

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Joint Report of the Executive
Director Core Services &
Executive Director Place

BETTER BARNSELY - MARKET GATE BRIDGE – BUSINESS CASE

1. Purpose of report

- 1.1 This report seeks approval to design and construct a new equality pedestrian bridge over the Main Sheffield to Leeds railway line (Hallam Line).
- 1.2 The project is supported by Network Rail and will be part funded by them; therefore the report seeks approval to enter into a funding agreement with Network Rail.
- 1.3 This report also seeks consent for all necessary statutory and legal approvals in relation to the project.

2. Recommendations

It is recommended that:

- 2.1 **Cabinet approve the business case for the Market Gate bridge project.**
- 2.2 **Cabinet authorise the Executive Director Core to enter into a funding and partnering agreements with Network Rail.**
- 2.3 **Cabinet authorise the Executive Director Core to implement all necessary statutory and legal approvals required to deliver the project.**
- 2.4 **Resources totalling £0.580M are released from the monies earmarked as part of the 2020 New Starts Capital Programme to fund the design and architects and structural engineers' fees associated with the construction of the bridge together with associated traffic and pedestrian monitoring, with the release of the remaining funding being subject to approval of the final design and cost estimate for the project.**

3. Introduction

- 3.1 This project is to design and construct a new equality pedestrian bridge over the main Sheffield to Leeds railway line (Hallam Line). The project is supported by Network Rail and will be part funded by them. The bridge will link the existing public transport and parking provisions to the new retail and leisure quarter. It will

provide a safe accessible route over the railway line for pedestrians and cyclists which will enable the permanent closure of the existing Jumble Lane crossing.

- 3.2 A new access route for the servicing of the Glass Works and the Markets will be created off Lambra road. This removes the requirement for vehicles to cross Jumble Lane to service the Metropolitan Centre. A Traffic Regulation Order (TRO) has been approved in principle which will enable the highway over the crossing to be closed once alternative pedestrian access has been provided.
- 3.3 The new bridge connection is important in the long term plans for expansion of capacity on the Sheffield to Leeds railway line. Facilitating the closure of the existing level crossing allows for increased capacity at Barnsley station. Barnsley's position on the corridor between Leeds and Sheffield puts it in a unique position in terms of public transport provision for future rail growth and opportunities arising from HS2 and this project will provide key facilitation works for this.
- 3.4 The project must be delivered by March 2019 to meet the requirements of Network Rail, achieving this deadline is a caveat to receiving the Network Rail funding. The delivery of a new bridge within this timescale is feasible and can work with the overall delivery of the Glass Works redevelopment.

4. Consideration of alternative approaches

- 4.1 An alternative approach would be for the crossing to remain open. This is not recommended as it would have a detrimental effect on the current redevelopment plans for Barnsley town centre. In addition it would not address the safety concerns of Network Rail with Jumble Lane being classed as a 'high risk' level crossing.
- 4.2 A further alternative is to allow Network Rail to construct a standard equalities pedestrian bridge over the railway and close the level crossing. This alternative has been discarded because the Glass Works development will raise the quality of infrastructure in the town centre. A standard no-frills pedestrian bridge would not be in keeping with the goals for the town centre.

5. Proposal and justification

- 5.1 In 2013 Network Rail approached the Council to discuss the possibility of closing the existing Jumble Lane crossing. Network Rail highlighted the level of risk associated with the crossing in the Network Rail risk model, Jumble Lane is currently ranked 27th most dangerous out of 2312 level crossings on the London North Eastern & East Midlands Route, classing this crossing as high risk. Level crossings represent the single biggest risk to Network Rail, with circa 50% of total risk being attributed to them. This crossing has seen a number of incidents over the past few years, predominately red-light runners and pedestrians jumping the barriers.
- 5.2 From April 2019 all route signalling for this route will be centralised to York, removing the need for manned level crossings. This would require a significant upgrade of the existing barrier equipment which has prompted Network Rail to

offer considerable funding to facilitate the closure of the crossing and therefore completely mitigate the risk of an accident.

