

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 02 November 2021

TITLE	Bedminster Green Framework Area – regeneration update and request for infrastructure funding	
Ward(s)	The area covered by Bedminster Green Framework is in the Southville ward.	
Author: Máire Grogan	Job title: Regeneration Manager	
Cabinet lead: Mayor Marvin Rees	Executive Director lead: Stephen Peacock, Executive Director Growth and Regeneration	
Proposal origin: BCC Staff		
Decision maker: Mayor Decision forum: Cabinet		
Purpose of Report:		
<ol style="list-style-type: none"> To provide an update on the regeneration of Bedminster Green. To seek approvals to bid for, allocate, draw down and spend Strategic Community Infrastructure Levy and external funding to co-ordinate and deliver strategic highway (including public realm), river restoration and flood alleviation works. This will ensure the transformation of Bedminster Green responds to the climate and ecological emergencies, creates improved sustainable transport connections and enhanced public spaces. 		
Evidence Base:		
<ol style="list-style-type: none"> Bedminster Green is a once-in-a-generation opportunity to transform five under-used brownfield sites, to create a thriving new sustainable community; delivering over 2,000 new homes (including affordable homes and student accommodation), new commercial spaces, a multi-story car park, improved sustainable transport connections, public realm, flood mitigation and enhanced public spaces. Bringing new life to the area will re-connect it to the rest of Bedminster, helping to support East Street’s traders and revitalise the local economy. Throughout the construction process, there will be opportunities for apprenticeships, employment and training for local people. 		
<u>Bedminster Green Framework</u>		
<ol style="list-style-type: none"> In March 2019 Cabinet endorsed the Bedminster Green Framework, which set out a vision for how five development plots in the area should be regenerated, and identified infrastructure required for sustainable inclusive growth. In March 2019 Cabinet also approved an in-principle allocation of up to £6m Strategic Community Infrastructure Levy (SCIL) for the design and delivery of Bedminster Green strategic highway (including public realm), river restoration and flood alleviation works. This allocation was based on very high-level information available at the time and it was noted that further detailed designs, cost information and analysis of funding opportunities was needed. These strategic infrastructure proposals were identified in the Framework to support delivery of higher population density across the area; creating a high-quality public realm, promoting sustainable and active modes of travel, improving flood resilience and opportunities to increase biodiversity through the re-naturalising of the River Malago and vegetation planting. 		

Plots 1-5 Development updates

5. Since March 2019, Plots 4 and 4b (Little Paradise multi-storey car park) have received planning permission, and Plots 2 and 3 have received a resolution to grant planning permission. Combined, they will deliver a minimum of 475 new homes, 819 student bed spaces, commercial space and a new multi-storey car park. Discussions on redevelopment proposals for Plots 1 and 5 continue. Please refer to Appendix A for a plan and detailed scheme proposals for development plots 1-5.

Plot 5 – Vacant Possession

6. Plot 5 as identified red on plan in Appendix A is owned by Bristol City Council ('BCC'). In September 2017, BCC entered into a Development Agreement with Dandara, allowing Dandara to acquire Plot 5 from BCC once conditions relating to a parking strategy, 30% affordable housing, planning permission, price and viability have been satisfied. A multi-storey car park will be built on Plot 4b (see plot plan in Appendix A) to satisfy the parking strategy. The Development Agreement requires BCC to use reasonable endeavours to secure vacant possession of Plot 5 prior to Dandara acquiring the site from BCC.
7. Dandara have submitted a planning application to the Local Planning Authority to deliver circa 339 homes, of which 30% will be affordable, new commercial space, financial contribution towards improvements to play facilities in Victoria Park and public realm improvements to Bedminster Green. The viability is being reviewed by officers in accordance with Development Agreement.
8. To secure vacant possession of Plot 5, two leaseholds (where BCC is the freeholder) need to be acquired, a new decked car park needs to be constructed on Little Paradise, and a new café with toilets plus a new parks depot and mess room need to be developed in Victoria Park to enable Social Farms and Gardens to be relocated to a refurbished Victoria Park lodge. Securing vacant possession of Plot 5 will result in five businesses being displaced, and the Council's Economic Development team will seek to support the affected businesses wherever possible.

