

SURREY COUNTY COUNCIL

LOCAL COMMITTEE (WAVERLEY)

DATE: 13 DECEMBER 2019

**LEAD OFFICER: DEBBIE JONES
SENIOR COUNTRYSIDE ACCESS OFFICER**

**SUBJECT: PUBLIC FOOTPATH No. 19 (TOWN PATH NO. T11102),
HASLEMERE – PROPOSED CYCLE TRACK CONVERSION
ORDER**

DIVISION: HASLEMERE



SUMMARY OF ISSUE:

This report seeks a decision to approve the making of a Cycle Tracks Order to convert Public Footpath No. 19 (Town Path No. T11102), Haslemere into a cycle track.

RECOMMENDATIONS:

The Local Committee (Waverley) is asked to agree that:

- (i) a Cycle Tracks Order is made and advertised under the Cycle Tracks Act 1984 over the route of Public Footpath No. 19 (Town Path No. T11102) Haslemere as shown on Drg. No. 3/1/20/H54 (**Annex 1**)
- (ii) if no objections are received it shall be confirmed. If objections are received it will be submitted to the Secretary of State for Transport for confirmation.

REASONS FOR RECOMMENDATIONS:

The County Council has a power to make orders under the Cycle Tracks Act 1984. The proposal has been put forward by Mrs Nikki Barton, the local Member, as an off-road cycle link for the benefit of the local community. Mrs Barton has offered to fund the physical improvements to the footpath to make it more suitable for dual use from her Highways allocation.

1. INTRODUCTION AND BACKGROUND:

- 1.1 Under the Cycle Tracks Act 1984 the County Council can make an order to convert either the whole or part of the width of a public footpath into a cycle track. The Act requires an order, once it is made, to be advertised for a 28-day statutory objection period. If there are no objections, the County Council can confirm an order. If an order is opposed it has to be submitted to the Secretary of State for Transport for determination.

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- 1.2 Mrs Nikki Barton, County Councillor for Haslemere, has promoted the making of a Cycle Tracks Order to convert the route of Public Footpath No. 19 (Town Path No. T11102), Haslemere. The route runs between Bunch Lane and Wey Hill/Weydown Road and is shown on the attached Drg. No. 3/1/20/H54 (**Annex 1**). The footpath is already used by cyclists and the proposal would allow an upgrade to the path for the benefit of the local cycling community. It provides an off-road link from Haslemere town centre and train station to Lion Lane through Weysprings. Other links continue up to the Devils Punch Bowl via Bunch or Farnham Lane and then along Derby Road to St Bart's School and Church in the other direction for those wanting to avoid either Wey Hill or Fosters Bridge.
- 1.3 Waverley Borough Council own all of the land involved and it appears they already allow cyclists to use the footpath on a permissive basis. They were consulted and have submitted no response so far.
- 1.4 There are a number of documents that relate to cycling provision. The Rights of Way Improvement Plan for Surrey (ROWIP), which is a statutory document, makes a number of statements in relation to improving the provision of routes for cyclists:
- “A well connected network is likely to be more user friendly, more beneficial to local people and therefore, more likely to contribute to meeting targets such as encouraging more children to cycle or walk to school, reducing congestion and improving health.”
 - “Improving the rights of way network will make an important contribution towards delivering several objectives of the Surrey Transport Plan and several other core corporate policies. It states “Our rights of way are not just an add-on to the transport infrastructure, they have an essential role to play in an integrated system of public routes, and links to and from where people live and work.”
 - “Where possible and appropriate the County Council will work with partners to upgrade existing routes to create new multi user routes and also consider up-grading permissive paths that will enhance connectivity where there is opportunity.”
 - The ROWIP recognises “Whilst the prospect of shared use often leads to anxiety about potential conflict, there is little evidence to show that this is a significant problem in practice, while the physical segregation of different users often is difficult to achieve.”
- 1.5 The Waverley Borough Cycle Plan Objectives are:
- I. To develop a network of safe, convenient and continuous cycle routes in the Borough, including links with adjacent cycle networks, and utilising rights of way and roads where appropriate;
 - II. To promote utility cycling and to improve the safety and accessibility of the centres of Farnham, Godalming, Haslemere and Cranleigh to their adjoining residential areas and villages.
- 1.6 The Surrey Transport Plan states that “where appropriate footpaths, bridleways and other rights of way should be examined to assess what opportunities they

offer to improve accessibility to key services. The ROWIP has the potential to guide the delivery of several objectives set out in the Surrey Transport Plan for example increasing the number of cycle trips. This could be achieved by upgrading suitable existing routes and creating new ones.”