- 5.3 The Council commenced work on the town centre redevelopment project in January 2014. A footbridge had been a common feature of the previous town centre redevelopment schemes and was included as an option as part of the brief to the project architects. This has enabled public consultation to take place to consider the views of groups and individuals who use the existing crossing.
- 5.4 The support for the closure of Jumble Lane is considerable as many people find the regular closing of the safety barriers is an inconvenience, in particular vulnerable groups that with find the crossing a difficult and in some cases a frightening space. Also physically disabled people have explained how difficult they find the unevenness of the crossing and track causing problems for their mobility vehicles and concern about tripping or falling on the crossing.
- 5.5 The impact on the commercial aspects of the Glass Works Scheme has also been considered. A bridge which forms a new gateway into the town will positively impact on the Glass Works by creating an uninterrupted accessible route from the Market Gate car park and the east of the town into the heart of the new scheme.
- 5.6 Consideration has been given to the impact on the town centre on match days. The bridge will be designed with a wide deck to ensure that a significant volume of people can be accommodated. A movement survey will be carried out as part of the structural engineering commission to inform the bridge design. It is anticipated that without the physical barrier of the level crossing the movement of people will be able to continually flow from the town centre down to Oakwell. This will remove the risks associated with the large build-up of people generated by the current level crossing arrangement. The removal of this key match day risk will also assist with match day policing.
- 5.7 The provision of a bridge link as part of the wider Glass Works scheme has been considered and is supported by the Barnsley Urban Renaissance Design Advisory Panel. As the design of the scheme develops regular review meetings will be held with the Design Panel.
- 5.8 The governance arrangements for the Market Gate Bridge project comprise a project board of relevant BMBC officers and representatives from Network Rail. The project board will in turn report into the existing Town Centre Board.
- 5.9 The project is considered to be a key priority for Network Rail which is reflected in the financial support that they have offered to the project and their ongoing co-operation for the redevelopment of the town centre as a whole. The option to close Jumble Lane and build the Market Gate Bridge is the preferred option for the following reasons:
- Once the pedestrian bridge is open for use the Traffic Regulation Order creates a restriction on foot and vehicular traffic over Jumble Lane crossing. This allows the crossing to be securely fenced off once which supports the

Health & Safety objectives of Network Rail, minimising the risk associated with level crossings. The crossing will retain highway status.

- It supports the objectives of the Corporate Plan and 2020 Outcomes Framework for regeneration of the Town Centre and creation of a thriving economy.
- The proposal represents the best opportunity to create a safe link from the east of Barnsley into the Glassworks scheme.
- The proposal presents a viable economic opportunity to utilise time limited match funding from Network Rail to create an improved gateway into the town centre
- In addition to the agreed capital contribution to be made by Network Rail in progressing a bridge crossing at this time, working in partnership with them will provide the further benefit of a free easement to cross over the line. Ordinarily such consents are assessed on a commercial basis with the easement consideration reflecting the commercial value of the crossing.

6. Implications for local people / service users

- 6.1 The Market Gate Bridge will have a significantly positive impact for Barnsley residents. It will support the creation of a vibrant and modern town centre retail and leisure experience, which should in turn help to retain and attract in more shoppers who currently leave the borough to shop elsewhere.
- 6.2 The bridge will also improve accessibility into the town centre, particularly for vulnerable members of the community including those with physical and sensory impairments. The bridge will mitigate the risk of an accident on the level crossing making the town centre more accessible and safer for all.
- 6.3 The bridge will be accessible to cyclists as well as pedestrians. It will provide a key link from the Trans Pennine Trail and the Dearne Valley Park into the heart of the town centre. The co-location of secure cycle lockers will be considered as part of the design.
- 6.4 Before the development is complete, there will be disruption to local people and businesses during the next three years. The project team are working hard to minimise the disruption by ensuring that regular communications are provided to the public detailing any changes and providing progress updates
- 6.5 Regular town centre walkabouts are held particularly with vulnerable groups of service users who may find the disruption difficult to manage. These have proven very successful and have led to several mitigation measures being implemented to minimise the impact of the redevelopment works.

7. Financial implications

- 7.1 Consultation has taken place with the Service Director (S151 Officer) Finance.

- 7.2 Negotiations have been ongoing with Network Rail to close the railway crossing on Jumble Lane in the Town Centre and replace it with a pedestrian bridge. Network Rail has agreed to provide £2m of funding towards the project. A condition of this funding is that the bridge has to be completed by 31 March 2019. The Council will be required to enter into a funding agreement with Network Rail to access this funding. Representatives from Legal and Financial Services will therefore seek to complete the necessary documentation with Network Rail on this matter.
- 7.3 As part of the 2020 Capital New Starts program funding totalling £3M has also been earmarked by the Council for the project. Therefore total funding set aside for the scheme is £5M.
- 7.4 A full business case for the scheme is provided in Appendix B to this report. Current estimates show that the cost of construction of the bridge based on initial design aspirations totals £4.1M with the remaining £0.9M being set aside for associated fees. It is requested that £0.580M of this fee provision is released in to the capital programme in order to commission the necessary architects and bridge designers to complete a detailed design and cost estimate for the final construction, to complete the necessary traffic and pedestrian monitoring together with procuring land from Network Rail in order that the construction can commence. Upon completion and approval of the design, a decision will be made as to whether to progress with the scheme and ultimately draw down the remaining funding.
- 7.5 Should the Council decide to proceed with the construction of the pedestrian bridge Basic Asset Protection and Over-bridge Agreements will be required from Network Rail. Under the terms of these agreements the Council will be required to pay Network Rail's Costs as follows: *"Costs" means all fees costs charges, expenses and disbursements incurred by Network Rail and/or payable to Network Rail in carrying out its duties, rights and obligations under this Agreement;*. These costs have been included within the current fee estimate.
- 7.6 Full financial implications are presented in Appendix A to this report.