Contribution towards new Parks building in Victoria Park

9. Social Farms and Gardens is a tenant of The Green House, a sustainable building which forms part of Plot 5. Agreement has been reached for them to relocate to Victoria Park Lodge to support securing vacant possession of Plot 5. Victoria Park Lodge currently provides public toilets and a Parks mess room but is dilapidated and not fit for purpose. Dandara have agreed to pay for refurbishment costs to Victoria Park Lodge to enable Social Farms and Gardens to move there. Dandara have also agreed to contribute towards a new Parks building to replace the existing facilities in the Lodge, and provide a new café in the park, subject to consultation and planning approval. There is a budget shortfall of up to £100,000 to deliver the new building, and additional match funding is being proposed as part of this report to enable the new parks building to be delivered to gain vacant possession of Plot 5. Please refer to exempt Appendix I for further information, which is exempt as it includes budget estimates for this project which has not yet been tendered.

Strategic Transport Assessment and highway works

10. A Strategic Transport Assessment was completed by Stantec in February 2020. This assessed the cumulative impact of the development proposed within Bedminster Green and recommended a series of physical improvement measures, interventions, and travel planning initiatives to achieve sustainable transport improvements to support the planned growth.
11. Building on this work, BCC officers have liaised with the landowners in the area and developed detailed design proposals for sustainable transport improvements to deliver on the following objectives:
 - Wellbeing – the provision of improved, public transport, with a new inbound bus lane and retention of the outbound bus lane on the A38/Malago Road/Dalby Avenue. Wider footways and improved cycling

infrastructure to increase the level of walking and cycling, with resultant benefits to health, air quality and congestion.

- Connectivity – the A38 is a Strategic Corridor used by the M1 Metrobus route, linking the city centre to south Bristol and Bristol Airport. The proposed works also comprise improvements to passenger experience through the provision of modern bus stops with raised kerbs, shelters, seating, lighting, and real-time information to increase the use of public transport. High quality cycle infrastructure will connect to existing strategic routes, linking the community to key destinations such as Victoria Park, Temple Meads, and the city centre.
- Future-proofing – rain gardens, sustainable drainage and new trees to improve resiliency against extreme weather events.
- Reduced car reliance – if residents and employees of new developments in this area have high quality infrastructure to travel to their destinations by rail, bus, bike or foot, their reliance on private car use will be reduced. Where there is no alternative, BCC is securing the provision of six Electric (EV) Car Club Vehicles which could serve the developments and wider community. Research has shown that the inclusion of car clubs reduces the number of cars owned per household. Additionally, in line with planning policy and the sustainable location of the area, low levels of private car parking spaces are secured within new developments; and
- Avoidance of overspill parking - consideration will be given to a scheme of parking restriction measures which would be consulted on locally. This element would be funded through s106 contributions.

Please refer to Appendix A for further detail on the sustainable transport improvements.

12. There are two small parcels of unregistered land within the boundary of the highway works which will need to be acquired to deliver enhanced bus priority, widen pedestrian footways and maintain access to one of the plots. These parcels of land are indicated on plans in Appendix I, which is exempt as it contains commercially sensitive information. Compulsory Purchase Order(s) (CPO) may be required to acquire these parcels of land, and if so, a further report will be brought to Cabinet to seek approvals to make, confirm and implement any CPO(s).
13. As identified in the Bedminster Green Framework, a feasibility study to explore improvements to Bedminster Station, including a new station entrance from Whitehouse Lane, was completed in June 2020. The study found that there were significant challenges to creating a new subway to link into the station, including a requirement for the railway track to be raised and the need to make improvements to the platform and access ramps to ensure they were accessible. Due to the prohibitive costs associated with this and related negative impact on scheme viability, a decision was made by BCC Transport to focus on improvements to wayfinding and visibility to the current access to the station. A report will be brought to Cabinet seeking approval for any additional funding once further feasibility work has been undertaken and associated costs are known.

