor announced an intention to open a further bidding round for the Levelling Up Fund in his Autumn Budget and Spending Review 2021 speech. The County Council has an opportunity to bid for

transportation schemes through this fund and will take the opportunity in 2022 to seek to secure the additional funding necessary to complete the bridge as originally presented to the Town Deal Board, utilising the Town Deal funding as match funding against further draw down of Government investment.

16. The exit point into the town centre coincides with the back of the existing library and the southern end of the Burton riverside regeneration project and will provide new footfall into this development. The bridge will also enable day visitors to the proposed Washlands Visitor Centre and bike hire facility, to be constructed on the site of the existing library, to explore the entire river flood plain via a circular walking / cycle route thus increasing the level of attraction and extending the length of stay for day visitors to the town.
17. The land to the east of the river is public open space owned by East Staffordshire Borough Council. The land to the west of the river is owned by Molson Coors (formerly owned by Bass Holdings Ltd), with this element being on a 99 year lease to East Staffordshire Borough Council which commenced on 1st February 1979 and therefore has 57 years of the lease remaining.
18. There is the potential to support the use of design and potentially construction services through the Infrastructure + contract arrangements with Amey Consulting and Amey Transport Infrastructure.
19. No investment has been requested by SCC towards the estimated capital cost of this project element at this stage. However, as project sponsor the County Council is required to underwrite any costs in excess of the allocation as the Town Fund allocation has a fixed upper limit. As project sponsor the Council has also been asked to take on the future maintenance responsibilities and liabilities for the new bridge. The County Council is not able to give any unconditional underwriting of cost at this early stage of the design process, however, through the partnership agreement with Amey Transport Infrastructure the Council accepts that they are best placed to manage those potential risks that could emerge and to design the bridge to minimise the future maintenance liabilities. This report recommends further reports to Cabinet at the end of the detailed design stage and again prior to construction starting in order for Cabinet to re-assess the element of financial risk to be accepted prior to entering into any construction contracts.

Feedback from public consultation

20. In preparation of the original Town Investment Plan during October 2020 East Staffordshire Borough Council carried out a short public consultation between 3rd and 11th October 2020 as part of the final selection process of projects to be shortlisted in the bid submitted to Government. At that stage the project received a positive net score of +17%.
21. This net +17% score is based on 50.7% of respondents who were for the project and 33.3% who were against it. The sample size was 861 responses via a SurveyMonkey poll. The scorecard is shown below (larger version available at Appendix 2);



22. The County Council ran a stakeholder session with user groups on 6th September to help inform the design team on some design choices. These were consolidated into the proposals which were used for a further the public consultation period.
23. The public consultation ran from 1st October 2021 until the 31st October 2021. Throughout this period residents could read a full set of Frequently Asked Questions on the Council's website. Residents were encouraged to complete an online questionnaire to capture their views.
24. A total of 220 questionnaires were completed during the month-long consultation period. Just over three quarters of the respondents lived in the wards to the east of the River Trent, namely Brizlincote, Winshill and Stapenhill. 59% of all respondents have indicated that they agree with the proposal to build a new River Trent foot/cycle bridge to improve access to Burton town centre, with just under 45% "strongly agree".

25. When asked whether the proposed bridge would encourage them to walk or cycle more often respondents indicated that their greatest use of the bridge would be for “other leisure activities” (56%), “spending time with family / friends” (50%), “shopping” (41%) and commuting “work” (13%). A full breakdown of the public consultation findings is presented at Appendix 3.
26. Some supplementary questions were asked to determine the public view on some of the optional elements of the scheme over and above the physical creation of a bridge over the river. In terms of the creation of a permanent car park extension at The Hollows car park in the location of the temporary construction compound 25% indicated they would be more likely to use the bridge if the car park were extended. This will be included in the next stage of detailed design, but it will remain an “optional extra” until there is greater cost certainty.
27. In terms of lighting different elements of the proposal 61% supported the idea of lighting the bridge, a very similar percentage (61%) supported the ability to light the bridge for special occasions and 57% supported lighting the connecting routes. Given the stronger support for these elements these will now become part of the detailed design brief, although the special occasion lighting will remain an “optional extra” until there is greater cost certainty.
28. Requests via the free text comments for a formal pedestrian crossing on the A444 in the vicinity of the cemetery have been noted and will also be included by extending the scope of the detailed design brief to capture this element to improve access particularly from Winshill by avoiding crossing at the busy crossroads of the A511 / A444.
29. A Full Business Case to Government Green Book standard has been prepared as part of the scheme’s development and subject to the recommendations contained within this report being approved the Business Case will be submitted after the call in period to East Staffordshire Borough Council, as the accountable body for the Town Fund.

