

Strategic Planning, Sustainability and Transport Committee

11th Oct 2016

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

River Medway Towpath – Maidstone Sustainable Access to Education and Employment LEP Scheme

Final Decision-Maker	Strategic Planning, Sustainability and Transport Committee
Lead Head of Service	Head of Commercial and Economic Development
Lead Officer and Report Author	Fran Wallis, Local Economy Projects Officer
Classification	Public
Wards affected	High Street, Boxley, North, South, Bridge, Fant, Allington, Barming

This report makes the following recommendations to this Committee:

1. That members support the officer's recommendation to proceed with physical works to improve the existing Public Footpath, prior to the completion of the Cycle Tracks Conversion Order process.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all – promoting better use of the River Medway – one of the borough's key assets.
- Securing a successful economy for Maidstone Borough – encouraging commuters out of their cars and improving sustainable access to employment.

Timetable

Meeting	Date
S,P, S&T Committee	11th Oct 2016

River Medway Towpath – Maidstone Sustainable Access to Employment Project

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides an update on the scheme to create a cycle path along the River Medway from Aylesford to Barming Bridge.
- 1.2 The report provides background information to allow Members to make an informed decision regarding the commencement of works and follows an earlier report to this committee provided in December 2015.

2. INTRODUCTION AND BACKGROUND

- 2.1 The Sustainable Access to Maidstone Employment Areas Project was submitted by Kent County Council to the South East Local Enterprise Partnership (SELEP) for Single Local Growth Funding in 2014 and received an allocation of £2m. The bid sought is set to create a riverside cycle path from Barming to Aylesford.
- 2.2 The project created a partnership between KCC, MBC and Tonbridge and Malling Borough Council. MBC have confirmed agreement to providing a contribution of up to £500K following a decision made at this committee in December 2015.
- 2.3 As previously informed the overall purpose of the investment is to encourage cycling and walking by providing attractive, direct routes for cyclists and pedestrians, to access employment, education and other facilities in Maidstone Town Centre, and along the River Medway corridor. This will be achieved through the construction of a new shared use towpath. The total length of the path is 10.5km, of which 8.8km is within Maidstone borough.
- 2.4 The project will support the objectives within the Kent Environment Strategy, including works to improve habitats and river bank protection. Improved river bank, areas for wildlife and relaxation will be created. The project also provides a carbon free transport option within the Maidstone Air Quality Management Area.
- 2.5 By enhancing the towpath, an attractive, sustainable alternative route will be provided to commuters and others, to benefit the health and wellbeing of everyone. The path will become a valuable resource in which daily exercise can be taken as part of a daily commute. Similar towpath schemes across the country have proved to add value to the quality of life, health and wellbeing of local residents. The opportunity the SELEP funding provides can realise the potential of the much underutilised asset of the River Medway.

- 2.6 The project is supported by the Joint Transportation Board.
- 2.7 Kent County Council have now confirmed that the construction tendering process has been completed and EOS Civil Engineering have been awarded the contract to construct the section between Barming and the M20 overbridge at Allington Lock.
- 2.8 Since commencing the project landowners along the route have been informed of the intention to convert the existing Public Footpath to a Cycle Track to clarify and safeguard the right of cyclists to use the path. A recently completed survey identified that 20% of all users of the Towpath were cyclists with 75 cyclists recorded in one 4 hour period.
- 2.9 Leisure plots have recently been established on land between Unicomes Lane and Barming Bridge. That development has included the establishment of fences, confining the public footpath to approximately 2.5 to 3 metres in width, sufficient to enable access to the leisure plots with vehicles; the construction of sheds and the mooring of boats. Although the width provided is also sufficient to accommodate the proposed shared use towpath, some owners of the leisure plots have suggested that they would not agree to works to improve the public footpath being completed prior to a cycle tracks order being made. Agreement only being possible if the path were diverted away from the river and alongside the railway line.
- 2.10 The responsible Kent County Council Public Rights of Way and Access officer engaged in consultation with the local County and Borough Ward members along with legal advice to conclude whether movement of the path would be agreeable. It became clear that the movement of the path away from the river and alongside the railway would not be supported by either authority and any such diversion attempt would be strongly opposed. The reasons given are loss of amenity, views and that any movement away from the river would be substantially less enjoyable and secure for the public.
- 2.11 Following further negotiations with some of the Leisure Plot Owners, KCC have agreed to look into the provision of speed humps along this section to alleviate a concern regarding cycle speed. The installation of a lockable gate with a combination lock to restrict vehicular access has also been agreed.
- 2.12 The path is already a Public Right of Way and as such the scheme falls within permitted development. Although cyclists already use the route unchallenged, a Cycle Tracks Conversion Order will be sought, for the avoidance of doubt of users, and enable official signage to be installed.
- 2.13 The existing path has no recorded width on the Definitive Map and Statement. However historic Ordnance Survey Mapping indicates that the public footpath is approximately 3 metres wide. The route was repaired and surfaced with stone to a width of 1.5 metres in 2011. The County Council have confirmed that the surfacing width completed in 2011 is only a reflection of the budget available at that time and does not reflect the full extent of the public rights.

