

**TO:** PLANNING AND REGULATORY COMMITTEE **DATE:** 03 / 09 / 2020

**BY:** TRANSPORT PLANNER

**DISTRICT(S)** ELMBRIDGE, RUNNYMEDE

**ELECTORAL DIVISION(S):**

Weybridge  
Mr Oliver

Woodham and New Haw  
Mrs Angell

**PURPOSE:** FOR DECISION

**GRID REF:** 506807 163079

**TITLE:** BROOKLANDS BUSINESS PARK ACCESSIBILITY PROJECT –  
CYCLE TRACK ORDER

## SUMMARY

An opportunity has been identified to make a Cycle Track Order to create a section of cycle track along a formal pedestrian/cyclist route being established between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park. The specific section of the route that this applies to is shown in Annex 1. This change in status would best guarantee that both cyclists and pedestrians have the right to use the full route being established into the future. This pedestrian/cyclist route forms part of the Brooklands Business Park Accessibility Project, a major transport scheme currently being delivered by Surrey County Council.

## OFFICER RECOMMENDATIONS

It is recommended to authorise the making of the Cycle Track Order. Also to authorise the Project Sponsor, in consultation with the Chairman, Vice Chairman and Divisional Members to resolve any objections to the Cycle Track Order if possible, and if necessary to authorise the Project Sponsor to submit any unresolved objections to the Secretary of State for determining whether the Order can be confirmed or a Local Inquiry is required.

Reasons for the above recommendation:

The recommendation has been provided in order for a Cycle Track Order to be made to extend a distance of cycle track along part of the formal pedestrian/cyclist route being created between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park. This will best guarantee that both pedestrians and cyclists can use the full route in the future. Construction works are in delivery to provide a high quality facility in this location for pedestrians and cyclists.

## 1. INTRODUCTION AND BACKGROUND

- 1.1 The Brooklands Business Park Accessibility Project is a major transport scheme in its final year of delivery (to end of March 2021). It includes establishing a formal pedestrian/cyclist route between Weybridge Railway Station (Heath South car park) and the Brooklands

Community Park. Construction works to provide the route with a bound path along its full extent are currently in delivery.

- 1.2 The project team is working to ensure rights of ways are in place for both pedestrians and cyclists across the route. An opportunity has been identified to make a Cycle Track Order which would change the status of a section of this route to best guarantee cyclists have the right to use the full route into the future. Under the Cycle Tracks Act 1984, the County Council has the power to convert public footpaths into cycle tracks.
- 1.3 South-west of Seven Arches Approach starting from the footbridge over the River Wey, the Cycle Track Order would convert a short section of Footpath 23 in Elmbridge, a short section of Footpath 12 in Runnymede, and a section of permissive path underneath and either side of Seven Arches Bridge in both Runnymede and Elmbridge to cycle track. This is a distance of approximately 90 metres in total and is shown in Annex 1. Converting the section of permissive path is contingent on a new section of public footpath being dedicated here first, also indicated in Annex 1. This has been agreed in principle with the landowner Network Rail who has previously signed an agreement to give permissive rights for use by pedestrians, and it is currently being taken through the dedication process, however if this dedication cannot be completed, the associated distance will be omitted from the Cycle Track Order. Only part of the paths' widths would be converted to cycle track leaving the remainder as public footpaths on the Definitive Map. Once made, this Cycle Track Order would best guarantee that both pedestrians and cyclists can use the route into the future. The Order would come into effect after the construction works in the area have been completed, ensuring a high quality facility is provided for both pedestrians and cyclists to use first.
- 1.4 Once the Order is made, this section would extend on a length of cycle track between Seven Arches Approach and the footbridge over the River Wey previously made following an Order in 2018, which will also come into effect after construction works have been completed. When making the Order in 2018, no formal objections were raised during the consultation process.
- 1.5 The process for making Cycle Tracks Orders is summarised as follows (as summarised from the Cycle Track Regulations 1984):
  - Carry out initial consultation (with one or more organisations representing persons who use the footpath, local authority within whose area the footpath is situated, statutory undertakers, chief of police).
  - Highway Authority makes the Order. On making the Order further consultation is carried out. A public notice of the Order is advertised on site, on a public noticeboard, in a local newspaper, and notices are sent to consultees.
  - There is a period of time (not less than 28 days) for objections to be raised to the Order.
  - Unopposed Orders are confirmed by the Highway Authority. The Order would come into operation on the first publication of the notice confirming the date it takes effect.
  - Opposed Orders are submitted to the Secretary of State for Transport for determining whether the Order can be confirmed or a Local Inquiry is required.
- 1.6 This is a cross-boundary issue affecting both Elmbridge and Runnymede and consequently both the Elmbridge Local Committee and Runnymede Joint Committee have been consulted. However, these Committees have not made a final decision to authorise the making of the Order and therefore a decision to formally authorise the making of the Order is required by the Planning and Regulatory Committee. Once authorised, the process for making the Order set out in the Cycle Track Regulations 1984 would be followed.

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## **2. ANALYSIS**

- 2.1 The Cycle Track Order would best guarantee that cyclists have rights to use the full extent of the formal pedestrian/cyclist route being created between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park.
- 2.2 This is important to support an objective of the Brooklands Business Park Accessibility Project to increase cycling in the area. The project supports The Community Vision for Surrey in 2030 through making journeys easier and safer, and by promoting healthier lifestyles through active travel.

