

Brighton & Hove City Council

Transport & Sustainability Committee

Agenda Item 49

Subject: Hove Station Footbridge

Date of meeting: 5th December 2023

Report of: Executive Director – Economy, Environment & Culture

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Ward(s) affected: Goldsmid

For general release

1. Purpose of the report and policy context

1.1 This report is to inform members of the ongoing maintenance issues and potential liabilities for the council related to the footbridge that links Hove Station to Hove Park Villas.

1.2 A deputation made to the council on 21 July last year sought a commitment to allocate funds towards the design of a new pedestrian and cycle footbridge over the railway linking the Sackville site (currently under development by Moda Living) and the surface car park adjacent to Hove Station. Officer responses were provided at the council meeting and again at the 20 September 2022 Environment, Transport & Sustainability Committee. At the latter meeting the committee requested that a report responding to the deputation be prepared for a future committee.

2. Recommendations

2.1 That Committee notes the response to the original Deputation and further information within paragraphs 3.7 to 3.19.

2.2 That Committee notes the status of the existing Hove Station Footbridge, in particular the possibility the structure will require extensive repairs or replacement in the near future.

2.3 That Committee notes the early emerging nature of discussions relating to future development in the Hove Station Area and defers consideration to a future Committee regarding any potential funding options for maintaining or improving connectivity across the railway in the vicinity of Hove Station.

3. Context and background information

Existing Hove Station Footbridge

- 3.1 The existing structure was built around 1889 by the London Brighton & South Coast Railway Company. At this time a formal agreement between the Railway Company and The Commissioners of Hove conferred the costs of its upkeep (maintenance), painting and lighting to the predecessor Hove Council. This means from this old agreement that the council is wholly liable for funding maintenance and repairs, however the council is not directly responsible for the overall safety and inspection of the structure, this resides with the Railway Company. Network Rail is responsible for undertaking regular inspections and determines what repairs are to be carried out and when.
- 3.2 The liability held is for the maintenance, cleaning and lighting of the structure as set out within the agreement, there is no specific dispute clause or indication of a possible expiry of the agreement. The existing bridge has no disability access due to its age so currently is not fit for purpose for any residents who are movement impaired.
- 3.3 A bridge structure constructed today would be designed and built for a lifespan of approximately 120 years. The bridge structure is Grade 2 listed and constructed from wrought and cast iron, and steel with timber stairs, side panels and bituminous surfacing. Any repair to the structure must be implemented with the original materials, as it is a Grade 2 listed, and particularly challenging as wrought iron in particular is difficult to source and fabricate.
- 3.4 Removal and replacement of the structure would come at a significantly high cost and was estimated several years ago at between £4M to £6M, however given the requirement for costly track possessions, the final cost could easily exceed £20M. Network Rail have indicated that the structure needs a full assessment that could help extend the life of the structure by identifying repairs. Network Rail are responsible for carrying out these inspections and overall safety of the footbridge structure and any associated works due to the proximity of their rail infrastructure and network. Network Rail will inform the council of the initial estimate for the next round of repairs once their assessment is complete. Funds will be available when the assessment is complete and costs are estimated to be in the region of £0.5m. This is an indicative amount set aside as the actual liability remains unknown.
- 3.5 The 1889 Agreement, as it stands, sets out that the liability for repair costs sits with the City Council. It is very unusual to have any asset owned by Network Rail where liability for maintenance resides with a Local Authority. It is also unusual for an old legal document to compel the City Council to continue to fund repairs to a very old structure that is at or nearing the end of its structural lifespan.
- 3.6 The council will continue to look at options to engage and work with Network Rail to consider how the footbridge can most appropriately be maintained or replaced.

Deputation

- 3.7 The deputation from local residents referenced in paragraph 1.1 of this report above and the reason for the committee requesting the preparation of this committee report, is set out for information below:
- We, the undersigned, support Artists Corner Residents Group in their request to secure design funding for the new accessible pedestrian / cycle footbridge connecting the Sackville Trading Estate redevelopment with Hove Station.
 - The redevelopment of the Sackville Road Trading Estate site is regenerating one of the largest brownfield sites in Hove.
 - The site offers the opportunity to provide an accessible footbridge connecting Hove Station with the development and communities in Hove Park, Westbourne, Goldsmid and Central Hove Wards. It will also contribute significantly to the regeneration of the wider area including the shops on George Street and Church Road.
 - This proposal is key to connecting the various parts of Hove Station Quarter and to help create an integrated new city quarter around Hove Station
 - The provision of a new accessible pedestrian footbridge is one of the major infrastructure proposals set out in the Hove Station Neighbourhood Plan / Hove Station Area SPD. The SPD identifies a “potential pedestrian / cycle bridge over railway line”. The bridge would provide east-west routes connecting Hove Station with the community to its north-west (Community Hub 4).
 - The next step to progress the pedestrian bridge project is to secure design funding.
 - This deputation asks the Council to support the allocation of £70,000 of Sackville Road Trading Estate redevelopment S106 funds and/or Hove Gardens 2 Community Infrastructure Levy to secure design funding for the proposed new bridge.
- 3.8 The context for the request for £70,000 (either from Sackville Section 106 funds or from CIL) is based on the knowledge that Network Rail have previously stated that this would be the cost of concept design work that they would be willing to commission from their design team - but on the basis that it is funded from elsewhere.
- 3.9 An unsuccessful bid for Levelling-Up funding was previously made by BHCC and supported by the local MP.
- 3.10 Moda Living support the proposal for a new bridge and have offered land in the corner of their site as the start/end point – and have proposed that £70,000 allocated for sustainable transport in the Section 106 Agreement attached to their planning permission could be utilised for this initial design feasibility work.
- 3.11 It should be noted that no party to date has committed to provide design or construction funding for such a bridge.

- 3.12 The committee will be aware that the Hove Station Area is a major regeneration 'zone' within the city. It is designated as a Development Area (DA6) in City Plan Part 1, is the subject of a supplementary planning document (SPD 18) adopted in September 2021 and makes up a significant element of the geographical area covered by the draft Hove Station Neighbourhood Plan.
- 3.13 Two major residential-led mixed-use developments are currently under construction in the area: the aforementioned former Sackville Trading Estate by Moda and 1-3 Ellen Street (aka the 'Hove Gardens' site) by Watkin Jones, with further development of the former KAP car showroom site expected to follow shortly.
- 3.14 The need to improve connectivity across the railway is highlighted in all the above policy documents. Current pedestrian and cycle options within the development area are limited to the busy and congested Sackville Road (dominated by motorised vehicles) the height-restricted Fonthill Road 'tunnel' (subject to 'rat-running', speeding vehicles and providing a hostile environment for pedestrians and cyclists) and the footbridge over the railway adjacent to Hove Station, which also provides a poor-quality environment and is restricted to stepped-access, so is inaccessible to many potential users.
- 3.15 SPD10 includes proposals to greatly improve the environment under the railway on Fonthill Road and to re-provide a fully-accessible and more attractive footbridge adjacent to the station. In recognition of ongoing discussions in the wider community, the document also references the potential for a new foot/cycle bridge over the railway linking the south-east corner of the Sackville site and the site currently occupied by the station car park.
- 3.16 It should be noted that there is little detail provided in the SPD in relation to the precise route, siting or benefits of such a link – it is depicted graphically on a map in the SPD, denoted as a conceptual arrow. It is a concept that can be explored as part of the wider development of the area (including redevelopment on and around the car park site).
- 3.17 Since SPD10 was adopted in September, the council has been in discussion with LCR Property and key landowners within and around the Conway Street Industrial Area– with the parties signing a Memorandum of Understanding (MoU) to work collaboratively towards the redevelopment of this area in a way that will accommodate key objectives of the SPD. In addition to the council and LCR Property, the MoU parties comprise The Go Ahead Group, Matsim Properties and Network Rail.
- 3.18 The focus of this collaboration is currently aimed at achieving a viable concept design that meets the future operational needs of the bus company - while delivering the wide-ranging objectives to create a high quality, connected and sustainable neighbourhood around the station – i.e. meeting the policy objectives of the SPD.

- 3.19 At the point that a viable concept has been identified and agreed amongst the parties, plans can be further developed and refined in consultation with wider stakeholders. This will include how to provide for and fund improved connectivity over and under the railway.

4. Analysis and consideration of alternative options

- 4.1 The alternative options available other than repair would be to close or remove the structure severing the link across the railway.
- 4.2 Removal of the link would result in a significant walking detour for residents seeking to access Central Hove encouraging people to drive the short distance and add to the City's congestion.
- 4.3 The structure could be replaced, but at a considerable cost as set out previously. As a listed structure it could only be removed once it is in danger of collapse.

Use of Section 106 Funds

- 4.4 Given the early stages of joint working among the key landowners, the absence of identified funding for an additional footbridge and the identified need to improve existing connections across the railway as part of wider new development, it would pose a risk at this point in time for the council to allocate Section 106 funding from the Moda development to what effectively constitutes speculative design work.
- 4.5 It is entirely possible that existing Section 106 sustainable transport funds could be better spent elsewhere as more detailed tangible plans emerge for the area. Should such plans clearly demonstrate a new footbridge as an integral element (and meet benefit-cost considerations) then a decision regarding the potential allocation of funds for design work could be revisited and considered at that point.

5. Community engagement and consultation

- 5.1 Community engagement is not required at this time, but any proposal will require full consultation.

6. Conclusion

- 6.1 The Committee should note the issues set out in the report and the potential financial risk that sits with the Authority. Network Rail carry out any needed works, but the Council must pay these costs in full without knowledge of a likely cost.
- 6.2 Officers will continue to seek a solution to maintain an important crossing and will continue to try and work with Network Rail.
- 6.3 A new pedestrian link will be expensive to construct and will require agreements from both the landowner and Network Rail. With the issues

associated with the existing structure particularly the issues with ownership it would be prudent to deliver a long term solution to the existing structure before exploring new links.

7. Financial implications

7.1 There are no direct financial implications arising from the recommendations within this report which is for noting.

7.2 Deferring consideration to a future date regarding improvements pedestrian and cycle connectivity across the railway bridge will highlight to a future committee proposed improvements as well as any funding for the project identified. £0.250m has been set aside in the 23/24 and 24/25 financial years within the capital programme for any likely repairs funded by Council borrowing. Any significant variation to budget will be reported as part of the Council's monthly budget monitoring process.

Name of finance officer consulted: John Lack Date consulted 17/11/23

8. Legal implications

8.1 The existing legal arrangements place responsibility on the Council for funding the maintenance, repair and lighting for the existing Hove Station footbridge, as set out in the report. The planning (Listed Buildings and Conservation Areas) Act 1990 will also apply and will govern which works can be undertaken and how.

Name of lawyer consulted: Simon Court Date consulted 21/11/23

9. Equalities implications

9.1 Those with mobility issues may struggle to utilise the footbridge in its current configuration. Therefore, those with a disability affecting movement are disadvantaged. This will be a key consideration on the negotiations and discussions that come forwards, in terms of planning an accessible alternative.

10. Sustainability implications

10.1 Extending the existing structures life would be more a more sustainable approach than relacing the structure, but factors such as cost and viability will determine the approach that needs to be taken. Any replacement will require new materials and in this case specialist contractors. Maintenance that can extend the life will be a priority.