

**Executive Board – 22 October 2024**

<b>Subject:</b>	New Pedestrian and Cycle Bridge over the River Trent
<b>Corporate Director(s)/Director(s):</b>	Nicki Jenkins - Interim Corporate Director for Growth and City Development Paul Seddon – Director of Planning and Transport
<b>Portfolio Holder(s):</b>	Councillor Neghat Khan – Executive Member for Strategic Regeneration, Transport and Communications
<b>Report author and contact details:</b>	Paul Horn – Programme Manager, Major Projects <a href="mailto:Paul.horn@nottinghamcity.gov.uk">Paul.horn@nottinghamcity.gov.uk</a> Helen Wallace – Snr Project Manager, Major Projects <a href="mailto:Helen.wallace@nottinghamcity.gov.uk">Helen.wallace@nottinghamcity.gov.uk</a>
<b>Other colleagues who have provided input:</b>	Chris Carter – Head of Transport Strategy Richard Beckett – Head of Major Projects
<b>Subject to call-in:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Criteria for Key Decision:</b>	
(a)	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 or more taking account of the overall impact of the decision.
<b>and/or</b>	
(b)	Significant impact on communities living or working in two or more wards in the City. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Type of expenditure:</b>	<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital If Capital, provide the date considered by Capital Board Date: 1 <sup>st</sup> October 2024
<b>Total value of the decision:</b>	<b>Nil (Within approved capital programme)</b>
<b>Section 151 Officer expenditure approval</b>	Has the spend been approved by the Section 151 Officer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a Spend Control Board approval reference number:
	Following completion of the tender exercise approval will be sought from the Spend Control Board following award of the remaining funding from DfT and final costs for the bridge have been confirmed.
<b>Commissioner Consideration</b>	Has this report been shared with the Commissioners' Office? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Any comments the Commissioners wish to provide are listed below.
<b>Wards affected:</b>	Dales
<b>Date of consultation with Portfolio Holder(s):</b>	<b>12 September 2024</b>
<b>Relevant Council Plan Key Outcome:</b>	
Clean, Green and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input checked="" type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in Our Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input checked="" type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>



### **Summary of issues (including benefits to citizens/service users):**

The delivery of a new pedestrian and cycle bridge over the River Trent linking the Waterside Regeneration area with the Hook and Lady Bay area is included as part of the existing approved Transforming Cities Fund programme.

This is a high-profile scheme that will open up new safe routes for people living and working in Nottingham to travel in a more sustainable way for both commuting and leisure. The new bridge will also become a significant new landmark in the Trent Valley.

On 21<sup>st</sup> December 2021, the Executive Board approved the bridge location, the submission of the planning application and to secure the necessary land and highways agreements.

This report provides an update on progress made to develop the scheme since then and sets out the next steps required in terms of:

- a) entering into contract with the preferred SCAPE framework contractor
- b) securing all remaining agreements to see through the construction of the scheme, including land acquisition.
- c) future maintenance arrangements.

Approval of the scheme by the Council is also required to support progression through the Department for Transport's programme assurance process and secure the award of all remaining funding for the Transforming Cities Fund programme.

Subject to approvals, the main delivery contract will be signed in January 2025, with enabling works starting shortly after. The bridge will be constructed on site in the Summer of 2025 and lifted into place at the end of the year, with the remaining steps, ramps and public realm areas being completed in Spring 2026.

### **Does this report contain any information that is exempt from publication?**

Yes – Appendix 6 (Cost Breakdown) is exempt from publication under paragraph number 3 of schedule 12A to the Local Government Act 1972 because it contains information relating to commercially sensitive figures of a third party and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Recommendation(s):**

- 1 To note that planning approval has been secured for the scheme, and that a scheme order, under S106(3) of the Highways Act 1980, has been submitted to the DfT, and no objections have been raised.
- 2 To note the progress of procurement activities, to deliver the scheme, up to the value of £18m, pursuant to the approval by the Executive Board on 16<sup>th</sup> June 2020 as part of the Transforming Cities Fund (2) Programme, and that these activities have been delegated to the Corporate Director of Growth and City Development.
- 3 To amend the current capital programme to reflect the reallocation of funding approved by Executive Board on 16<sup>th</sup> June 2020, to the value of £18m.

