



# Decision Pathway Report

**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 04 September 2018

<b>TITLE</b>	<b>Chocolate Path River Wall Stabilisation</b>				
<b>Ward(s)</b>	Hotwells and Harbourside				
<b>Author:</b> Chris Dooley	<b>Job title:</b> Bridges and Highway Structures Team Manager	<b>Cabinet lead:</b> Cllr Threlfall			
<b>Proposal origin:</b> BCC Staff	<b>Executive Director lead:</b> Colin Molton – Executive Director, Growth and Regeneration				
<b>Decision maker:</b> Cabinet Member					
<b>Decision forum:</b> Cabinet					
<b>Purpose of Report:</b> To seek approval and agreement to spend the remainder of the approved allocation £4.42m (PL09a), agreed in February 2018 and delegate to the Executive Director Growth and Regeneration to commission contractors and undertake the construction and asset maintenance works. Officers will seek additional or alternative funding where possible from other sources such as WECA and the EA to supplement the current budget and possibly use it as match funding.					
<b>Evidence Base:</b> The overall location of the Chocolate Path is adjacent to the Heritage Railway on Cumberland Road. The Chocolate Path runs generally from No. 81 Cumberland Raod to the junction with Avon Crescent on the route around the rear of the Create Centre. In December 2016, an 80m section of the Chocolate Path pedestrian and cycle path (National Cycle Route (NCN) 33) was closed, as a result of settlement and failure of the path surfacing and river retaining wall. A local diversion route was provided on the adjacent Bristol Harbour Railway, by laying a temporary tarmac diversion path. In December 2017, further settlement of the Chocolate Path was observed, with additional movement of the New Cut retaining wall being observed and evidenced through regular measurement monitoring. In addition, significant lateral cracking was noted on the temporary diversion path route so the decision was taken to close the emergency diversion route as well. This resulted in an 860m length of the Chocolate Path being closed between Vauxhall Br. and Avon Crescent. Officers have been working with Consultants to establish causes of movement of the Chocolate Path. The recent decision at Cabinet will enable more detailed investigations and design work to be carried out. BCC seeks now to determine the causes of the retaining wall failure and subsequent path movement and to deliver options to stabilise and reinstate the masonry retaining wall, Chocolate Path and Harbour Railway and ultimately Cumberland Road, with the aim of making all assets structurally safe for re-use and fit for purpose. The recent Jacobs Management Report (BD79/13-11/07/18) for the wall, has indicated that although the current rate of decline is reasonably constant and is generally predictable in terms of rates of deterioration and movement, an unpredicted sudden “weather event” such as a tidal surge or high winds/Low Pressures or sustained prolonged heavy rainfall would most likely put the wall in an immediate risk of full or partial failure which would result in the partial or full closure of Cumberland Road. The risk of such extreme weather events naturally increases during the Winter months. Please refer to Report in Appendix N, for full details					
<b>Recommendations:</b> <ol style="list-style-type: none"><li>That Cabinet approve the spend for the remainder of the approved budget to undertake the (4.42m) full stabilisation works required for the complete extent of the Chocolate Path Wall.</li><li>To note that the structural condition of the whole river wall continues to get worse and that there remains an urgent need for the full amount of funding sought (4.42m), for full repair and stabilisation of Chocolate Path throughout.</li><li>Delegate to the Executive Director Growth and Regeneration, in consultation with the Cabinet Member for Transport and Connectivity, the authority to procure contractors to carry out all works identified in Appendix A.</li></ol>					
<b>Corporate Strategy alignment:</b> Both the Chocolate Path and Cumberland Road are Adopted Highways and BCC, as the Local Highways Authority, has a statutory					

duty to maintain and keep in use and open for the public. The overall Corporate strategy alignment of this project would be fulfilment of some of the corporate strategic themes with regard to Wellbeing, well connected and business as usual. Officers are working closely with other projects, which include the River Avon Tidal Strategy and Harbour Condition Assessment, to align any proposed Chocolate Path future works with those future proposed projects. The specific key objective of the project is to stabilise the location identified, making it safe such that the Chocolate Path and railway line can be re-opened, as well as reducing the risk of any subsequent closure of Cumberland Road. The Chocolate Path forms a section of NCN Route 33, as well as being part of Bristol's cycle route network therefore promoting Wellbeing by encouraging sustainable modes of travel and improvements to air quality. Cumberland Road is classified as a C class road, providing a connection between Brunel Way and the city centre, as well as local access to residential, business and leisure properties, it does also form a section of the new AVTM MetroBus route.

#### **City Benefits:**

Implementing the stabilisation works will allow the Chocolate Path to be re-opened, letting pedestrians and cyclists access to the route once again. It will also allow the Heritage railway to re-open, letting trains run again as a tourist attraction. This has financial benefits for the operator and a reputational enhancement to the tourist industry corporately within the City. It will also reduce the risk of potential structural failure of the ground supporting Cumberland Road, which would result in a subsequent lane closure or possible a full road closure of Cumberland Road. Such a road closure would affect resident and business local access especially to the SS Great Britain and also the effective full operation of the MetroBus scheme.

In the event of retaining wall failure (partial or full) an approved Cumberland Road mitigation plan will be fully implemented. The closures (partial or full), will be based on a full and comprehensive contingency plan which will incorporate the necessary agreed diversion routes of all traffic and/or the rerouting of Metrobus. This Contingency plan that is currently being prepared with all relevant transportation and public transport Service Managers.

The project will also reduce the risk of a collapse of the river retaining wall into the New Cut, which could result in detrimental environmental impacts on the river, as well as operational impacts on the local highway network. Such a potential collapse would result in the need for an emergency response and immediate remediation works that are likely to be more expensive than the planned and phased programmed stabilisation works. The final concept design solution will take into consideration the possible inclusion future flood defence resilience measures to prevent or reduce future flooding of the Chocolate Path/railway that would result in wider economic benefits from reduced levels of flooding on this corridor and also to Cumberland Road.

#### **Consultation Details:**

The Cabinet Member for Transport, executive Director and Ward councillors have been briefed on the project.

Officers will work closely with the Harbourmaster in development of scheme proposals.

Harbourside Heritage Railway will be kept up-to-date with progress, as scheme affects the railway line.

The Environment Agency will require details of the proposed activities, as the works are next to a main watercourse and will require the appropriate Consents.

Frontagers and local businesses will be informed of any significant traffic management that affects Cumberland Road.

It is anticipated at this stage that consultation may not be required, as this is a purely a stabilisation and maintenance scheme. Should any actual consultation be necessary, the overall requirements and timings will be considered as the scheme is developed.

MetroBus, First Bus and relevant Emergency Services will also be kept up-to-date.

Revenue Cost	n/a	Source of Revenue Funding	n/a
<b><u>Chocolate Path Capital Cost (PL09a)</u></b>	To spend the remaining allocation in the approved capital programme £4.420m (from a £5m scheme allocation, as £580k of has been approved by cabinet in July for the investigation works)		The scheme is funded by prudential borrowing under the Approved Capital Programme (PL09a).
<b>One off cost</b> <input checked="" type="checkbox"/> <b>Ongoing cost</b> <input type="checkbox"/>		<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

#### **Required information to be completed by Financial/Legal/ICT/ HR partners:**

##### **1. Finance Advice:**

This proposal seeks approval to draw down the earmarked capital funding in the approved capital programme and to carry out necessary and urgent asset improvement works on the Chocolate Path. The asset is part of the city's heritage and now reaching the end of its design life.

£580k of the £5m allocation was approved in July for the investigatory works; these are aimed at identifying the appropriate

engineering solutions. Detailed costing will become clear once the extent of the defects and solutions are identified. Works will be prioritised based on the available funding envelope. An 80 metre stretch of the path is suffering from severe and visible damage therefore has been considered as a priority. Works will also be carried out on the rest of the length of the path based on the output of the engineering report to address the damage and prevent further decay. These engineering solutions will also take into consideration the flood defences which will form a part of the full business case, and will potentially unlock external grant funding: e.g. from EA and / or WECA.

**Finance Business Partner:** Tian Ze Hao, 20/07/2018

**2. Legal Advice:**

Procurement of the contract(s) to carry out the works (whether by use of existing frameworks – as is being considered - or otherwise) will need to comply with the 2015 Procurement Regulations and the Council's own Procurement Rules. Legal Services will provide support to the Executive Director in determining the appropriate contract(s).

**Legal Team Leader:** Eric Andrews, 19-07-2018

**3. Implications on ICT:** There are no identifiable IT implications in these initiatives."

**ICT Team Leader:** Ian Gale, 14-06-2018

**4. HR Advice:** No HR implications

**HR Partner:** James Brereton 15-06-2018

<b>EDM Sign-off</b>	Colin Molton	18 <sup>th</sup> July 2018
<b>Cabinet Member sign-off</b>	Mhairi Threlfall	23 <sup>rd</sup> July 2018
<b>CLB Sign-off</b>	Mike Jackson	24 <sup>th</sup> July 2018
<b>Mayor's Office</b>	Mayor's Office	6 <sup>th</sup> August 2018

<b>Appendix A -- Further essential background / detail on the proposal</b>	<b>NO</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>YES</b>
<b>Appendix E – Equalities screening / impact assessment and Checklist of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>YES</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Combined Background paper</b>	<b>NO</b>
<b>Appendix J – Exempt Information</b>	<b>NO</b>
<b>Appendix K – HR advice</b>	<b>NO</b>
<b>Appendix L – ICT</b>	<b>NO</b>
<b>Appendix M – Chocolate Path Location Plan and condition photographs</b>	<b>YES</b>
<b>Appendix N – Jacobs Consultants, Chocolate Path BD79/13 Management Report – 11/07/18</b>	<b>YES</b>