- 1.7 The Surrey Cycle Strategy forms part of the Surrey Transport Plan. It covers cycling as a means of transport i.e. journeys to work, school, business and shopping trips. It also covers cycling for leisure and as a sport. It states “In the UK and internationally, cycling is increasingly seen as an integral element of solutions to support economic growth, tackle congestion, improve personal mobility and address health problems... We also recognise the urgent need to tackle an increasing number of cyclist casualties.” The aim of the Strategy is “More people in Surrey cycling, more Safely.”

2. ANALYSIS:

- 2.1 The Cycle Tracks Act 1984 gives powers to the County Council to convert a public footpath into a cycle track.
- 2.2 In this instance, it is the officer’s view that a Cycle Tracks Order should be made. The footpath is already used by cyclists and the making of an order would clarify the situation for both cyclists and pedestrians. The proposed surface improvements and installation of additional barriers beside the stream would enhance the route for all users.

3. OPTIONS:

- 3.1 Make a Cycle Tracks Order and if objections are sustained submit it with the objections to the Secretary of State for Transport for determination. This is the officer’s preferred option.
- 3.2 Reject the proposal.

4. CONSULTATIONS:

- 4.1 Advisory notices were placed on site and statutory bodies and other interested parties including Waverley Borough Council, Haslemere Town Council, Ramblers, Cycling UK, Open Spaces Society, the Police and all utility companies were consulted on the application. Legal Services have commented on this report.
- 4.2 Mr David Hutton, the local secretary of the Ramblers, has stated that generally the Ramblers would prefer bicycles to be separated from pedestrians and that the pinch points are a concern. He has suggested that from the bridge to point B on the plan cyclists should be routed through the car park and out of the car park entrance leaving the footpath unchanged from the bridge.
- 4.3 The County Council’s Infrastructure Scheme’s Team has stated that the bridge is too narrow and the handrail not high enough to accommodate cyclists and therefore ‘cyclists dismount’ signs will be essential.
- 4.4 Haslemere Town Council is in favour of the proposal and the following comments have been made by Councillors:

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- Could the footpath be continued along Weysprings, which would provide an excellent, safe route right through to Lion Green, and so to Shottermill Infant and Junior Schools.
- There is a proposal to build houses on the youth campus. This path borders the site. I am in favour of the improvement, but Surrey need to talk to Waverley housing/planning to see if there is any impact on the development or on their proposal.

4.3 A site meeting was held on 27 August with some of the objectors, supporters and representatives of the Town Council. As a result of the consultations the following responses, both in support and against, have been received and are summarised below:

Comments in Support

A Mulligan	I have always found Haslemere a dangerous place for cycling, without safe provision of pathways across the town. I believe it would be a significant increase in public safety- for cyclists but also for pedestrians and cars. If track no. 19 is upgraded there could then be a route via Derby Road, Track 19 and Wey Springs for cyclists to get across town while avoiding difficult road conditions. It could also limit cyclists on Lower Road, which is extremely narrow and has restricted visibility. It is also a great opportunity to act on the climate emergency
L Banfield	On behalf of Haslemere Vision (a community based organisation whose aims are to work in partnership to enhance the town for all) I write to formally support the application. HV has identified a lack of sustainable transport provision in the locality, particularly for safer cycling and this proposal would be a step to improve matters for cycling residents and visitors. We would not wish there to be an adverse impact on pedestrians and believe some sort of design solution could be provided.
H Neilson	I support the formalisation of footpath 19. This will be a visible commitment to the greening of transport policies.
D Hutton, the Ramblers	Ramblers would not oppose the order providing safety signs and barriers are put in place. I would like to see a "cyclists dismount" sign at the top of the slope by the bridge and another before the bridge in the opposite direction. I would also like to see the remaining footpath width 1.0m.
J Denner	My family is strongly supportive of this initiative. Cycle provision is extremely poor in and around Haslemere and this is a very welcome step in the right direction.
A Bayliss	I would like to add my wholehearted support to the scheme. I am very keen that it as one of very few marked cycle routes it should be done to a good standard: 2m width (only reducing to 1.5m where wider not possible); adequate signage to alert both pedestrians and cyclists; adequate lighting.
A O'Grady	I support the much needed proposal to convert Footpath 19 into a joint footpath/ cycle path. I already cycle carefully on it, dismounting when meeting pedestrians and have