Risk Management Strategy

30. An initial bid to Government was submitted for £7.5 million for the active travel bridge. In March 2021 Government confirmed an allocation to Burton of £22.8m, which was later increased to £23.8m. The effect of this top slice has reduced the available external funding for the bridge to £7,183,099. Value engineering will be considered as part of the detailed design to deliver a project that is within the funding envelope available. A number of elements of the scheme, namely the car park expansion and

the special event lighting, will remain as “optional extras” until a more detailed design and construction estimate are achieved through the next level of detailed design.

31. The table overleaf sets out at a very high level the broad areas of expenditure and contingency at this stage of the project.

	£k
Construction works	5,752
Professional fees (10% of construction cost)	575
Pre-Business Case costs	136
Contingency / Risk (12.5% of construction cost)	720
Total	7,183

32. The Council, through their appointed designers and construction partners, will need to design a solution within the available construction works budget as set out above to protect an adequate contingency for post contract award risks that might materialise. It would not be acceptable to begin the construction phase of a project of this type and in such an environment without a minimum of a 12.5% contingency allowance and this must come from within the available Town Deal resources. If this is not the case upon receipt of construction tenders then the contract award will not be made and instead the County Council will use its best endeavours to identify additional external funding to enable a contract award whilst protecting a minimum 12.5% contingency allowance. If, after a reasonable period, additional resources cannot be found to meet the required funding to commence the works then reluctantly the Council would need to withdraw the scheme and seek to negotiate appropriate withdrawal terms with Government.
33. The largest area of risk is ground conditions. Further work has been commissioned during the Business Case development stage to determine in more detail some of the unknowns and reduce risk during the detailed design phase. During late October 2021 / early November 2021 a series of four boreholes were drilled in the approximate locations of the intended main foundations for the structure. Three of the four boreholes have been successfully completed to the eastern side with bedrock encountered around 7.5m Below Ground Level (BGL). The upper 1m of bedrock (7.5m to 8.5m BGL) is relatively poor due to the overlain ground and the boreholes have been progressed to 15m through the bedrock to determine where the sound strata lie. These first three boreholes are in line with initial estimates and will now inform the design work and revised construction estimates which have been incorporated into the Business Case submission. The fourth borehole on the west side of the river had to be abandoned at a depth of 10 metres BGL having still not encountered bedrock. Additional drilling will need to continue until bedrock is

discovered, but a delay has been incurred as different plant is required to extend the borehole to a greater depth and this will not be possible now until early 2022.

34. The second largest area of risk associated with this project is that of extreme weather events which would render the working area under water as the River Trent is prone to large scale flooding events. This element of risk will stay with the project until the project is fully completed and therefore a healthy contingency will need to be applied to cover this eventuality. Engineering judgement will be applied based on historical flooding data to determine the best window for construction to mitigate this risk, but it cannot be removed completely and will also need to be cognisant of environmental protection legislation as the working area is also a habitat known to be used by protected species. The temporary work element of the main construction contract will be significant in order that should any extreme weather events occur during construction the damage to works carried out until that point would be significantly protected from scour by the flood waters. Access to the main working areas is likely to be limited for periods after the main flood waters have receded due to a waterlogged flood plain.
35. Several key environmental and ecological surveys and reports have been prepared to aid discussions with the Environment Agency regarding the protection of habitat and species namely a Preliminary Ecological Assessment, an Environmental Scoping Assessment and an Arboricultural Impact Assessment. Some protected species have been identified in the general locality around the proposed bridge and close liaison with the Environment Agency will be required as the project progresses. The protected species the scheme may have a direct impact on have been identified as otters, nesting birds, a Schedule 1 bird (Kingfisher), water voles and bats. In some places the mature tree's root envelope is to be protected from the works. The project will also directly result in some losses to minor trees and scrub within the immediate bridge's footprint and riverbanks. Himalayan Balsam has been identified as an invasive species.
36. There is a tributary to the River Trent, known locally as Peel's Cut. Access to the western bridge pier will require construction traffic to cross Peel's Cut. There is an existing bridge in this location. A bridge assessment has been carried out in October and the final report is due in the new year. This may require additional strengthening as part of the temporary works depending upon the bearing capacity and the nature of the plant and machinery needed for the main construction contract. There is an alternative option to install a temporary Bailey Bridge if the Oxhay Bridge is not able to be sufficiently strengthened but Cabinet should note that

this would add further cost to the project which is not currently included in paragraph 31.