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| <p><b>4</b> To note that approval to delegate authority to the Corporate Director of Growth and City Development to enter into, and secure the necessary land and highway agreements/acquisitions, with third-party landowners and enter into any necessary licenses with statutory agencies both within and outside of the City boundary, was granted by Executive Board in December 2021.</p> |
| <p><b>5</b> To approve that the City Council will maintain the pedestrian and cycle bridge over the River Trent, the bridge over Trent Basin and all connecting ramps and steps as a highway asset.</p>   |
| <p><b>6</b> To note that delivery of the scheme is to remain subject to compliance with the Department for Transport's assurance process for the programme and award of remaining allocated funding covering the cost of the scheme.</p>  |

## 1. **Reasons for recommendations**

- 1.1 The new pedestrian and cycle bridge is a key scheme included in the existing approved Transforming Cities Fund programme.
- 1.2 The scheme now has planning approval, a completed design that is currently being costed, and a scheme order S106(3) of the Highways Act 1980 (build over navigable water) has been submitted to the DfT, and no objections have been raised.
- 1.3 The main components of the scheme are to construct a pedestrian and cycle bridge over the River Trent, a smaller bridge over the Trent Basin, connecting ramps and steps and access paths, and improvements to surrounding paths.
- 1.4 The maximum budget for the delivery of the scheme is £18m, and only when an affordable fixed price is obtained, in December 2024, and the S106 Scheme Order has been confirmed by the Secretary of State, will the Corporate Director of Growth and City Development exercise their delegated authority to enter into contracts.

## 2. **Background (including outcomes of consultation)**

- 2.1 In December 2021 the Executive Board approved Trent Basin as the location for a new pedestrian and cycle footbridge and gave approval to progress the network arch bridge design and submit planning application(s) for the scheme. This followed significant public and stakeholder consultation undertaken earlier in 2021.
- 2.2 The scheme is funded through central government Transforming Cities Fund and the grant award of the £161m Transforming Cities programme was approved at by Executive Board in June 2020 and included delivery of the new pedestrian and cycle bridge over the River Trent. Since the programme was accepted the scheme has been fully developed and a provisional price has been obtained from the contractor in May 2024. This pricing provided greater cost certainty and confidence that the scheme could be delivered within the £18m, provision that is available within the TCF Programme. The design is now complete, and prices are being obtained on the open market, providing a fully priced project in December 2024.

- 2.3 The new bridge will offer improved and safer sustainable travel opportunities, for pedestrians and cyclists, from both sides of the river, and will provide connections to new development sites along the banks of the River Trent and into the City Centre and into local neighbourhood areas. The Waterside Supplementary Planning Document (SPD) was adopted in June 2019, and as well as identifying sites for housing development, also noted the poor connectivity over the River Trent.
- 2.4 Balfour Beatty, as Principal Contractor, have recently completed a pricing exercise to provide more robust costs for the delivery of the scheme. Balfour Beatty will formally submit a price to construct the bridge scheme in December 2024, and only if the value remains within the funding limit, will the Council enter into contract to construct. The current cost breakdown is provided in exempt Appendix 6.
- 2.5 In August 2023, contractor Balfour Beatty were appointed to take forward the previous feasibility design work and undertake all necessary surveys to progress the design and to provide documentation to inform the planning submission. The contractor has also focused on the key construction activities to deliver this complex engineering challenge to provide an 87m steel arch bridge across the river Trent. This included engaging with stakeholders and landowners to identify the space and access requirements to construct and erect and install the bridge.  
Appendix 4– Bridge Location.  
Appendix 5 – Bridge Design
- 2.6 In February 2024 the Council submitted planning applications to both Nottingham City Council and Rushcliffe Borough Council. Planning approval was subsequently received on 18th July 2024. A condition of the planning application was that the scheme should include the upgrading of paths to the southside of the river. Paths on the south side of the river, which provide the immediate connections to the bridge, will be improved using TCF2 funds to the value of up to £0.750M, as a requirement of the planning process. Other junction improvements on the south side of the river, to improve connections to the bridge, will be managed and implemented by Nottinghamshire County Council utilising a further separate allocation of £3.25m of TCF funding.
- 2.7 It is the intention to appoint Balfour Beatty, via a delivery agreement, under the Scape Framework, for construction of the bridge in January 2025, after the submission of their price in December 2024. The Scape Framework has been identified as the best route and Balfour Beatty are considered the best contractor to deliver a project of this nature. This will be a direct award, due to their experience of projects of this scope and value. Balfour Beatty have considerable experience in civil engineering projects, including bridge construction over waterways. The Council are working with external lawyers to prepare the contracts and agreed the clauses within it. Consultants, Pick Everard, have been appointed to undertake Project Management and Quantity Surveyor activities throughout the life of the project and Geldards are providing the full suite of legal services to support the scheme delivery, if it proceeds.
- 2.8 In principle land agreements are required to construct, locate and maintain the bridge are in place, and subject to approval, will be progressed to conclusion. A Section 8 (Highways Act 1980) agreement dated 26<sup>th</sup> June 2024, is in place

between the highway authorities of Nottingham City Council and Nottinghamshire County Council. A Section 106(3), of the Highways Act 1980 (application to build over navigable water), has been submitted to the DfT and no objections were raised during this process.

- 2.9 Part of the riverbank land on the south bank, on which the bridge and supporting ramps will sit, is in the ownership of the Environment Agency (EA). Previously the intention was to undertake the works by agreement however the EA have since indicated that they would prefer the City Council to acquire the land. In principle agreements are in place to acquire the land and approval is sought to acquire the land
- 2.10 The main construction compound will be sited on the north bank, on development land owned by Blueprint The steel sections of the bridge will be fabricated off site and brought to the site where the bridge will be erected before being lifted into place. The size and scale of the bridge requires that the former industrial building currently occupied by Flo Skate Park will need to be demolished to create the space required. Land and access agreements are required with Blueprint and the Nottingham Waterside and Management Company. These agreements are being progressed, and subject to approval, will be completed before the main delivery contract is entered into. A further satellite compound and haul road is required on the south bank to provide access to implement the bridge abutments and ramps. An agreement to gain construction access through the sports pitches is required and detailed discussions have been progressed and an in-principle agreement is in place.
- 2.11 The Waterside Supplementary Planning Document (SPD) was adopted in June 2019, and as well as identifying sites for housing development, also noted the poor connectivity over the River Trent and identified locations for a potential new foot and cycle bridge, of which Trent Basin was one. The scheme will support wider Council Strategies including Local Plan, Carbon Neutral 2028 and New Economic Plan.
- 2.12 Consultants (ITP) have undertaken Benefit Cost Ratio (BCR) assessments for the wider TCF Programme and have also undertaken a separate evaluation of the bridge scheme using the latest cost estimates. The BCR was rerun, following the latest review of the cost plan and was updated, showing that the bridge scheme has a BCR of just over 1:1 and therefore demonstrates a positive return on the investment.
- 2.13 The TCF programme funding is in place and will obtain the requisite project change approvals in respect of the extension to the delivery deadline under the TCF funding agreement. Officers are working closely with the DfT to provide assurances that the scheme is deliverable and remains value for money. Having planning approval in place and City Council approval for the scheme is part of the assurance requirements.

### **3. Other options considered in making recommendations.**

#### **3.1 To do nothing – Rejected**

Failure to progress to construction will prevent spend to date being capitalised and will result in a revenue pressure of around £3.8m. This will also have a negative impact on the Council's reputation.

- 3.2 Reduce the specification of the bridge – Rejected.  
This will not only result in extensive redesign, which will be costly, but will also cause slippage to the programme, which will be deemed as unacceptable by the DfT.
4. **Consideration of Risk**
- 4.1 The Project Team have undertaken a Quantitative Cost Risk Analysis (QCRA) based on the Monte Carlo Method. This continues to be reviewed on a regular basis.
- 4.2 The risk register is reviewed monthly, using risk calculation software. The value of the risks is being driven down and NCC risk are expected to be within the allocated contingency prior to awarding the construction contract.
- 4.3 All the Council's costs will be met through the external funding, including management costs. All costs incurred will be eligible capital costs that will result in no revenue burden to the Council, on the proviso that the project will progress to build.
- 4.4 Given the Council's current financial position it is imperative that any new works delivered minimise the Council's maintenance burden. To facilitate this, personnel from relevant departments have been included in the project governance structure to ensure that all elements of the scheme are designed and delivered in a manner which minimises costs and reduces ongoing maintenance requirements.
- 4.5 Extensive Stakeholder engagement was undertaken between November 2018 and January 2019. In addition, engagement with key stakeholders (Environment Agency, Canal and River Trust, Rushcliffe Borough Council, Trent Basin Residents, Blueprint, Water Management Company, Sports Ground and Friends of the Hook) continues on a regular basis.
- 4.6 In order to set up the contractor's compound and create a haul road on the South side of the river, it will be necessary to obtain a licence from the Sports Ground to allow this land to be used. Discussions with the Sports Ground have progressed, and a compensation sum has been factored into the cost plan. Heads of Terms, to be included within the licence, are now being drafted for agreement. The build contract will not be let until the Council is content that logistics are satisfied, and agreement are in place.
- 4.7 The bridge lift will take place in November 2025 and could be subject to disruption from poor weather conditions. In an attempt to mitigate this, the team will secure a suitable period of river closure from the Canal and River Trust (CRT).
- 4.8 The key risk for the final stages of the TCF programme are for delivery of the new Waterside Bridge, where funding is still to be confirmed by the DfT, as the scheme is to be delivered beyond the original grant funding deadlines. Discussions continue with a view to ensuring the full allocation can be contractually committed prior to the end of the calendar year.

- 4.9 The Project Team have been aware that construction costs remain volatile and subject to increase due to inflation and the procurement of steel. This was mitigated in May 2024, when the contractor went out to the open market to obtain costs. These costs have been factored into the overall cost plan and continue to be challenged.
- 4.10 The Council intends to enter into a fixed price contract with the construction contractor, using option A of the NEC4 contract. Within this contract sum will be agreed allowances for both inflation and risk.

## 5. **Maintenance**

- 5.1 In February 2022, Nottinghamshire County Council took a decision at their Transport and Environment Committee that the authority would not make any financial contributions to either the construction costs or ongoing maintenance costs of the new bridge. Therefore, all future maintenance costs for the new bridge will fall to Nottingham City Council. The bridge, the Trent Basin Bridge, and the connecting ramps and steps will be a highway asset and will be maintained as such.
- 5.2 The bridge has a designed working life of over 120 years and with routine inspection and maintenance should exceed this. As with any other structural asset, routine visual inspections will be required, and these will be arranged and funded by the Highways Bridge manager using existing budgets (at a cost of around £1,500 per annum).
- 5.3 The most significant cost element for the bridge maintenance will be the repainting of the structure. A traditional paint system lasts for 20-25 years, however at the request of the Highways Bridge manager, an alternative longer lasting paint system is being considered that will extend the life of the paint system to 60 years. This has an additional capital cost, if progressed, will be factored into the construction budgets. Future high value maintenance costs will be funded through funding bids, similar to other highway bridge infrastructure.
- 5.4 The landing area to the north will be maintained as highway. The bridge will have handrail lighting (to minimise disturbance to birds and bats) and the lighting will be added to the City Councils PFI contract which will cover future maintenance. A CCTV camera will be provided on the north bank, funded by the scheme. The ongoing revenue costs will be met using existing budgets held by the Neighbourhood Safety Operations Manager.
- 5.5 To reduce the potential for graffiti, lower-level sections of the bridge will have an anti-graffiti surface applied.
- 5.6 Discussions have been held with highways and neighbouring services, regarding the ongoing maintenance of the public space areas on the north bank. This includes litter collection and maintaining the planted areas. The planting will have 3 years maintenance from the suppliers, after which this will become a revenue pressure, similar to other trees/planting on new or improved highways.

