

## **Highways and Transport Committee**

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<b>Date of Meeting:</b>	26 <sup>th</sup> January 2023
<b>Report Title:</b>	The Congleton Greenway - River Dane Bridge and Multi-user path
<b>Report of:</b>	Jayne Traverse, Executive Director for Place
<b>Report Reference No:</b>	HT57/22-23
<b>Ward(s) Affected:</b>	Brereton Rural, Congleton West

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### **1. Purpose of Report**

- 1.1.** The proposed Congleton Greenway is intended to provide a traffic-free path linking a series of new housing developments, employment sites and recreational open space on the western edge of Congleton. The path would provide connectivity between several housing allocations defined in the adopted Local Plan for Cheshire East. A key part of this original concept was a pedestrian and cycle bridge across the river Dane.
- 1.2.** This report provides an update on the estimated costs, funding assumptions and constraints of delivering a new pedestrian and cycle bridge crossing of the river Dane and seeks approval to put on hold any immediate plans to develop this Scheme and to continue to investigate future funding options.

### **2. Executive Summary**

- 2.1.** This report sets out the feasibility work undertaken to date by the Council to deliver a new pedestrian and cycle bridge over the river Dane ('The Scheme')
- 2.2.** The Scheme would contribute to the aims of the Council contained within the Council's Corporate Plan 2021-25 to deliver a transport network that is safe and promotes active travel, be a great place for people to live work and visit, to encourage more residents to use walking routes, and to be carbon neutral by 2025 with the improvement and introduction of new greenway routes within the Borough.

- 2.3. The report details the preferred arrangement of the Scheme and sets out some of the significant constraints that restrict the ability of the adjoining length of route ('Connecting Route'), to be delivered by a housing developer, to be built to the same design standards as the rest of the Scheme.
- 2.4. The report also sets out the expected range of costs for completion of the Scheme and sets out how this changes previous assumptions on the delivery approach of the Scheme.
- 2.5. The report provides an update on the challenges involved in providing a fully accessible and safe 'end to end' Greenway route due to site specific constraints.
- 2.6. The report recommends that in the near-term, project development of the Scheme is paused until such time as funding opportunities are more certain.

### **3. Recommendations**

- 3.1. Highways and Transportation Committee is recommended to approve that further project development of the Scheme is put on hold until a viable delivery strategy for the Scheme is established.
- 3.2. Highways and Transport Committee notes that:
  - 3.2.1 A further report will be brought back to Committee to decide on the future of the Scheme if a viable delivery strategy can be established.
  - 3.2.2 A planning obligation associated with a development on the western side of the river will provide the Connecting Route between the Scheme and the western side of the river as per the planning conditions associated with Planning consent 20/5760C
  - 3.2.3 That the Connecting Route cannot be constructed to a fully accessible standard, be provided with Street Lighting, or meet the current requirements for Cycling Infrastructure as defined in national guidelines.
  - 3.2.4 The latest delivery cost estimate at this stage of development for the Scheme is now £5.3M, including an allowance for inflation, at an expected construction date of 2026.
  - 3.2.5 That this revised cost envelope means that the Scheme is now not able to be funded through the Council's own local resources (including developer contributions) and that funding would now need to include an external funding contribution.

## 4 Reasons for Recommendations

- 4.1 The Scheme is a part of an east-to-west Greenway, which has been planned alongside Congleton Link Road (“CLR”) as a part of the North Congleton Masterplan. The proposed Scheme will promote the sustainable development of the North Congleton Local Plan Allocation and would also allow easy access from the eastern side of the river Dane to an area of public open space.
- 4.2 Initial work by the Council’s consultants has included a detailed assessment of various locations for the provision of a new crossing of the river Dane. Expert advice has been received that has concluded that the proposed location is the only suitable option.
- 4.3 The proposed scheme includes the provision of a new bridge over the river Dane with an associated pedestrian/cycle route linking to Viking Way on the eastern side of Congleton. The new Bridge has a span of some 40metres, across the flood zone and watercourse of the river. Two sets of cost estimates have been received at this stage, with the range of costs reflecting current levels of uncertainty on the design details.
- 4.4 To the west of the bridge, the Developer of adjacent land is subject to a planning condition to provide a Connecting Route from their development to the Dane River. Due to the site geography and dense vegetation, the path provided by the developer will, by necessity, be built to a lower design standard than the rest of the Scheme. The Council retains some control over the specification of this Connecting Route through the planning process, to ensure any difference in standards is minimised, although this does mean that the ‘end to end’ Greenway route would not be fully compliant with the necessary standards for gradients as set out in Local Transport Note 1/20 Cycle Infrastructure Design.
- 4.5 Initial feasibility work estimated the cost of the Scheme in February 2020 as c£1.8M. At this stage, it was considered that this would allow the Scheme to be delivered ‘locally’ through a combination of developer contributions, Community Infrastructure Levy funding and Local Transport Plan funding.
- 4.6 In June 2022, a more detailed feasibility study was undertaken utilising the services of a Contractor. Challenging access issues were found, including the need for extensive temporary works to construct the bridge. The delivery programme was also reviewed, which highlighted very long lead-times for the steelwork required to build the bridge - due to supply-side issues linked to the Pandemic and ongoing material shortages. These delays have themselves contributed to additional projected future construction inflation.
- 4.7 This, alongside extremely high construction inflation, particularly for steel, moved the estimated construction cost to c£5.3M at a construction date of 2025/6.

