

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**LEISURE and ARTS ADVISORY BOARD**

**20 May 2008**

**Report of the Chief Leisure Officer and the  
Cabinet Member for Leisure, Youth and Arts**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken  
by the Cabinet Member)**

**1 TONBRIDGE TO PENSHURST CYCLE ROUTE – ADDITIONAL OFF ROAD  
SECTION**

**Summary**

**This report updates Members on the outcome of investigations into the provision of an additional off-road section to the Tonbridge to Penshurst Cycle route, and concludes that unfortunately no suitable option exists at the present time.**

**1.1 Background**

1.1.1 Members will be aware from regular reports to this Board, of the current Capital Plan List A scheme for the provision of a new off road section of the Tonbridge to Penshurst Cycle Route. The aim of the scheme is to provide an alternative off-road route for cyclists in order to avoid the use of Lower Haysden Lane. There is currently a provision of £42,000 in the current financial year of the Capital Plan for the scheme.

1.1.2 The original proposed off-road route utilised land outside of the Council's ownership, and therefore negotiations were entered into with the local land owner to purchase the land. Unfortunately, these negotiations, undertaken by the Council's Estates Manager, concluded that the land owner was unwilling to release the land for sale or exchange, and therefore the Council could not proceed with its original proposal.

1.1.3 Subsequently, Officers were requested to investigate alternative routes for the off road section and specifically any options through Haysden Country Park, an area of land within the Council's ownership.

**1.2 Alternative Options**

1.2.1 Reid Amenity, an external consultant that had previously been engaged on other sections of the cycle route, was commissioned to develop an Options Report. The report highlighted five possible alternative routes through Haysden Country Park

and, for each the advantages/disadvantages, the need for consents, and indicative costs were identified. Significant concerns were raised by your Officers on all of the five options and those concerns identified for the favoured option are summarised below:

- The route crosses two existing bridges that would be unsuitable for dual use due to their restrictive widths. Cyclists will be required to dismount on both occasions although issues of conflict with other users may still occur. One of these bridges is also maintained by KCC as it forms part of a designated Public Right of Way (PROW).
- Approximately 70m of the route will be on paths designated as PROW with no option to create a separate path. This may cause concern to both KCC and the Ramblers Association, who brought forward objections/concerns to this occurring on previous sections of the route.
- Approximately 260m will be on a designated Bridleway and, although legally cyclists are permitted to use these routes, increased use by cyclists may cause concern from both sets of users.
- The proposed route may encroach on land adjacent to the Flood Relief Barrier that is within Environment Agency ownership. If Environment Agency consent is required this is likely to be challenging when taking previous negotiations on the cycle route into consideration.
- This is an area currently heavily used by dog walkers and these users may be concerned by a proposed cycle route.

1.2.2 In addition to the above, it should also be noted that the alternative routes would take the cycle route through areas of the Park that currently offer the public a more peaceful and natural environment, and to date the Council has not promoted their development for cycling. The routes also pass through areas of the Park that are designated by the Kent Wildlife Trust as a Site of Nature Conservation Interest and therefore have high wildlife value.

### **1.3 Consultation**

1.3.1 The Options Report was taken to the Haysden Country Park User Panel to seek its views, and the Panel concluded that they felt none of the identified options were desirable.

### **1.4 The Way Forward**

1.4.1 Taking into account both the unsuccessful land negotiations and the failure to identify any suitable alternatives routes, Members are requested to re-consider the viability of the scheme and its retention in the Capital Plan. A key consideration in this decision is the health and safety implications and this is addressed at sub-section 1.8 later in this report.

- 1.4.2 Local Members' views on the way forward have been sought.
- 1.4.3 Councillor Bolt has commented as follows: "To protect the integrity of the undisturbed nature of the Country Park westwards of the central car park, alternative cycle routes through that area should not be further considered. Furthermore, special attention should be applied to a review of safety measures along the on road section of the cycle route in Lower Haysden Lane as referred to in paragraph 1.8.2."
- 1.4.4 Councillor Cure has commented as follows: "Whilst I am disappointed at the proposals, I recognise the problems relating to the provision of an 'off road cycle route', due to the landowners being unwilling to sell the necessary land, and the importance of not providing a cycle route through the Country Park in this area, due to a resulting conflict with other Park users. I therefore accept the recommendations, but remain concerned about the safety of cyclists, with particular reference to the effect that the proposed parking charges in the Country Park may have on parking in Lower Haysden Lane. I therefore welcome the proposal set out in 1.8.2 and the recommendation 1.10.1 (3) to review safety measures. I hope both the Civil Enforcement Officers and the Police will be asked to observe any conflict between vehicle traffic and cyclists over the next twelve months."

## **1.5 Re-allocation of Capital Funds**

- 1.5.1 Should Members consider it appropriate to remove the scheme from the Capital Plan it is proposed that a proportion of the allocated funding be vired for the following works linked to the existing cycle route:
- Reinstatement works to the existing cycle route following recent flood damage - a number of customer complaints have been received and the works need to be progressed.
  - Improvement works to Haysden Country Park car parks – many of the users of the cycle route park at the Country Park.
  - Additional health and safety measures along Lower Haysden Lane to be identified in liaison with KCC Highway Services and the Council's Health and Safety Officer.

## **1.6 Legal Implications**

- 1.6.1 None.

## **1.7 Financial and Value for Money Considerations**

- 1.7.1 £42,000 has been allocated in List A of the Capital Plan to assist in the delivery of the scheme. In addition, the Capital Plan also highlights external funding of: £26,000 from Interreg Funding.

1.7.2 In regard to the Interreg funding the time frame for drawing down this grant has unfortunately expired and Kent County Council had to reallocate it elsewhere. However, part of the funding was invested back into other sections of the cycle route and pathways within Haysden Country Park.

## 1.8 Risk Assessment

1.8.1 When the cycle route was originally developed some concerns were raised in regard to the safety of cyclists utilising the Lower Haysden Lane section of the existing cycle route and this was one of the main reasons to progress the investigation of an alternative off road route. Prior to the opening of the route and following a safety audit, appropriate advisory highway signage was erected to assist in reducing the risk of any incidents. Members will be pleased to note that following two and a half years of operation no reported incidents have occurred on this stretch of the route, and Members may wish to take this into account when considering the scheme's retention on the Capital Plan.

1.8.2 Further to the above the Council does consider public safety a fundamental issue and as such propose that a further review of safety measures along the on-road section of the route is carried out. It is proposed that Kent County Council Highway Services are contacted and be requested to advise on any additional safety measures that may need to be considered along this section of the route. The Council's Health and Safety Officer will also be involved in these considerations.

## 1.9 Policy Considerations

1.9.1 Healthy Lifestyles, Biodiversity & Sustainability.

## 1.10 Recommendations

1.10.1 It is, therefore, **RECOMMENDED** that due to no suitable option for the provision of an additional off road section of the Tonbridge to Penshurst Cycle Route existing at the present time:

- 1) Members consider the removal of the existing scheme;
- 2) a proportion of the existing capital plan provision be utilised to progress works associated with the existing cycle route as outlined in the report; and
- 3) KCC Highway Services be requested to advise on any additional safety measures that may need to be considered along Lower Haysden Lane to reduce any risks to cyclists.

The Chief Leisure Officer confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Nil

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