	never had a problem. There needs to be particularly clear signage at the Wey Springs end, to ensure everybody gets the message.
J Condit	I strongly support the conversion for use as a mixed cycle and pedestrian track. I live closest to the proposed track. It would be a significant increase in public safety for cyclists and also for pedestrians and cars to keep bikes out of the road congested intersections. It is not a track where cyclists are likely to be travelling at speed, given its short length and car traffic at each end. If the route is improved it will enable me to get on my bike and out of my immediate neighbourhood to the open spaces of local National Trust countryside properties.
C Matthes	I strongly support this as a vital part of the jigsaw of cycling routes within Haslemere. Future options to link it with the next part of the jigsaw (through the Jewsons estate or other footpaths?) should be kept in mind. The route would benefit from some clear signage that this is a combined shared path (and directions such as To Station/Town Centre) and even markings in the path. On the steep section some work might need to be done to warn about oncoming cyclists/pedestrians and to widen this point and improve the path. If there was a way of improving the gradient within budget that would be more ideal.
Haslemere Town Council	HTC is in favour of the proposal with the following comments: could the footpath be continued along Weysprings, which would provide an excellent, safe route right through to Lion Green and so to Shottermill Infant and Junior schools; there is a proposal to build houses on the youth campus. This path borders the site and need to see if there is any impact on the development or on their proposal.
P Gregory	I was delighted to see a sign near Fosters' bridge in Haslemere. Will this be the first of many "joined-up" cycleways in the town?
A Sayer	I am delighted this scheme is in the pipeline. I am a regular visitor and used to live in Chilcroft Road and cycled regularly to and from the station. I could see from my journey how much potential there was to expand existing paths into a space or path that could be used by cyclists including the footpath alongside Weydown Road car park, the route through Lion Green park and so on. I used footpath 19 informally on many occasions as a cyclist as this was the safest option – and would not dream of using the car park as I did not feel that this was a safe opportunity. Cyclists are not expected in the car park and the potential for accidents is huge and cannot be considered acceptable.
P Nicholson	I support the conversion of footpath no 19 to a footpath/cycle track.
G Whitby	I fully support this and may we have more of them. Does this mean Surrey CC will maintain the paths surface to a safe standard for an ordinary and children's bicycle to

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	use?
G Lloyd	I strongly support this conversion.
T Weldon	This is definitely a worthwhile proposal. A useful suggestion from a resident is that it could be continued along Weysprings, this provides an excellent, safe route right through to Lion Green, and so to Shottermill School.
J Robini	I am in favour of the improvement but Surrey need to talk to Waverley housing/planning to see if there is any impact on the youth campus development or on their proposal.
D Round	I support this wholeheartedly although am a might confused – are SCC just labelling something that already exists? They're not creating anything new. This path has been there for decades – I used it myself to get to the station every day for some 20 years.
K Ellis	I strongly support this initiative and this conversion.
A Thorpe, South Downs National Park Authority	We think making provision for cyclists in this location will contribute greatly to the development of a safer, more user friendly route to Devil's Punch Bowl. We note there are a couple of pinch points along the proposed route. However, as long as there is good visibility for users in both directions this should not be an area of conflict unless user numbers are particularly high.
D Dullaway	Agreed, as long as the better provision for cyclists doesn't have a detrimental effect on walkers.

Objections

J and L Van Klinken	We are concerned that at certain points the footpath is narrow, for example by Bunchwood and by the somewhat dilapidated bridge just beyond there. During term time the path is used by mothers taking young children to school and back. Fine if the cyclists slow down to allow pedestrians to safely pass through but potentially dangerous if not. The money would be far better spent upgrading the footpath on Bunch Lane to allow pedestrians a smooth surface and the double yellow lines repainted.
R Macqueen	I am familiar with the path and am curious as to why Surrey County Council feel the need to convert this into a cycle way. I imagine a few people may use this path with a bicycle already. However, I would assume that they may be accessing businesses or the train station and would cycle across the car park. I cycled the alternative road route and found the cycleway will only gain approximately 12 seconds downhill and 23 seconds uphill. Regardless of the financial cost to the tax payer of the works, I think the broader environmental footprint of this proposal should be taken into account. I would prefer to walk on paths that were not shared with cyclists. Some have no consideration and there will be some harm to pedestrians. I cycle quite a lot and the road route between each end of this footpath is, in my view, at the safer end. Safety cannot surely be a consideration for this proposal. There will be a loss of habitat and a diminution of the landscape value of the path. I consider the harm overall outweighs the