River Restoration and flood alleviation works

14. The Bedminster Green Framework area is predominantly in Flood Zone 2, with a part of it in Flood Zone 3 (between Dalby Avenue and Clarke Street). The Framework recognised the River Malago as a principal, but hidden, asset in the area, and identified the opportunity to open up and enhance it to create an environmental and community asset, and to improve flood resilience.
15. A Framework Flood Risk Assessment was completed in 2019, and BCC have commissioned detailed designs for the restoration of the River Malago, working with the Environment Agency and landowners of Plots 1, 3 and 5 to co-ordinate design. The proposals aim to:
 - Provide better green space for people and wildlife by bringing the river back above ground within the Green and provide an amphitheatre seating area where people can relax, exercise or socialise.
 - Reduce ground levels to provide a natural flood storage area during times of high river flows, reducing the flood risk to properties within the area, and improve resiliency to the changing climate.
 - Improve the habitat for a range of fish and aquatic invertebrates, and the increase in vegetation within the

water and on the banks will provide new habitat for additional species. The partial removal of the existing culvert will facilitate wildlife being better able to move up the river.

- Contribute to the industrial and cultural history of Bedminster's heritage, by replacing some of the river walls with gently sloping riverbanks to help to bring the connection to the river back to the area and restore dilapidated heritage features such as a penstock within Plot 3.

Please see Appendix A for further detail on proposals.

16. To improve biodiversity as part of the project, BCC proposes to acquire land along the river bank to the north of Plot 3 for £1, subject to the landowner paying a financial contribution towards repairs to the riverbank. BCC would like to make improvements which benefit nature, promotes biodiversity and makes the river more visibly accessible, through replacing the wall with a sloped vegetated bank. Please see Appendix I for further information which is exempt as it contains commercially sensitive information relating to land acquisition and financial contributions from a third party.

Eco-Impact Assessment – summary of impacts and mitigation

17. The significant impacts of the BCC-led infrastructure proposals are a short-term increase in climate changing gases through the construction works, the embodied emissions in the construction materials used and loss of some existing trees to facilitate delivery of the projects.
18. The proposals include improving the attractiveness and accessibility of active modes of travel to reduce NO2 air pollution and reduce CO2 pollution by reducing the need for private car use; new trees will be provided as part of project delivery, and contributions will be secured to ensure the required number of replacement trees as per the Bristol Tree Replacement Standard can be planted within a 1-mile radius of the area; flood storage capacity will be increased; and improvements to and planting of vegetation along the river will help improve biodiversity and support wildlife to mitigate the impacts.
19. The net effects of the proposals are helping support resilience to the impacts of climate change through increased flood storage, planting of trees and low-level vegetation to absorb CO2 and reduce the urban heat island effect, and infrastructure to encourage active transport modes, helping reduce CO2 and NO2 emissions in the medium-long term by reducing reliance on private car use. There will be ecological benefits from the river restoration work, although it is not possible to quantify the net impact on biodiversity of the overall scheme at this stage.

Infrastructure Funding

20. Since the March 2019 in principle allocation of up to £6m SCIL, based on high-level information available at the time, BCC Officers have developed detailed designs and associated costings for the strategic highway (including public realm), river restoration and flood alleviation works. Construction costs have increased considerably over this time due to factors including demand for materials outstripping supply and labour shortages in specific skill areas. The ecological and climate emergencies declared since March 2019 have required opportunities to create a high-quality public realm and transport improvements to ensure sustainable, low-carbon inner city living to be maximised through the detailed design process. Specific constraints of constructing on site with regards to contamination, ground conditions and programming are also now known. Delivering these projects alongside the 5 adjoining landowners will be complex and detailed construction co-ordination is required to ensure minimum disruption is caused to residents, businesses and the public highway.
21. Informed by all the above, it is now clear that a total of up to £14.3m funding is required to enable the transformation of Bedminster Green in line with the Framework approved by Cabinet in March 2019. A breakdown of these costs is included within Appendix I which is exempt as it contains budget estimates for two infrastructure projects which have not been tendered yet. External funding is being sought to support delivery of these projects (detailed below), and approvals are sought to allocate and draw down up to £14.3m, to include £6m SCIL approved in principle by Cabinet in 2019.