## **3. CONSULTATIONS:**

- 3.1 The Elmbridge Local Committee was consulted at the Committee meeting on 15 June 2020. The Elmbridge Local Committee supported the Cycle Track Order going ahead.
- 3.2 Members of the Runnymede Joint Committee have been consulted (outside of Committee meeting). Responses supported the Cycle Track Order going ahead.
- 3.3 Consultation has been carried out with the landowner, Network Rail, via their regional Liability Negotiations Adviser.
- 3.4 Further consultation will be carried out as part of the process to make a Cycle Track Order set out in the Cycle Track Regulations 1984. The consultation process is summarised in section 1.5 of this report.
- 3.5 In 2018 a Cycle Track Order was made across land immediately north-east of the location which would be subject to this Cycle Track Order. Consultation was carried out which evidenced support for the creation of cycle track; no formal objections were received.

## **4. OPTIONS**

- 4.1 It would be beneficial to make a Cycle Track Order to best guarantee that cyclists have the rights to use the pedestrian/cyclist route being established between Weybridge Railway Station and the Brooklands Community Park in full into the future. Although the land owner (Network Rail) is not currently prohibiting cycling in this specific location subject to this proposed Cycle Track Order, and the risk of the landowner prohibiting cycling here in the future is considered very low, a Cycle Track Order would negate the risk of this happening which would compromise cyclists using the full route being established.
- 4.2 Without a Cycle Track Order, it would be left with the landowner (Network Rail) to actively permit or not prohibit cyclists to use this distance of route (shown in Annex 1). However, it has been agreed between Surrey County Council and Network Rail that conversion to Cycle Track is the preferred approach. This approach would also be more beneficial as timescales would not be limited to an agreed period as would likely be the case for a permissive agreement and it would be more challenging to revoke rights for cyclists.

## **5. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:**

- 5.1 The work to achieve this will be undertaken by project staff currently working on the Brooklands Business Park Accessibility Project.

- 5.2 The project includes a project management budget for such work. This is a major transport scheme for which funding has already been awarded following approval of a Business Case that demonstrated high value for money. The project is being funded mainly by the Enterprise M3 Local Enterprise Partnership with Elmbridge Borough Council providing local contribution funding.

## **6. EQUALITIES AND DIVERSITY IMPLICATIONS:**

- 6.1 An Equalities Impacts Assessment has previously been undertaken for the Brooklands Business Park Accessibility project, in which this section of planned walking and cycling route affected by the Cycle Track Order is one part of. Overall this assessment concluded that the creation of the pedestrian/cyclist route would be beneficial to people with protected characteristics. The establishment of the route was assessed to improve safety, accessibility, increase independence particularly for those who do not drive, and promote health benefits through active travel. Potential conflict between pedestrians and cyclists due to the shared nature of the route was identified however sufficient path widths mitigate this risk.

## **7. OTHER IMPLICATIONS:**

- 7.1 The cycle track extension enabled through the Cycle Track Order would support an objective of the Brooklands Business Park Accessibility Project to increase cycling in the area. Incentivising people to cycle instead of travelling by motor vehicle would have carbon reduction benefits. It would also have public health benefits through promoting active travel.
- 7.2 The decision will impact people who travel through the location which the Cycle Track Order would affect. This includes employees of businesses at the Brooklands Business Park, and visitors to the Brooklands Museum who would benefit from a route they can cycle to and from Weybridge Station. The decision will also impact residents who live nearby.

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## **8. CONCLUSION AND RECOMMENDATIONS:**

- 8.1 It is recommended that the Planning and Regulatory Committee authorise the making of the Cycle Track Order and authorise the Project Sponsor, in consultation with the Chairman, Vice Chairman and Divisional Members to resolve any objections to the Cycle Track Order if possible, and if necessary to authorise the Project Sponsor to submit any unresolved objections to the Secretary of State for determining whether the Order can be confirmed or a Local Inquiry is required.
- 8.2 Converting the section of route to Cycle Track would best guarantee that both pedestrians and cyclists can use the full route being created between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park into the future.

## **9. WHAT HAPPENS NEXT:**

- 9.1 If the making of the Cycle Track Order is authorised by the Planning & Regulatory Committee, the process set out in the Cycle Track Regulations 1984 and summarised in 1.5 of this report will be followed. This process incorporates consultation with key stakeholders including residents who use the paths affected.
- 9.2 Updates will be provided at: [www.surreycc.gov.uk/brooklandsaccessibility](http://www.surreycc.gov.uk/brooklandsaccessibility)

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**Contact Officer:**

Tim Vickers, Transport Planner, [tim.vickers@surreycc.gov.uk](mailto:tim.vickers@surreycc.gov.uk), 03456 009 009 (Major Transport Schemes Team phone number).

**Consulted:**

Consultation has been carried out with the Elmbridge Local Committee and Runnymede Joint Committee.

Consultation has been carried out with Network Rail via their regional Liability Negotiations Adviser. Network Rail are landowners in this location.

Further consultation will be carried out as part of the process to make a Cycle Track Order set out in the Cycle Track Regulations 1984.

**Annexes:**

Annex 1: Map of pedestrian/cyclist route and location of Cycle Track Order

**Sources/background papers:** N/A.

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