3. AVAILABLE OPTIONS

- 3.1 Option 1 – Agree with landowners along the stretch identified, between Unicomes Lane and Barming Bridge, that the works in this area should not be completed prior to conversion to Cycle Track. This option runs a risk of this section extending beyond the project timescale and loss of the grant funding available. The opportunity to encourage people not to use their cars will be missed, and the knock on benefits of reduced congestion and air pollution will be reduced and improvements to health and fitness through cycling lost.
- 3.2 Option 2 – Support the Officers recommendations to proceed with works to improve the existing Public Footpath to a width of 2.5 metres in accordance with the Highway Authorities power to improve a public highway. This would ensure that the approved scheme can be delivered for the benefit of the wider public and in accordance with its existing use, prior to completion of the Cycle Tracks Order process.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that this committee agree to Option 2 – to progress with the scheme as previously proposed.
- 4.2 This project provides the opportunity to upgrade the existing tow path to a formal cycle path. Evidence is clear that the path is already being used by cyclists however MBC and KCC cannot promote it as such as it is below the required highways standard to be designated as a cycle path.
- 4.3 The development of Maidstone town centre for housing and jobs benefits from the provision of sustainable transport links.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 KCC have already carried out a great deal of consultation with various parties who have an interest in the project. These are outlined below:
- Maidstone Borough Council – has been involved from the start in discussing the project and its links to the economy.
 - Tonbridge and Malling Borough Council – as set out earlier part of this project lies within T&MBC.
 - Environment Agency (EA)– has been consulted due to the project’s location along the river. The EA have offered ‘in kind’ contribution to the project through the use of their equipment and expertise.
 - Aylesford Parish Council (providing £10k investment), East Farleigh Parish Council, Barming Parish Council, North Loose Residents Association – are all supportive.
 - River Medway Users Association

- Ramblers Association
- Valley of Visions Partnership
- Peel Ports
- MP for Chatham and Aylesford
- Local Landowners
- Borough Council members –
- This Committee of December 2015

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 A public consultation in the Town Centre will provide opportunities to view and discuss the detail of the project.
- 6.2 KCC will progress construction of the scheme.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	By promoting better access to the River Medway and encouraging commuters to use sustainable transport options.	Head of Finance & Resources
Risk Management	Project risks will be managed by Kent County Council.	Head of Finance & Resources
Financial	Maidstone Borough's Council's contribution was approved by Council on 25th February 2015. Kent County Council is contributing £100,000. SELEP £2m.	Head of Finance & Resources
Staffing	Staff involvement limited to Economic Development and Planning Policy officers including liaison with Kent County Council and support with stakeholder engagement and communication	Head of Commercial and Economic Development
Legal	A deed of funding agreement between MBC and Kent County Council has been agreed and sealed	Team Leader (Contracts and Commissioning)
Equality Impact Needs Assessment	An EQIA has been completed by KCC's PROW & Access Service and is subject to	Head of Finance & Resources

	review.	
Environmental/Sustainable Development	Biodiversity will be enhanced along the river. Commuters will be encouraged to use a more sustainable route	Head of Commercial and Economic Development
Community Safety	None identified	
Human Rights Act	None identified	
Procurement	Kent County Council will be the procuring authority but will work closely with MBC in the procurement process.	Head of Finance & Resources
Asset Management	The cycle path will be highway and be maintained by Kent County Council	Head of Finance & Resources

8. REPORT APPENDICES

The following document is to be published with this report and form part of the report:

- Appendix I: Photos of the area in question

9. BACKGROUND PAPERS

None