22. A bid has been submitted to the Department for Transport via WECA for funds from the City Region Sustainable Transport Settlement (CRSTS). If this funding is successful, it is proposed it is used to deliver the strategic highway (including public realm) works. The highway works is a strong contender to receive funding from CRSTS as it is at an advanced stage of development and due to start on site Q2 2022/23, required to support sustainable growth in Bedminster Green, will deliver on opportunities as set out in the Bristol One City Climate Strategy and improve strategic corridor links. If eligible, the River Restoration project could also be funded through CRSTS. If the bid is successful, SCIL will be used to provide the required level of match funding.
23. The outcome of the bid will not be known until after the Comprehensive Spending Review in autumn 2021. WECA is set to receive between £540m and £880m and should receive the lower level as a minimum. There is also a requirement for 15-20% match funding to be committed by the constituent authorities of WECA. As such a significant amount of funding should be available and the projects in Bedminster Green are ready to be delivered and have quantifiable benefits in line with the aims of the CRSTS fund, officers recommend that Bedminster Green infrastructure projects are prioritised for the funding.
24. Should the CRSTS funding not be allocated to this project for any reason, a report will be brought back to Cabinet identify alternative delivery and funding options to ensure the Vision set out in the Bedminster Green Framework can be realised.
25. A Heritage Lottery Fund bid up to £250,000 is also being explored to support the delivery of the River Restoration project.

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Notes the recommendations within the Strategic Transport Assessment and that these recommendations have informed the strategic highway works detailed design.
2. Approves the detailed project proposals for the Bedminster Green strategic highway works (including public realm) and river restoration and flood alleviation works as set out within Appendix A.
3. Approves prioritising Bedminster Green infrastructure projects for City Region Sustainable Transport Settlement funding.
4. Authorises the Executive Director Growth and Regeneration, in consultation with the Mayor, Deputy Mayor and S151 Officer to take all steps required to bid for and accept any funding award and enter into funding agreements to deliver the strategic highway works (including public realm), river restoration and flood alleviation works and land acquisition that will be sought from:
 - i) the City Region Sustainable Transport Settlement up to £13.5m; and / or
 - ii) Heritage Lottery Funding, up to £250,000.
5. Authorises the Executive Director Growth and Regeneration, in consultation with the Mayor, Deputy Mayor and S151 Officer to secure, draw down and spend:
 - i) City Region Sustainable Transport Settlement up to £13.5m; and
 - ii) Strategic CIL up to £6m (as previously approved in principle by Cabinet 2019)
 to deliver strategic highway works (including public realm), river restoration infrastructure works, contribution to Victoria Park improvements, support to co-ordinate development delivery and maximise the benefits of growth as detailed in this report.
6. Notes up to £6m Strategic CIL could be used as match funding towards the City Region Sustainable Transport Settlement should Bristol City Council be successful in securing this funding.
7. Notes that should the City Region Sustainable Transport Settlement funding not be allocated to this project for any reason, a report will be brought back to Cabinet identify alternative delivery and funding options to ensure the Vision set out in the Bedminster Green Framework can be realised.
8. Authorises the Executive Director Growth and Regeneration, in consultation with the Mayor, to procure all necessary contracts (for goods, works or services) to deliver the strategic highway works (including public realm), river restoration and flood alleviation works and new parks building in Victoria Park (within the specified funding envelope), including awarding any contracts which exceed the key decision threshold.