- 4.8 The work to date has established which corridor needs to be protected to deliver the new bridge. Ensuring this land is protected from development will not prevent this scheme from being delivered in the future should funding become available.
- 4.9 By securing the maximum flexibility when securing funding for Active Travel improvements via planning agreements (S106) the Council may be able to use these as match-funding for future opportunities for the Scheme.

## **5 Other Options Considered**

- 5.1 The council could choose to continue to develop the Scheme and submit a Planning Application. This would mean that the cost estimates for the Scheme could be finessed, and the deliverability of the scheme proven - to assist with any funding opportunities that should arise.
- 5.2 However, the cost to develop and submit a planning application has been estimated at £250,000 and a planning permission (if granted) would normally be valid only for a period of up to three years. Given the cost of the scheme, current funding position and quality of the finished 'end to end' route, officers consider the funding is better used on other Local Transport Plan projects at this time.
- 5.3 The council has examined value engineering options to understand if the Scheme could be delivered for less money, but to a lower standard. However, most of the cost is associated with the new bridge structure, so the savings would be relatively small. The Contractor has advised that, given the span of the bridge, the most cost-effective form of construction (steel) is already included in the feasibility design.

## **6 Background**

- 6.1 The proposed East to West Greenway promotes the sustainable development of the North Congleton Local Plan Allocation. It was devised alongside Congleton Link Road "CLR") as a part of the North Congleton Masterplan.
- 6.2 The proposed scheme includes the provision of a new bridge over the river Dane with an associated pedestrian/cycle route linking to Viking Way on the eastern side of Congleton. The new Bridge has a span of some 40metres, across the flood zone and watercourse of the river.
- 6.3 Initial work by the Council's consultants has included a detailed assessment of various locations for the provision of a new crossing of the river Dane. Expert advice has been received that has concluded that the proposed

location is the only suitable option; given the bank erosion of this stretch of the river Dane.

- 6.4 To ensure the Scheme remained deliverable and advise on buildability issues the expert input of a Contractor was secured via the Scape contract in June 2022. The following table summarises the main cost elements from this exercise, based on a construction date of 2026.

<b>Scheme Element</b>	<b>FY</b>	<b>Estimated Outturn Costs</b>
Planning Application incl. ecology surveys. Requirements for flood modelling	2022-23	£400,000
Design and Development Stage	2023-24	£550,000
Construction incl. Preliminary works & Supervision and Post Construction costs	2024-2026	£3,600,000
Risk Allowance (20% of construction cost)		£720,000
<b>Total</b>		<b>£5,270,000</b>

- 6.5 Much of the additional cost difference can be put down to extremely high levels of construction inflation. For example, since the original, higher level (2020) feasibility study construction inflation has been at record levels – with a c30% increase recorded in the BCIS General Civil Engineering Cost Index between August 2020 and September 2022.
- 6.6 Additional costs were also recorded with the more detailed construction programme delaying the construction date, considering ecological requirements, lead-in time for materials and more onerous temporary work requirements to install the bridge structure.
- 6.7 The Scheme would ‘tie in’ to a Developer provided improvement on the Radnor side of the river Dane. Together, these would form a key link on the Greenway.

6.8 Although the Council will have some control over what is delivered by the Developer, this section of the scheme cannot be built to the minimum gradients required to provide accessible access without causing significant disturbance to the surrounding ancient woodland. The same restrictions mean that it would be impossible to provide lighting to this area also with significant ecological impacts.

6.9 Some funding has been secured to date to help deliver the scheme, however, this has been secured on a flexible basis and could be used to support delivery of other local active travel improvements, including improving access to the river.

## **7 Consultation and Engagement**

7.1 The North Congleton Masterplan was consulted on as part of the Local Plan process. The detail of the Scheme will be consulted on through the planning process. The Connecting Scheme details were approved in principle, through the Outline Planning application 20/5760C.

## **8 Implications**

### **8.1 Legal**

8.1.1 The report notes that the Greenway route would be a semi-formalised route so will not have the formal controls associated with a Cycle Track or as controlled under a Traffic Regulation Order.

8.1.2 The report notes that the Developer constructed part of the route cannot be constructed in accordance with LTN 1/20 due to environmental restraints. LTN 1/20 is guidance from the DfT and not a mandatory standard, however every effort should be made to align with LTN 1/20 and its principles wherever possible and to the Council's own standards as ultimately the Council will have maintenance responsibility once the works are completed.

## **8.2 Finance**

- 8.2.1 The cost estimate to take forward a planning application for the Scheme is £250,000. This would have to be funded from the Council's existing Local Transport Plan funding at the expense of other projects if it was decided to proceed with this.
- 8.2.2 The Scheme is not included in the Council's Medium Term Financial Strategy (MTFS) and there remains significant inflationary pressure on the existing committed capital programme.
- 8.2.3 To date a total of £400,000 has been secured from adjacent developments towards the Scheme (or other improvements), including development costs. These funds are not yet with the Council and will be dependent on the individual trigger dates in the development agreements.
- 8.2.4 The final large planning application for the North Congleton allocation has now been submitted for around 400 new houses.
- 8.2.5 On a pro-rata basis from the recent contribution, this could be expected to make a financial contribution of c£600,000 towards the Scheme.
- 8.2.6 It may also be possible, again subject to a future business case to utilise some of the council's Community Infrastructure Levy funding towards the Scheme. However, there are significant calls on this funding, and this would need to be prioritised.
- 8.2.7 At this stage it is not possible to set out with any certainty the exact details of a delivery strategy. What is clear is that there is a likely funding gap of at least £3M from what can be provided by adjacent developments via planning obligations.
- 8.2.8 It should be noted that the Council's Capital funding position is extremely challenging and that there is no guarantee that the capital to partially fund or even underwrite existing developer contributions will be forthcoming.

## **8.3 Policy**

- 8.3.1 Provision of East to West Greenway is a policy in the Cheshire East Local Plan, although the route was not definitely defined.
- 8.3.2 Those sections of the route that can be completed to current design standards would contribute to the Council's Local Walking and Cycling Infrastructure Plan.

## **8.4 Equality**

- 8.4.1 An Equality Impact Assessment (EqIA) was undertaken by Jacobs in March 2020 to understand impact of the Scheme plus the Connecting Scheme component on stakeholders.
- 8.4.2 Persons with a specific Age and Disability characteristic are potentially affected by the Connecting Scheme if the design does not include appropriate provision. Final details of the Developer provided path are not yet available,

pending the relevant trigger on the associated planning application. However, design work has indicated that this section of the route could have gradients of up to 8% over a length of up to 130m. This would be significantly more than the recommended 5% Gradient set out for Cycleways in LTN 1/20

- 8.4.3 An alternative route should ideally be provided, utilising a flatter terrain; the only possible alternative is via the existing Congleton Link Road, which is some 600m longer. The Scheme would, however, provide compliant access to the public open space on the Western Bank of the river, something impossible without the new Bridge.

## 8.5 **Human Resources**

- 8.5.1 No impacts.

## 8.6 **Risk Management**

- 8.6.1 Key risks to the Council relate to the affordability of the Scheme given the challenging financial position of the Council and the recent significantly increased cost of delivery.
- 8.6.2 A further risk is that planning permission is normally granted for a period of three, and exceptionally five years. There is a risk that if a viable funding strategy is not agreed and the project delivered before the expiry of planning permission, the application would have to be made anew.
- 8.6.3 There is a risk that if the Council were to deliver the Scheme – criticism may be made of the quality of the end to end route, despite the council not being responsible for the Developer provided section.

## 8.7 **Rural Communities**

- 8.7.1 No direct impacts.

## 8.8 **Children and Young People/Cared for Children**

- 8.8.1 The future delivery of the Scheme would assist in helping young people to take part in active travel.

## 8.9 **Public Health**

- 8.9.1 The future delivery of the Scheme would have a positive impact on public health as it will allow improved access to public open space.

## 8.10 **Climate Change**

- 8.10.1 The future delivery of the Scheme would contribute to sustainable growth in Cheshire East through improved connectivity and reducing dependency on motorised private vehicles.



**Access to Information**

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Appendices:

Plan showing preferred route of Scheme

Background Papers: