

9 February 2022**Agenda Item: 7****REPORT OF THE CORPORATE DIRECTOR, PLACE****PROPOSED PEDESTRIAN AND CYCLE BRIDGE, WEST BRIDGFORD****Purpose of the Report**

1. At its 10 February 2021 meeting Policy Committee approved the County Council's next steps in working with partners at Nottingham and Derby cities to develop potential Transforming Cities Fund (TCF) funded proposals in the county; one of which is that all potential proposals impacting on the County Council's highway and transport networks will be subject to approval by the relevant Committee. There are currently no approvals in place for the County Council to fund the construction or maintenance of any TCF funded projects. The purpose of this report is for Committee to consider:
 - a. the proposed construction of a new pedestrian and cycle bridge located east of the existing Lady Bay Bridge
 - b. pedestrian and cycling improvements judged to be required as part of the development, to enable safe and straightforward access to the proposed new bridge
 - c. arrangements for the ongoing future maintenance liabilities of the proposed new bridge.

Information

2. In March 2020 Government announced that Nottingham and Derby city councils had been successful in securing £161m of grant funding to deliver the measures outlined in their Tranche 2 Transforming Cities Fund (TCF) bid, to be delivered by March 2023. Nottinghamshire County Council was not eligible to bid for this funding, but the Nottingham and Derby TCF bid included potential projects that may benefit Nottinghamshire residents. At its Executive Board meeting on 16 June 2020, Nottingham City Council subsequently approved its TCF infrastructure programme which included a £9.275m allocation towards improved pedestrian and cycle crossing facilities (and associated links to it) to support the Waterside regeneration development on the northside of the River Trent which spans the area from Meadow Lane Lock at its western extent to the Waterside Way at its eastern extent.
3. Initial feasibility work on the potential options to provide an improved pedestrian and cycle crossing facility was undertaken to help inform the contents of the Nottingham and Derby TCF bid. This work identified improvements to Lady Bay Bridge as the preferred option for the crossing facilities. All of the options investigated were feasible, however, and Nottingham City Council (as the developer and budget holder) determined that it would prefer to progress the option to construct a new pedestrian and cycle bridge away from and to the east of Lady Bay Bridge. Amey Consultants were commissioned to undertake further feasibility and detailed design work which has resulted in the City Council identifying the Trent Basin location as its preferred option to construct a new 85metre span tied arch steel bridge (and CGI images of the proposed design are included at Appendix 1).
4. The location of the proposed new bridge would land on the south embankment of the River Trent approximately 400m east of Lady Bay Bridge (as shown in Appendix 2). The bridge would land

on a Public Footpath forming part of the County Council's highways network (West Bridgford Footpath No.12). Whilst the County Council (as highway authority) would need to be consulted in relation to any works proposed to be undertaken to the minor highway at this location, any new construction would need to be agreed between Nottingham City Council (as the developer/scheme promoter undertaking the works) and Rushcliffe Borough Council (the landowner). Additionally, as the status of the public right of way where the bridge will land is currently of footpath only, users of the path do not currently have a public permanent right to cycle on it (although permissive cycle use does currently take place with the permission of the landowners) and so public rights for cyclists to use the Trentside path between Lady Bay Bridge and the Hook would need to be dedicated by the landowners or otherwise created to provide cyclists with permanent lawful access to the bridge. (While not a matter for this Committee, members may wish to be aware that a claim to record the path as a Bridleway was received which, if successful, would also provide a lawful basis for use of the path by cyclists and would therefore provide them with permanent lawful access to the bridge).

5. The proposed bridge will be subject to planning permission and the City Council (as developer) intends to submit a joint planning application to itself and Rushcliffe Borough Council, as the two local planning authorities. In preparation for the submission of the planning application the City Council has established an officers' working group (which includes County Council representation), undertaken further feasibility work and informal consultation on the proposed new bridge.
6. As the proposed bridge does not land on County Council owned highway/estate and the County Council is not the local planning authority for this matter it is not within the County Council's authority to determine whether or not the proposed bridge will progress to construction unless the construction of the bridge would prevent pedestrians from exercising their existing lawful public highway rights over West Bridgford Footpath No.12. Members may wish to note that, if rights for cyclists do not come into being over the Trentside path per paragraph 4 above, this would not prevent construction of the bridge, but would prevent its use by cyclists. Whether or not the scheme goes ahead will otherwise be determined by the scheme promoter, affected landowners, and the local planning authority when they consider the proposals and potentially grant planning permission. The County Council (as an affected highway authority) will, however, be a statutory consultee to the required planning application and special regard must be given by Rushcliffe Borough Council, as the Local Planning Authority, to any representations made by the Highway Authority.
7. Although, for the majority of Nottinghamshire residents, the proposed bridge located to the east of Lady Bay Bridge will not provide as direct a route to the City as Trent or Lady Bay bridges, it will nevertheless provide an additional crossing with full cycle/pedestrian segregation from motor vehicles. Whilst pedestrian facilities are available on nearby Trent Bridge and Lady Bay Bridge neither currently have segregated cycling facilities. The proposed bridge, whilst not segregated, will not carry vehicular traffic, and will therefore potentially offer an attractive route to encourage additional cycling trips; and its business case forecasts that it will have significant impact on health/mortality, helping deliver both City and County Council objectives related to improved health and wellbeing.

Informal Consultation on the Proposed New Bridge

8. Following the selection of the Trent Basin location as its preferred option for the construction of a new bridge, the City Council undertook informal consultation to help gauge support for the proposals. Given that the other options had been ruled out by the City Council, the consultation only sought views on the current proposals, its location and design. It is therefore not possible to determine if residents (or even the respondents to the consultation) would have preferred any of

the alternative options referred to at paragraph 3 above, as this was not included in the consultation. The consultation, undertaken between 8 and 28 November 2021, involved letters to affected residents, including Holme Road (Lady Bay) residents; an online survey; and drop-in events, including sessions at Lady Bay scout hut and Rushcliffe Arena.

9. Of the Rushcliffe residents that responded to the informal consultation on the new bridge proposals, 76% support the construction of the new bridge; 66% agree with its proposed location; and 67% like its proposed design. However, responses from county residents, including from those that support the bridge proposals highlighted several issues, including:
 - a) The need for improved pedestrian and cycle links to the bridge (in both the city and county)
 - b) Its potential impact on the local surroundings and potential loss of riverside wildlife habitats and vegetation
 - c) The potential impact of the proposed construction materials on the environment
 - d) The lack of pedestrian and cyclist segregation on (and width of) the bridge
 - e) The need for lighting on the bridge and its connecting routes
 - f) Concerns about security, increased crime and anti-social behaviour resulting from its construction
 - g) Additional potential parking issues caused by the bridge users
 - h) Its proposed location not maximising potential users as it will involve a detour/longer journey to most City Centre destinations
 - i) The choice of constructing a new bridge rather than improving the existing bridges; and/or the continued need for improvements to existing nearby bridges.
10. The City Council is considering how items 9.a) to 9.g) above can be addressed as part of the ongoing scheme design/proposals prior to its submission of the planning application. Whilst it is recognised that, for most West Bridgford residents, the proposed bridge location will not offer the most direct route to most city centre destinations it will provide an alternative crossing facility for pedestrians and cyclists, segregated from motor vehicles. As detailed in paragraph 3 above, options to improve Lady Bay Bridge were considered but were not taken forward for delivery as part of the TCF programme by the City Council.

Pedestrian and Cycling Improvements Considered Required as Part of the Proposed development

11. Given that the City Council has determined that the bridge is required to facilitate the Waterside development it is anticipated that those city residents will use the bridge to access the shops, services and leisure facilities in West Bridgford. The consultation undertaken as part of the scheme development has indicated that both city and West Bridgford residents will use the bridge for both commuting and leisure purposes; and it is recognised that improvements on both the city and county's pedestrian and cycling routes to access the proposed new bridge are needed to facilitate these new trips. The requirement for such improvements was also highlighted in the consultation responses as 18% of the Rushcliffe borough respondents that supported the bridge commented that they were necessary. The business case for the new bridge forecasts that it will increase existing cycling and walking trips by 140% from existing levels; generating an average additional 728 new cycling trips per day and an additional average 728 new pedestrian trips per day on the highway network.
12. Following determination of the impacts on the highway networks (i.e. the new walking and cycling trips identified in its business case) and analysis of the consultation responses, officers from the two councils have identified a number of improvements required to enable both pedestrians and cyclists to safely access the proposed bridge (and specifically those trips that will be generated due to the construction of the new bridge). Work to commission feasibility/design of the infrastructure improvements is now underway (funded by the City Council from its TCF

programme allocation) but it is unlikely that this work will be completed in time to be included in the planning application submission. The required improvements identified by officers are listed below (and will need to meet the standards set out in Local Transport Note 1/20 Cycle Infrastructure Design):

- a. The status of the current public footpath along the section of the Trentside path between Lady Bay Bridge and The Hook would need to be altered to bridleway, and the path retained, widened and resurfaced.
- b. Provision of an improved cycle route between the new bridge and West Bridgford town centre, including improved pedestrian/cycling crossing facilities at the traffic signals at the following locations to enable pedestrians and cyclists to cross the junctions in order to access the proposed bridge:
 - A6011 Radcliffe Road at its junctions with Edward Road, Lady Bay Bridge road and Trent Boulevard
 - Lady Bay Bridge road at its junctions with A6011 Radcliffe Road and Trent Boulevard
 - Trent Boulevard at its junctions with A6011 Radcliffe Road and Lady Bay Bridge road
- c. Provision of an improved cycle route between the new bridge and the existing signed cycle network in Abbey Ward, including a new pedestrian/cycle crossing on Davies Road near its junction with Cyril Road to enable users from the south-east West Bridgford area to access the Radcliffe Road/Cyril Road puffin crossing for onward travel to the proposed bridge
- d. Provision of an improved cycle route between the new bridge and the new Regatta Way pedestrian and cycle route (currently under construction).

13. When necessary, the County Council requests that developers provide improvements to local transport facilities in order to minimise impacts of new development on highway safety, help mitigate the increase in demand on its transport network, and to deliver opportunities for sustainable travel that benefits health and wellbeing. Therefore, should the above highway improvements not be included in the submitted planning application it is proposed that the County Council requests that the local planning authority secure them as planning conditions to the planning consent in order to secure the provision of the specified highway works.

14. In line with the approvals granted at 10 February 2021 Policy Committee, any highways proposals delivered through the TCF programme, included those listed above, are still subject to the necessary County Council approvals.

15. Whilst the change of status to the footpath along the section of the Trentside path between Lady Bay Bridge and The Hook will need to be carried out prior to the opening of the bridge, there is already a claim for the section to be recorded as a bridleway, and it is proposed that, if that claim is not successful, other mechanisms to change its status are undertaken and funded by the County Council. Separately, the County Council has secured funding to deliver a new £1.6m fully segregated pedestrian and cycle route on Regatta Way to improve access from Gamston to the Trentside embankment and the National Watersports Centre; and these works are underway. The Council has also submitted a bid to upgrade further sections of the Trentside path (and should funding be secured for its delivery separate approvals will be sought, as appropriate, in due course). Whilst these improvements will enhance connections to the proposed bridge, they are not being delivered as part of this project and were identified to deliver improved links set out in the County Council's Visitor Economy Strategy, therefore developer contributions will not be sought for these improvements.

Future Maintenance Arrangements for the Proposed New Bridge

16. Under current cross-boundary arrangements the cost of maintaining Lady Bay and Trent bridges are split 50/50 between the City and County councils. The County Council lead on the management and maintenance of Lady Bay Bridge, whilst the City Council lead on the management and maintenance of Trent Bridge. The County Council considers that improvements to the existing Lady Bay Bridge would have been a better value for money option as it was identified as the preferred scheme option in the initial feasibility study (due to its significantly lower construction costs, shorter construction timescales, negligible maintenance costs, and potential greater outputs). The Lady Bay Bridge improvements option would also have had negligible future maintenance liabilities due to the proposed construction materials. As the scheme promoter the City Council has, however, determined that it wishes to construct a new bridge. Given the above it is considered that neither the construction costs of the overall project nor its ongoing future maintenance liability costs should fall to the County Council. It is therefore proposed that the County Council does not enter into any agreement to lead on and/or fund/part-fund either the construction, future improvements to, or any future maintenance liabilities for the proposed new bridge.
17. In line with the approvals granted at 10 February 2021 Policy Committee, any highways proposals delivered through the TCF programme will be subject to necessary County Council approvals. Improvements to pedestrian and cycle routes to the new bridge on existing Nottinghamshire managed highway, that are required as a result of the bridge construction, will therefore still be subject to such approvals; and any approvals will also consider arrangements for their future maintenance.

Further Scheme/Programme Development, Design, and Consultation

18. Each of the potential schemes detailed in paragraph 12 of this report is still subject to the necessary consultation, statutory undertakings and other issues arising from feasibility studies, detailed scheme investigation, and design; and value for money considerations. This will involve consultation and/or pro-active information provision on the schemes. Formal consultation will be undertaken on all schemes that require statutory consultation. These include any schemes that require a formal Traffic Regulation Order and include the introduction of (or changes to) parking restrictions, changes to mandatory speed limits, and changes that ban traffic movements. Non-statutory consultation, or information provision (i.e., informing people that works will take place) will also be undertaken with households and businesses immediately adjacent to schemes that fall wholly within the highway boundary such as new crossing facilities, or new footways and cycleways.