9. Notes that BCC have entered into a Development Agreement with Dandara on Plot 5, and subject to Dandara meeting the conditions set out within this agreement, the land will be disposed of to Dandara on commercial terms.
10. Notes that a multi-storey car park must be constructed on Plot 4b to satisfy conditions as set out in the Development Agreement between the Council and Dandara.
11. Authorises the Executive Director Growth and Regeneration to conclude any further contracts required to secure delivery of the multi-storey car park and to approve any procurement requirements needed to authorise any further contract with Dandara.
12. Approves the acquisition of the land to the north of Plot 3 as identified on plan at Appendix I to enable river restoration works, subject to securing a financial contribution from the current landowner towards the costs of repairs to the structure of the riverbank infrastructure.
13. Note that Compulsory Purchase Order(s) may be progressed to acquire unregistered land necessary to deliver the highway improvements, with approvals to make, confirm and implement a Compulsory Purchase Order(s), if required, subject to a further Cabinet report.

Corporate Strategy alignment:

1. Fair and Inclusive – the regeneration of Bedminster Green will deliver much needed new homes, including affordable homes, helping to increase footfall and support traders on the nearby East Street.
2. Well Connected – the sustainable transport and public realm improvements will improve connections across the city and support active and sustainable travel, by making it easier to walk, cycle or take public transport. This, combined with new trees and vegetation planting, will help support the level of growth coming forward in the area, improve air quality and help improve climate resilience.
3. Wellbeing – making active transport easier and creating a high-quality pleasant public realm, combined with improved green space for people and wildlife will support healthier lifestyles and encourage integration of existing and new communities.

City Benefits:

1. New, good quality homes, including affordable housing, will help create greater equality of opportunity and quality of life. Creating a mixed and balanced community with a strong sense of place and liveable environment can help benefit mental and physical health, social interaction and security.
2. BCC led Transport and River Restoration projects will seek to improve climate resiliency by increasing flood storage area, respond to the ecological emergency by providing new vegetation to encourage and support wildlife, and new trees will help combat the urban heat island effect and provide healthier streets.
3. Improvements to bus, cycling and walking infrastructure will help increase the level of active travel, with resultant benefits to health, air quality and congestion.
4. The growth in population in Bedminster Green will increase footfall to East St and help support small businesses on the high street.

Consultation Details:

1. The draft BG Framework was consulted on Dec-Jan 2018/19.
2. The Transport and River Restoration projects were consulted on in February-March 2020 and feedback from this consultation showed strong support for efforts to reduce air pollution, provide better cycling routes, and improve bus services. Responses to this consultation heavily informed updated design proposals which were consulted on again in January – March 2021, and both sets of proposals were well supported. 338 responses were received through a survey, 242 local businesses were contacted about the proposals and 11 briefings were held with 15 key stakeholders or stakeholder groups during this period.

Background Documents:

- [Bedminster Green Framework](#)
- [March 2019 Cabinet report](#) (item 8)
- [Strategic Transport Assessment](#)

Revenue Cost	£0	Source of Revenue Funding	N/A
Capital Cost	£14.3m	Source of Capital Funding	City Region Sustainable Transport Settlement;

and / or Heritage Lottery Funding; and SCIL

One off cost Ongoing cost Saving Proposal Income generation proposal

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

1. Finance Advice:

In March 2019 Cabinet approved the original report on this scheme with an allocation of funding from CIL and requirement for a further report to return to Cabinet following the development of detailed project proposals, costings, and match funding. This report fulfils that requirement and seeks Cabinet approval of the updated project proposals for the regeneration of Bedminster Green as outlined in the report above.

The new total cost estimate is £14.3m based on a detailed project proposal, which is an £8.3m increase from the March 2019 CIL allocation of £6m. These costings have been reviewed and represent the latest understanding of the costings for each element including adequate contingencies. Table 1 below provides a high-level summary of the cost:

Table 1

Project	2021-22	2022-23	2023-24	2024-25	TOTAL
River Restoration & Highways work & Land Acquisition	£697,734	£4,566,084	£3,745,781	£4,681,297	£13,690,896
Project Management/Co-ordination	£104,158	£104,158	£104,158	£104,158	£416,632
Comms / engagement	£15,000	£15,000	£15,000	£15,000	£60,000
Contribution to Parks building		£50,000	£50,000		£100,000
TOTAL	£816,892	£4,735,242	£3,914,939	£4,800,455	£14,267,528

The report seeks approval to fund up to £14.3m from a combination of both Grant & CIL funding. A new grant bid has been submitted to the Department for Transport via WECA for funds from the City Region Sustainable Transport Settlement (CRSTS), and it is anticipated that significant funding will be awarded to the Region and that this project will qualify as a priority project that will receive all the required funding with the CIL allocation of up to £6m serving as part of the Council's overall match funding plan. As a minimum, the CRSTS fund is expected to fund the Transport & Highways work.

An announcement is expected autumn 2021 on the award of CRSTS funding to the region. If the bid is successful, SCIL will be used to provide the required level of match funding to deliver the projects. If the bid is unsuccessful, a new report will be brought to Cabinet with alternative funding proposals.

The report also seeks approval to bid for and accept any award from the Heritage Lottery Funding up to £250,000 towards this project.

The project costs include some funding for the new parks building totalling £100k, to address the funding gap. The Parks services and the Developer are providing the bulk of the funding and this project is only bridging the gap.

The report also identifies that Compulsory Purchase Order(s) (CPO) may be required to acquire parcels of land to enable the delivery of the Transport & highways plan, and provision has been made within the cost estimate to cover for this. It is also anticipated that further funding may be required to enable improvements to wayfinding and visibility to the current access to the Bedminster station, once feasibility works are completed. A separate report will be brought back to Cabinet (where necessary) which will include the funding requirement and identified source(s) of funding. The report also includes the provision of six Electric (EV) Car Club Vehicles to be funded through developer contributions.

The report references the Development agreement reached with Dandara and progress made to date. It is noted that the price and viability aspects of the agreement are still in the process of being agreed. A section 123 valuation is required to demonstrate best consideration is being secured from the agreement, and it is expected that our Property service experts are facilitating this.

Finance Business Partner: Kayode Olagundoye, Interim Finance Business Partner, 20th October 2021

2. Legal Advice: The Council's power to acquire property by agreement and at market value falls within the Local Government Act 1972 for the purpose of any of its functions or for the benefit, improvement or development of the area.

The terms and conditions attached to any third party funding will need careful consideration to ensure the Council is in a position to ensure compliance, either by itself or through its contractors.

Any contracts to deliver the works detailed in the report will need to be procured in accordance with the Public Contracts Regulations (PCR) 2015, and the councils own procurement rules.

It should be noted that the development agreement between the Council and Dandara provides for the latter to construct the required car park on Council land at the developers' expense (circa £2m). This is required to meet the Councils parking strategy and forms part of the planning permission for the development. This requirement is necessary to meet planning policy but to the extent that this arrangement might be viewed as a works contract it falls outside the PCR as is below the threshold of £4.7m.

It is noted that authority is sought for the Executive Director to award contracts, (albeit within the funding limits) including any which might exceed the key decision threshold without further reference to Cabinet.

Legal Team Leader: Eric Andrews, Team Leader, 1 st September 2021		
3. Implications on IT: No anticipated impact on IT/Digital Services		
IT Team Leader: Simon Oliver, Director: Digital Transformation, 18 th August 2021		
4. HR Advice: The report provides an update on the projects and seeks additional funding, which will in part fund additional staffing resource to deliver the projects (Appendix A). 3 new roles (graded BG 10, 13 and 14) are required. The BG13 post will sit within the Transport team, and undertake a programming exercise and manage the logistics of complex project delivery across BCC projects and development of the five plots. The BG10 and BG14 roles will sit within the Regeneration Team and will be responsible for community liaison and maximising growth opportunities. In line with Council HR policy, the posts should be advertised internally to provide development opportunities to BCC staff. If they are fixed term roles they can be advertised as secondments.		
HR Partner: Celia Williams, HR Business Partner – Growth and Regeneration, 19 th August 2021		
EDM Sign-off	Stephen Peacock, Executive Director Growth and Regeneration	9 th September 2021
Cabinet Member sign-off	Mayor's Office	13 th September 2021
For Key Decisions - Mayor's Office sign-off	Mayor's Office	4 th October 2021

Appendix A – Further essential background / detail on the proposal	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	YES
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	Yes
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO