

## **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  
Directors, Place and Core**

### **PROCUREMENT OF MARKET GATE BRIDGE**

#### **1. Purpose of report**

- 1.1 This report seeks approval to proceed with the procurement for the construction of a new equality pedestrian bridge over the Sheffield to Leeds/Huddersfield railway line.
- 1.2 The project is supported by Network Rail and will be part funded by them.
- 1.3 This report also seeks a waiver to standing orders in respect of the procurement of the inclined lifts via specialist suppliers.

#### **2. Recommendations**

- 2.1 **It is recommended that the procurement of a Principal Contractor for the construction of the equality pedestrian bridge set out in this report is approved.**
- 2.2 **It is recommended that Cabinet waive standing orders in respect of the procurement of the inclined lifts due to the specialist nature of the works set out in this report.**
- 2.3 **It is recommended that Cabinet approve stage payments in respect of the procurement of the inclined lifts.**
- 2.4 **It is recommended that Cabinet authorise the Executive Director Core to implement all necessary statutory and legal approvals required to deliver the procurement.**
- 2.5 **It is recommended the financial implications are approved.**

#### **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 Glass Works. 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. 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 proposed equality pedestrian bridge design was submitted for full planning consideration on 3<sup>rd</sup> August 2018.
- 3.5 A key component of the design and the equality measures is the inclined lift at each end of the bridge. The inclined lift is a glazed cage that travels at the side of the pedestrian steps. This visibility adds to the security of users. The inclined lifts are bespoke designs that require a specialist supplier. Consultation with suppliers has indicated they require long lead in times to design and build the inclined lifts. This would include stage payments for work in progress. It is therefore proposed to do an early procurement from a list of known suppliers. A waiver to standing orders is sought in this respect.

#### **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 equality pedestrian bridge over the railway and close the level crossing. This alternative has been discarded as a permanent solution 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 vision 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 at that time was ranked the 27<sup>th</sup> 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 Cabinet approved professional fees up to £588k to appoint a design team to design a permanent equality pedestrian bridge at the Jumble Lane crossing. The brief to the design team was to design an iconic suspension bridge at a key gateway into the Glass Works leisure and retail redevelopment that would improve connectivity with the Dearne Valley Park and Trans Pennine Trail.
- 5.3 Following consultation with key stakeholders, such as Network Rail, South Yorkshire Police, British Transport Police, SYPTE etc. a pedestrian suspension bridge design was submitted for full planning approval on 3<sup>rd</sup> August 2018. The design submitted proposes a cable stayed structure approximately 60 metres in length with a 5.6 metres wide deck. An Accessibility and Desire-line Assessment Report suggested a minimum bridge width of 3.9m and 5.6m required to accommodate football match day pedestrian count. The design caters for those with mobility issues, devices and pushchairs with the provision of an inclined lifts at both ends of the bridge.
- 5.4 The proposed structure spans the up and down main lines of the Sheffield to Leeds/Huddersfield routes at Jumble Lane level crossing at a height of 6 metres above the track. The bridge maintains this height for 4.5 metres trackside to prevent impact risk. These clearances enable platform extensions to be planned in advance of HS2 services from/to Sheffield in the future.
- 5.5 It is now proposed that Barnsley Council procure a Principal Contractor for the permanent pedestrian bridge from the YORbuild2 or YORcivils Frameworks using select tender list of 6 contractors that additionally must have a Network Rail supplier licence for bridge construction over a live railway line (RICCL Code C.C.1.1.2). This is a requirement of our Basic Asset Protection Agreement (BAPA) with Network Rail.
- 5.6 The YOR Construction Frameworks have been developed to provide an efficient and collaborative approach to the procurement of Construction Projects. YORbuild2 and YORcivils can be accessed by Local Authorities, Public Sector Bodies or Third Sector Organisations across the Yorkshire and Humber region, Sheffield LEP area, North East England and Lincolnshire. Through a collaborative approach the YOR frameworks provides:
  - Efficiency through improved procurement process, implementation of best practice, standardised approaches to design and construction solutions innovation.
  - Improved certainty in terms of time, quality and cost.
  - Continuous performance improvement in a transparent and collaborative environment.
  - Effective engagement with the regional economy via YOR Framework Contractors.
  - Impact upon Employment and Training programmes via YOR Framework Contractors.
  - Improve sustainability performance through well planned programmes.
  - Excellent Supply Chain Management built into every project procured via the Frameworks.

- 5.7 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 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.
- 5.8 The construction works will impact on vulnerable group who may need to use the facilities at the Transport Interchange bridge/escalators/lifts, which will supplement the temporary bridge during the construction phase (April-December 2019). The finished bridge, which forms a new equality gateway into the town, will positively impact on people's lives by creating an uninterrupted accessible route from the Market Gate car park and the east of the town into the heart of the Glass Works.
- 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:
- The bridge in conjunction with the TRO retains the highway status of the crossing, whilst enabling a restriction on foot and vehicular traffic which supports the Health & Safety objectives of Network Rail, minimising the risk associated with level crossings.
  - 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.