8. Legal implications

- 8.1 There is an outline planning approval for the Market Gate Bridge. A full Planning Application will be submitted following the approval of the design for the bridge.
- 8.2 The Project will require the Council to enter in to a Basic Asset Protection Agreement and a Bridge Agreement with Network Rail. It will be desirable to enter into a formal Partnering Agreement with Network Rail to set out the aims and objectives of the project, timelines, and responsibilities. This will cover the payment obligations and any phasing.
- 8.3 Agreements with statutory undertakers including the Environment Agency may be required. Discussions are ongoing and will be formalised through the planning process.

9 Employee implications

9.1 None arising from this report.

10. Communications implications

10.1 A communication plan is in place for the Glass Works scheme. The project team are committed to undertaking exemplar public consultation on the redevelopment proposals for Barnsley town centre and have prepared a detailed communication and consultation plan with the aim to:

- Increase borough wide awareness of the town centre development plans
- Develop and build positive relationships with Stakeholders
- Ensure that every stakeholder segment has the opportunity to inform the development plans
- Engage with and seek the views of the local community
- Gain credible, constructive input from the local community to shape aspects of the proposals
- Involve the local community to create opportunities to contribute to the regeneration of the town centre
- Inform and shape redevelopment proposals that will create a sustainable future for the town centre.

The communications and consultation plan is a living document which is regularly updated as each stage of the project progresses, it is intended that all communications implications in relation to the Market Gate Bridge will be included within this communications plan.

10.2 Press releases are issued as appropriate and information is provided to the public on the progress via social media and the weekly Glass Works e-newsletter.

10.3 The name 'Market Gate Bridge' has been chosen as reflects the naming of the new car park on the former CEAG site and helps with orientation into the town centre. It also reinforces the area as a gateway into the town centre and reflects the market town heritage of Barnsley.

11. Consultations

11.1 A consultation process has been utilised to help the community and stakeholders shape the Glass Works scheme and to generate an informed debate on the proposals. This has enabled public consultation to take place to consider the views of groups and individuals who use the existing crossing. The consultation work on this scheme started back in 2015 and will continue throughout the development of the project.

11.2 Key communication activities and events:

Website

There is a dedicated webpage for town centre developments with regularly updated information and links to the weekly newsletter. Opportunities for consultation are promoted here.

Newsletter

A weekly electronic 'Glass Works' newsletter is published and the link to it shared with local media and council colleagues. The Newsletter has a circulation of 2000+ readers who are predominantly local residents and businesses. The newsletter provides an update on the progress of the project, the team involved and events and activities taking place in the town centre.

Social media

Regular updates and news items are shared via the council's Facebook and Twitter accounts. Any comments are shared with the development team. The project specific Twitter Page has 2807 followers; it is updated on a regular basis to keep people informed of the latest news about the project.

Targeted events

Regular meetings, presentations and workshops have been held with the consultees and stakeholders. A series of town centre walkabouts have also taken place to give people the opportunity to discuss existing issues in the town centre and to gain a better understanding of the redevelopment proposals and how they integrate into the town. All the feedback from these targeted events is utilised by the project and design teams to inform the development of the project.

- 11.4 Regular updates are shared with the Taxi Trade Liaison Group. The taxi trade are aware of the proposal to close the level crossing and they understand that there are implications for the taxi rank on Midland Street. Consultation will be ongoing with this group to ensure that the views of the taxi trade are considered.
- 11.3 Initial consultations have taken place with the Emergency Services, these will continue as the Market Gate Bridge project develops to ensure that all necessary arrangements for alternative access and routes are in place prior to the closure of the level crossing.

12. The Corporate Plan and the Council's Performance Management Framework

- 12.1 The provision of an equality bridge and the subsequent closure of Jumble Lane crossing is crucial to developing "a vibrant town centre" both in terms of growing footfall and interest in the town centre. The delivery of the Glass Works regeneration project is identified in the 2020 Outcomes Framework.