37. An Architectural and Cultural Heritage desktop study has been completed and has identified six listed buildings/structures in the immediate and adjacent area of the scheme. These are Andresey Bridge (Grade II), iron shelter north of West Ferry Bridge (Grade II), St Peters Church (Grade II), stone archways to the gateway of Stapenhill Cemetery (Grade II), water tower to the rear of Bass' Brewery (Grade II) and Burton Abbey (Grade II*). Burton Abbey is also a scheduled monument and Stapenhill Cemetery is a registered park and garden. In due course, consultation should be undertaken with the County's archaeologist regarding the listed buildings as well as Heritage England for the Burton Abbey monument.
38. The bridge will be a cable stayed lightweight structure, with much of the structure manufactured off site which will minimise the time available for any extreme weather conditions to disrupt the installation. However, there will also be a significant amount of temporary works required to prepare the foundation piles and crane lifting pads. The design of these elements will need to factor in the potential for the temporary works to be inundated / surrounded by flood waters during the construction phase. Luckily, the River Trent catchment is very extensive and is not subjected to flash flooding. Flood waters normally materialise in Burton a few of days after an extreme weather event which will enable a smooth exit of plant and machinery from the working area and onto higher ground before the river bursts its banks.
39. Upon completion the bridge will be added to SCC's highway inventory, which then feeds into the Department for Transport's formula for annual capital maintenance grant funding. As part of the next stage of discussion with Government officers will engage to understand the opportunities for a commuted maintenance sum to form part of the funding package, particularly if the project contingency remains uncommitted at the end of the main construction period. Negotiations with landowners about their willingness to take on the longer-term maintenance obligations for the connecting routes to the bridge will be investigated at detailed design stage.

Legal Implications

40. Title reports on the associated land has not yet been undertaken. This will be done should the project proceed to the next stage of development. At this stage formal agreement from the landowners will also be necessary and Heads of Terms will begin to be developed which will

inform the design process in terms of temporary access arrangements, be that for construction phase or future maintenance access.

Resource and Value for Money Implications

41. The County Council estimates it will have spent £136k “at risk” to complete the Business Case including assessment of the ground conditions, ecology and bridge assessments. This funding will be reimbursed if the Business Case is successful. As detailed in paragraph 33 above an additional borehole to the west of the river will need to be completed post submission of the Business Case along with some additional ecology surveys and assessments which are seasonally dependent and have been unable to be completed during the compressed period allowed for Business case submission.
42. The estimated cost of the remaining surveys, assessments, bridge / ramps and associated connecting infrastructure is £5,752k. Professional fees (10%) equate to £575k. A contingency of 12.5% has been applied which equates to £720k. Therefore, the estimated cost to implement the river crossing only is £7,183,000. A successful complimentary external funding bid to secure additional finances for the remaining sections of the infrastructure to enable the County Council to implement the original proposal will be required before any construction contracts can be signed.
43. The maximum available funding available from the Town Fund is £7,183,099. Additional design work will be required to establish the full cost estimate for the original solution, originally £11,000,000 at Feasibility stage. Cabinet’s attention is drawn to a significant increase in construction prices since the original feasibility study was created. Any complimentary bid will need to account for these construction cost increases. Paragraph 30 sets out the risk management strategy that the Council will deploy during the detailed design stage.
44. A further report will be presented to Cabinet at the end of the detailed design stage and prior to entering any construction contracts which will identify the current position regarding risk and also the progress of the complimentary bid for additional funding from the Levelling Up Fund, or other suitable external funding opportunities, to complete the stilted walkway sections either side of the river crossing. This will enable Cabinet to have a more informed view of the potential risks around affordability and useability in the flood plain and will inform the procurement strategy for the choice of contract option.
45. It is noted that the financial risk of extreme weather events will exist until the scheme has been completed and this will be a factor to be considered at the point of receiving construction tenders, which under

the Council's scheme of financial delegation will need to be reported and approved by Cabinet as they will be in excess of the £2,000,000 threshold.

46. The estimated maintenance costs for a bridge of this style are in the region of £35,000 per year. This will become an additional 1 – 2% revenue burden on the highway structures budget which at present are under significant strain. The detailed design stage will seek to minimise the long-term maintenance costs against the available capital resources. During the detailed design stages the Council will also be exploring alternative funding models for the on-going maintenance of the new bridge, including commercial sponsorship.

List of Background Documents/Appendices:

Appendix 1 – Burton Town Deal Grant confirmation letter
Appendix 2 – Original public consultation findings (ESBC led)
Appendix 3 – Public consultation analysis (SCC led)

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