#### Inclined Lifts

- 5.10 A specification for the inclined lifts has been developed by the design team. During the design phase several suppliers were invited to submit quotations for the design, fabrication and installation of the inclined lifts. There were two quotes returned at this stage, these showed significant cost disparity. Additionally in working up the design with a programme developed by a supplier showed a long lead in time for the design and fabrication of the included lifts with a requirement for payments at various stages of the process. This is the same procurement process that is required for standard lifts, whereby suppliers will require 30% upfront funding to secure a manufacturing slot and for them to procure the lift

components. Due to the specialist nature of these inclined lifts it is proposed to compile a select tender list without pre-qualification.

- 5.11 To avoid an adverse effect on the overall scheme programme it is therefore proposed to waive standing orders to commence earliest procurement on a design, fabricate and install basis with selected specialist suppliers. The eventual successful supplier following a tendering process will be nominated as a sub-contractor to the principal contractor for the bridge. The value of this procurement is estimated at £1.5M.

#### Temporary Footbridge

- 5.12 The project must facilitate the closure of the Jumble Lane crossing by 31st March 2019 to meet the funding requirements of Network Rail, achieving this deadline is a key to securing Network Rail's Level Crossing Risk Reduction Programme funding. The delivery of a new temporary bridge within this timescale is feasible and can work with the overall delivery of the final bridge construction. This key element of the project will be delivered and funded by Network Rail.
- 5.13 In advance of the construction of the permanent bridge Network Rail propose to design, build, procure and maintain a temporary footbridge at the southern end of the station platforms. This temporary bridge will a) allow closure of the level crossing from March 2019; and, b) provide safe access over the railway line during the construction phase of the new permanent bridge. The temporary bridge will remain in place until the opening of the permanent equality pedestrian bridge. It will secure the further funding Network Rail is committing to the main scheme.

#### Key Programme Dates

- 5.14 The key programme dates are:

Complete RIBA Stage 3 (Developed Design)	12/10/2018
Inclined Lift procurement start	15/10/2018
Inclined Lift preferred supplier	02/11/2018
Principal Contractor procurement start	08/11/2018
Principal Contractor preferred bidder	05/12/2018
Temporary bridge assembly	20/02/2019
Jumble Lane crossing closes	31/03/2019
Inclined Lift fabrication start	01/04/2019
Permanent Bridge fabrication start	09/05/2019
Permanent Bridge handover	13/11/2019

## **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. Before the bridge 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
- 6.4 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 Waterman Infrastructure & Environment have provided a RIBA Stage III cost estimate (Appendix B). This estimate is as detailed as possible for the stage of the design that has been submitted for planning approval. This estimate will be further tested by market testing the works. The following summary provides a cost estimate for the construction of a 5.6 metres wide equality pedestrian suspension bridge:

Ground Investigation	£40,000
Steel Bridge Fabrication & Construction	£2,000,000
Site Mobilisation	£200,000
Bridge Sub Structure	£230,000
Articulation	£30,000
Cables	£200,000
Inclined Lifts	£1,500,000
Bridge Lighting	£195,000
Statutory Undertaker’s Diversions	£150,000
Network Rail Possessions & Line Closures	<u>£80,000</u>
Sub Total	£4,635,000
Professional fees	£980,000
TOTAL COSTS	£5,615,000

- 7.2 Network Rail has agreed to provide £2m of funding towards the project. This is made up of £0.8m from the Level Crossing Risk reduction Programme and £1.2m from their maintenance budget. The £2m is a fixed sum – there is no contingency for Network Rail to make additional contributions for extra costs should the overall project costs be exceeded. The Network Rail funding is subject to the Jumble Lane crossing being closed by 31 March 2019. The Council has allocated £4M in its future capital allocations.
- 7.3 In order to construct the pedestrian bridge across the railway the Council will require an Over-bridge Agreement from Network Rail. Under the terms of these agreement 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; Network Rail shall be entitled.*

## **8. Legal implications**

- 8.1 There is an outline planning approval for the Market Gate Bridge. A full Planning Application has been submitted for the design of the permanent bridge.
- 8.2 The Council has entered a Basic Asset Protection Agreement and a Bridge Agreement with Network Rail. It will be desirable to enter into a formal Funding 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. These were approved under the previous Cabinet resolution.
- 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 full 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.

## **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 development with regularly updated information and links to the weekly newsletter. Opportunities for consultation are promoted here.

### **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 3492 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.

11.3 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.

11.4 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 strengthen links between the town centre and 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 & 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.
Requirements for track possessions and line closures will have to be booked in advance to meet programme.	Medium/Medium	Firm up construction programme and draw up schedule of closures and possessions and share with NR. Follow NR timescales to book possessions 18 weeks in advance of need – “Rules of the Route.”
Network Rail’s right of access over Market Gate Car Park to be maintained.	Low/Medium	Review extinguishing in exchange for a new access at the former level crossing point from Pontefract Road side.
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.

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 Consultation has been held with the BMBC Biodiversity Officer as part of the overall Glass Works public realm in which the bridge will be located. Progress has focussed on maximising the biodiversity value of the landscaping and the use of native species.

## **21. Glossary**

21.1 Not used.

## **22. List of appendices**

Appendix A – Financial Appendix  
Appendix B – Bridge CGIs

## **23. Background papers**

None

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