	miniscule benefit in time to the few cyclists that would ever use it.
B Attridge	I am dismayed to see that you are considering making this footpath into a cycleway. It is and always has been a path for pedestrians going to the station, dog walkers and mothers, often with pushchairs, taking children to school. It is a quiet oasis away from the traffic. A few years ago, the verge between the car park and the path was sown with wildflowers which are now flourishing. I cannot see the point of this plan as it is isolated from any other cycleways so isn't linking into an established cycle route. My main concern is for the safety of pedestrians. Many cyclists assume incorrectly that they have rights over pedestrians and expect to travel at speed. As you can't hear them coming and most don't have bells, this causes problems and is dangerous. A significant amount of money will be spent for the benefit of the few and to the detriment of many. Surely the cyclists could cycle through the car park saving alterations to the path.
T & J Winter	We wish to object for the following reasons: loss of part of the bank alongside the car park, which is developing into an important habitat for insects and other wildlife; extra safety railings will cause damage to the native vegetation which protects the stream, the insects and the fish found in this section of the R.Wey; this footpath is very regularly and frequently used by pedestrians including school children. The area around the bridge is used as a meeting point by many children; a few bicycles already use this route but most then ride through the car park and avoid the section by the stream. This arrangement proves perfectly adequate. Surely the funds would be better used to improve pavements and clear blocked drains on the roads around Haslemere.
Anon x2	We would like to object to any proposal to change the footpath into a cycle track. There is absolutely no need to change it and spend money needlessly. Many people use the footpath and the occasional cyclist and there has never been any problem. We prefer the area to look natural. If it had painted lines, was widened and more tarmac added this would look terrible. It would be beneficial to have a litter bin at the Bunch Lane end as litter is the main problem on this path.
G Hill	My objection is based on (a) inadequacy of the provision, (b) limited usefulness, (c) value for money and (d) highway safety. Inadequacy – there isn't a wider network and I cannot see how it would fit any wider cycle track network in the future. It would not make any material difference to the cycling experience of many, if any at all of Haslemere's keen riders. Limited usefulness – it is a route to a non-destination. There is little to no requirement for a cycle link from Weydown Road to Bunch Lane. The percentage of population who would gain any benefit is incredibly small. Value for money – I object to this plan costing taxpayer's money, with very low usage,

	no clear link to a future network and no joining to useful destinations. Highway safety – The slope and bridge are narrow with limited visibility and not enough time for cyclists to slow/stop for pedestrians. The track ending at Clement Corner makes no safe means for a cyclist to continue their journey.
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5. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

5.1 Nikki Barton has provided funding from her Highways allocation to improve the route of the footpath for cycle use. If an order were made and objected to it would have to be submitted to the Secretary of State for Transport for determination. If a Public Inquiry or Hearing were held costs in the region of £1,000 would have to be met from the Countryside Access budget.

6. EQUALITIES AND DIVERSITY IMPLICATIONS:

6.1 There are no significant equality or diversity implications.

7. LOCALISM:

7.1 Haslemere Town Council has supported the proposal.

8. OTHER IMPLICATIONS:

Area assessed:	Direct Implications:
Crime and Disorder	No significant implications arising from this report
Sustainability (including Climate Change and Carbon Emissions)	It would encourage off-road cycle use and thereby increase sustainability.
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Public Health	It would encourage off-road cycle use and thereby increase the health benefits of cycling

8.1 The Human Rights Act 1998

Under section 6(1) of the Human Rights Act 1998, local authorities are required to act, as far as possible, in a way that does not breach rights contained in the European Convention on Human Rights. This includes the right to property, under Article 1 of the First Protocol to the Convention and the right to respect for private and family life and the home, under Article 8. In this case, the Cycle Tracks Order would allow cyclists to use the public footpath. In the officer's view this proposal has no human rights implications.

9. CONCLUSION AND RECOMMENDATIONS:

- 9.1 The conversion of the footpath into a cycle track has received a lot of support from local residents as summarised in section 4.3 above. Although 9 objections have been received, the footpath is already used by cyclists and improvements to the route would enhance it for both pedestrians and cyclists.
- 9.2 The making of an order would formalise the current use by cyclists and make it clear that they are able to use the route, which provides a useful off-road link. To avoid any potential conflict at its narrowest point, signs would be put on the slope near the stream and over the footbridge asking cyclists to dismount for that short section. Overhanging vegetation would also be cut back to increase the available width and improve sight lines.

10. WHAT HAPPENS NEXT:

- 10.1 All interested parties will be informed of the decision.

Contact Officer:

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Consulted:

Nikki Barton - County Councillor, Legal Services, Waverley Borough Council, Haslemere Town Council, Cycling UK, The Ramblers, Open Spaces Society, utility companies, the Police, site notices.

Annex 1:

Drg No. 3/1/20/H54

Sources/background papers:

File: Public FP 19 Haslemere – Proposed Cycle Tracks Order

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