- 12.2 The creation of a thriving and vibrant economy is achieved through the creation of more and better jobs and good business growth. This is outlined in the Jobs and Business Plan which sets out the development of a vibrant Town Centre and strengthening of the visitor economy as key themes. The Market Gate Bridge supports this ambition by creating an improved gateway into the town centre supporting the Glass Works development.
- 12.3 In our Corporate Plan we describe our high level of ambition and aspiration to do our very best to support Barnsley, its people, communities, partners and business to thrive and achieve. We also state that the residents, communities and customers of Barnsley are our number one priority and that we will create a thriving and vibrant economy where people will be able to achieve their potential. The Market Gate Bridge supports this aspiration by creating a more accessible route into the town centre from the East of Barnsley.
- 12.4 The development of this project links to wider economic growth with the advent of HS2 due to the opportunity to lengthen the platforms in the existing station. Facilitating the closure of the existing level crossing allows for increased capacity at Barnsley station. Barnsley's position on the corridor between Leeds and Sheffield puts it in a unique position in terms of public transport provision for future rail growth and opportunities arising from HS2 and this project will provide key facilitation works for this.

13. Tackling health inequalities

- 13.1 The bridge will help to strengthen the links between the town centre and the walking and cycling routes through the Dearne Valley Park and onto the Trans Pennine Trail.

14. Climate Change & Sustainable Energy Act 2006

- 14.1 The Market Gate Bridge project has aspirations to respond positively to local and national sustainability requirements. Sustainability is embedded throughout the scheme and includes all aspects of sustainability including social and economic sustainability as well as environmental sustainability.

15. Risk management issues

- 15.1 There is a comprehensive risk register for the project which is reviewed and updated on a regular basis in consultation with the Corporate Risk Manager. Risks are reported on at project team meetings and will be escalated to the Town centre Board as required.
- 15.2 The overall risk to the Council in financial terms is considered to be minimal and costs will be managed within the overall project budget for the key elements to be delivered by the Council.
- 15.3 The key risks and mitigations are detailed overleaf:

Risk Detail	Probability and Impact	Mitigation
Timescales are aggressive in terms of the delivery of this project.	Medium / High	Effective project management mechanisms
Reputational risk for none delivery or delivery of a bridge that is not fit for purpose.	Low / High	Effective project management mechanisms supported by a robust consultation and communications approach
Financial insufficient budget to deliver an offer in line with vision aspirations.	Low/ High	Robust cost reviews at the completion of each stage of the project.
Resource inability to secure resource from key stakeholders required to deliver the project	Low / Medium	Clear communications over priority of the project and resource requirements from stakeholders.
Lack of Engagement with external stakeholders including residents, Taxi drivers and local businesses results in resistance to project	Medium / High	Ensure that communication and engagement is a key element of the project delivery approach.
Inability to secure appropriate approvals to progress the project (planning consents and approvals from statutory undertakers).	Medium / High	Early engagement with statutory authorities / design out risk wherever possible

16. Health, safety, and emergency resilience issues

- 16.1 Consultation with the relevant officers / emergency services will be ongoing throughout the design phase of the project.
- 16.2 All health and safety matters in respect to the construction will be addressed as part of the obligations placed upon the main works contractors.

17. Compatibility with the European Convention on Human Rights

- 17.1 No issues arising from this report.

18. Promoting equality, diversity, and social inclusion

- 18.1 The Town Centre Delivery Team are working closely with the Equality and Diversity Team. We understand that anyone with disabilities can face all kinds of challenges using the town centre. The project team will incorporate feedback from consultation sessions with disability groups.
- 18.2 A full Equality Impact Assessment will be undertaken as part of the design phase of the project. The bridge design will have inclusive access which will consist of accessible ramps and possibly lifts as well as stair access. Wheeling channels for cycles will be included.

18.3 Engaging with disabled people in our consultative process demonstrates our commitment to and valuing of, the disabled visitor/customer/user. As well as gaining insight into the more universal access issues, involving disabled people will bring more site-specific knowledge to the auditing process.

19. Reduction of crime and disorder

19.1 The Council is collaborating with the Police to address anti-social behavior across the town centre. Good, safe design principles will help and assist this work going forward. The crossing closure will mitigate anti-social behavior issues directly associated with the level crossing.

20. Conservation of biodiversity

20.1 No issues arising from this report.

21. Glossary

21.1 Not used.

22. List of appendices

Appendix A – Financial Appendix

Appendix B – IBI RIBA Stage 2 Concept Design Report

23. Background papers

None

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