**6. Best Value Considerations, including consideration of Make or Buy where appropriate.**

- 6.1 The design and construction of the bridge requires specialist design and construction, so cannot be undertaken in house.
- 6.2 The contractor has been appointed through the SCAPE framework, following a competitive OJEU tendering process.
- 6.3 The designer has carefully considered the longevity of the materials used, in order to minimise life cycle costings.

**7. Commissioner comments**

- 7.1 Commissioners are content with the report.

**8. Procurement Comments**

- 8.1 Procurement comments were previously approved by the Executive Board on 16<sup>th</sup> June 2020 as part of the Transforming Cities Fund (2) Programme. The proposed delivery route has not changed and Scape's Civils Engineering and Infrastructure Framework with Balfour Beatty Civil Engineering Ltd provides a compliant route for these works to be completed. Care should be taken to ensure that all framework call-offs are compliant with the terms set out in the Framework Agreement, Comments provided by Sue Oliver – Places Category Manager 28/08/2024.

**9. Finance colleague comments (including implications and value for money/VAT)**

- 9.1 This project and associated budgets are included within the current approved Capital Programme, therefore this decision does not amend the Council's approved Capital Budget and does not require endorsement by the Capital Board.
- 9.2 The project manager is required to ensure that expenditure is managed within the current approved budget, as due to funding pressures across the wider Capital Programme, funding is currently not available to manage overspend.
- 9.3 As detailed in the body of this report, Nottingham City Council will be responsible for the maintenance of the new crossing, with all future capital maintenance and improvements being funded from the external transport grants.
- 9.4 The report outlines that the bridge is adopted highways and as such, the Highways Authority is responsible in maintaining the highway, using revenue funding for all highway assets.

Comments provided by Tom Straw – Senior Accountant Capital Programmes 5<sup>th</sup> September 2024

Reviewed by Geetha Blood – Strategic Finance Business Partner, Growth and City Development – 5<sup>th</sup> September 2024

**10. Legal colleague comments**



10.1 This report provides an update on progress towards the consents, land assembly and contract proposals for the project. The substantive authority and delegation for those were provided previously (16 June 20 and 21 December 21). The updates do not identify and new legal issues. Tom Button – Legal Services. 05.09.24.

**11. Other relevant comments**

None

**12. Crime and Disorder Implications (If Applicable)**

12.1 The design team have considered, and incorporated, a number of measures to minimise crime and disorder on the bridge and surrounding areas. These include the installation of CCTV, materials that will minimise graffiti, minimising discrete and enclosed spaces in which people can congregate and sufficient lighting.

**13. Social value considerations (If Applicable)**

13.1 Balfour Beatty have provided a number of targets within their Target Operating Model (TOM). These include local direct employment, local spend, and community engagement. These will be included within the construction contract and reported on regularly.

**14. Regard to the NHS Constitution (If Applicable)**

14.1 N/A

**15. Equality Impact Assessment (EIA)**

15.1 Has the equality impact of the proposals in this report been assessed?

No

Yes

Attached as Appendix 1, and due regard will be given to any implications identified in it.

**16. Data Protection Impact Assessment (DPIA)**

16.1 Has the data protection impact of the proposals in this report been assessed?

No

Yes

Attached as Appendix 2, and due regard will be given to any implications identified in it.

**17. Carbon Impact Assessment (CIA)**

17.1 Has the carbon impact of the proposals in this report been assessed?

No

Yes

Attached as Appendix 3, and due regard will be given to any implications identified in it.

**18. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

18.1 N/a

**19. Published documents referred to in this report.**

<https://committee.nottinghamcity.gov.uk/documents/s103589/Transforming%20Cities%20Programme.pdf>

<https://committee.nottinghamcity.gov.uk/documents/s129686/New%20Cycle%20and%20Foot%20Bridge%20over%20the%20River%20Trent.pdf>

**20. Appendices**

Appendix one – EIA

Appendix two – DPIA

Appendix three – CIA

Appendix four – Bridge Location

Appendix five – Bridge Design

Appendix Six (Exempt from Publication) – Cost Breakdown