Other Options Considered

19. Other options considered are set out within this report.

Reasons for Recommendations

20. The reasons for the recommendations are set out within this report. Given the ability of walking and cycling to help deliver Council Plan objectives, investing in Nottinghamshire's walking and cycling networks form part of the County Council's strategy to help deliver its objectives related to supporting the economy, environment, health and wellbeing, and thriving place and communities. Whilst the forecast economic and environmental benefits are low, the scheme business case forecasts significant benefits related to health and wellbeing.

21. The provision of the new bridge will enhance the local cycling and walking networks (and complement current and planned cycle network priority improvements) provided that the proposed bridge development includes the funding of the required highways improvements detailed within this report. The proposed new bridge therefore has potential to support the County Council's strategic aims and complement existing infrastructure programmes. Provision of the bridge will have impacts on the County Council's highway networks and therefore the developer should be required to mitigate these impacts. It is also considered that the County Council should not be expected to take on the construction or maintenance liability for a new structure given that alternative cheaper construction and future maintenance options on the existing Lady Bay Bridge were available.

Statutory and Policy Implications

22. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

23. There are no financial implications for the County Council arising from the construction of the proposed new bridge. In line with the approvals granted at 10 February 2021 Policy Committee, any highways proposals delivered through the TCF programme will be subject to necessary County Council approvals and these will include future maintenance arrangements.

Public Sector Equality Duty implications

24. Nottingham City Council will be required to undertake an equality impact assessment of the bridge proposals. Similarly, they will be required to undertake an equality impact assessment of any associated works on the County Council's highway networks to demonstrate that they comply with the Public Sector Equality Duty.

Implications for Sustainability and the Environment

25. Surveys undertaken with the public and local businesses identified reducing traffic congestion as the highest transport priority for both groups. The County Council also has a statutory obligation to address air quality issues resulting from road traffic on its managed roads (there is currently an air quality management area adjacent to the proposed bridge).

RECOMMENDATIONS

It is recommended that Committee:

- 1) Approve, in principle, the list of highways improvements identified as required as part of the proposed development, as set out in paragraphs 12-13;
- 2) approve the proposal that the County Council does not enter into an agreement to lead on and/or fund/part-fund either the construction, future improvements to, or any future maintenance liabilities for the proposed new bridge;
- 3) support construction of the proposed new pedestrian and cycling bridge in principle but subject to the following provisions:

- i) the developer funding the delivery of the necessary highway improvements, as set out in paragraphs 12-13
 - ii) that the County Council will not be liable to fund either the construction, any future improvements to, or maintenance liabilities for, the proposed new bridge;
- 4) approve the proposed consultation, information provision and publicity required to develop the highway improvements detailed in paragraph 12.

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For any enquiries about this report please contact:

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Constitutional Comments (SJE – 20/01/2022)

26. This decision falls within the Terms of Reference of the Transport & Environment Committee to whom responsibility for the exercise of the Authority's functions relating to integrated transport measures, to road safety, to the planning, management and maintenance of highways and pavements, and to the Authority's non-regulatory functions relating to public rights of way (but not to cycle paths) has been delegated.

Financial Comments (SES 05/01/2022)

27. There are no specific financial implications arising directly from this report.

28. There are no financial implications for the County Council arising from the construction of the proposed new bridge. In line with the approvals granted at 10 February 2021 Policy Committee, any highways proposals delivered through the TCF programme will be subject to necessary County Council approvals and these will include future maintenance arrangements.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Transforming Cities Fund Scheme update and funding agreements – 10 February 2021 Policy Committee report
- Transforming Cities Fund and Future Transport Zones Programme – Nottingham City Council 16 June 2020 Executive Board meeting
- Nottinghamshire County Council Developer Contributions Strategy – November 2021
- Active Travel Fund Tranche 2 Infrastructure Programme – 13 October 2021 Transport & Environment Committee report
- Active Travel Tranche 3 – 1 September 2021 Transport & Environment Committee report
- The Nottinghamshire Plan 2021-2031
- The Visitor Economy Strategy for Nottinghamshire County Council 2018-2029

Electoral Division(s) and Member(s) Affected

- West Bridgford North
- West Bridgford South
- West Bridgford West
- Radcliffe on Trent