

**READING BOROUGH COUNCIL  
REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES**

<b>TO:</b>	<b>ACCESS AND DISABILITIES WORKING GROUP</b>		
<b>DATE:</b>	<b>29 JUNE 2017</b>	<b>AGENDA ITEM:</b>	<b>9</b>
<b>TITLE:</b>	<b>THAMES PATH CONSULTATION RESULTS - PROPOSAL TO CHANGE THE LEGAL STATUS TO A JOINT FOOTPATH &amp; CYCLE TRACK</b>		
<b>LEAD COUNCILLOR:</b>	<b>TONY PAGE</b>	<b>PORTFOLIO:</b>	<b>STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT</b>
<b>SERVICE:</b>	<b>TRANSPORTATION &amp; STREETCARE</b>	<b>WARDS:</b>	<b>ABBAY, BATTLE &amp; KENTWOOD</b>
<b>LEAD OFFICERS:</b>	<b>EMMA BAKER</b>	<b>TEL:</b>	<b>0118 937 4881</b>
<b>JOB TITLES:</b>	<b>SENIOR TRANSPORT PLANNER</b>	<b>E-MAIL:</b>	<a href="mailto:emma.baker@reading.gov.uk">emma.baker@reading.gov.uk</a>

**1. EXECUTIVE SUMMARY**

- 1.1 The opening of Christchurch Bridge has led to increases in cycle use along the Thames Path, which is currently designated as a right of way on foot only. This resulted in the decision to consult on the proposal to change the legal status of the Thames Path to a joint footpath and cycle track.
- 1.2 This report sets out the results of the consultation, undertaken between 27<sup>th</sup> April and 25<sup>th</sup> May, and seeks approval to refer the Cycle Track Orders to the Secretary of State for determination.
- 1.3 Appendix A - Thames Path Consultation - Summary of Objections
- 1.4 Appendix B - Equality Impact Assessment

**2. RECOMMENDED ACTION**

- 2.1 That the Members of the Sub-Committee note the results of the consultation.
- 2.2 That in consultation with the chair of the Sub-Committee, the Lead Councillor for Strategic Environment, Planning and Transport and the Head of Legal and Democratic Services be authorised to submit the Cycle Track Orders to the Secretary of State for determination, in accordance with the Cycle Tracks Act 1984 and Cycle Tracks Regulations 1984.

### **3. POLICY CONTEXT**

3.1 The Local Transport Plan (LTP) is a statutory document setting out the Council's transport strategy and policy. Reading Borough Council's third Local Transport Plan (LTP3) for the period 2011-26 was adopted by the Council on 29 March 2011.

3.2 The Cycling Strategy 2014: Bridging Gaps, Overcoming Barriers & Promoting Safer Cycling, was adopted by the Council on 19 March 2014 as a sub-strategy to the Local Transport Plan. The strategy includes detailed policies regarding the design principles for delivering infrastructure and route improvements for cyclists on the public highway, as well as policies to encourage and promote cycling to different demographics, including the creation of off-carriageway facilities to cater for less experienced cyclists.

### **4. THE PROPOSAL**

4.1 The Thames Path is legally classified as a public right of way by foot only. This results in cyclists being required to ride on-road, navigating busy roundabout junctions on Vastern Road and Caversham Road where there are high traffic flows, or to divert their journey to the north side of the river.

4.2 Despite the legal status of the Thames Path, cyclists have used the route in excess of 30 years. This led to the submission of evidence in 2007 illustrating cycle use along the Thames Path which led to the decision to initiate the process of converting the Reading to Caversham Bridge section to a cycle track. The consultation resulted in over 150 objections, including one from the local National Trails branch - Thames Path Management Group, and 29 letters of support. Objections related to concerns regarding the width of the footpath, the perceived threat to wildlife and conflicts between different user groups. The Council subsequently sought independent legal advice that led to the decision not pursue the Cycle Track Order further.

4.3 National transport policy has, over recent years, emphasised the importance of cycling for local journeys as an alternative to private car use and resulted in increases in the number of trips undertaken by bicycle both nationally and locally. During this time, the opening of Christchurch Bridge and the redevelopment of Reading Station have contributed to significantly increased levels of cycling in the vicinity of the Thames Path and throughout the Borough. Further anticipated increases in the level of cycling, led to the decision to undertake a new consultation on the proposal to change the legal status of the Thames Path to an unsegregated, joint footpath and cycle track for approximately 6,450 metres between Roebuck Cottage and Kennet Mouth. The consultation commenced on 27th April until 25th May 2017 and was advertised as three separate Cycle Track Orders consist with the existing Footpath Orders. These were:

Cycle Track Order	Proposed Cycle Track Width	Total Footpath/Cycle Track Width
Roebuck Hotel to Caversham Road	1 - 2.5 metres	2 - 5 metres
Caversham Bridge to Reading Bridge	1 - 2 metres	2 - 4 metres
Reading Bridge to Kennet Mouth	1.5 - 2.5 metres	3 - 5 metres

4.4 The consultation resulted in the submission of 858 responses of which 77% of respondents (664) were in support and 23% (194) were in objection to the proposed changes. A log of detailed objections, which highlights concerns about potential conflicts between pedestrians and cyclists, particularly children, the elderly and disabled, and footpath widths, is included in Appendix A. The objections were made up of the following:

- 145 respondents submitted specific comments in relation to Reading to Caversham Bridge.
- 11 respondents submitted specific comments in relation to Roebuck Cottage to Thames Promenade.
- 1 respondent submitted specific comments in relation to Reading Bridge to Kennet Mouth.
- 5 respondents did not provide any specific feedback; and
- The other 32 respondents provided general feedback or comments on multiple sections of the Cycle Track Orders.
- In addition, two respondents in support of the scheme objected to Caversham Bridge to Reading Bridge due to conflicts with landowners and a pinch point along the section.

4.5 Of the eleven organisations that are deemed as statutory consultees, only two submitted responses to the consultation - Cycling UK and the Ramblers Association, both of whom cascaded the information to local representatives. Other statutory consultees included utility companies, the Pedestrian Association, Friends of the Earth, the Committee on Mobility for the Disabled, the Committee on Mobility of Blind and Partially Sighted People. Feedback from landowners is incorporated within the detailed objections included in Appendix A. Other local stakeholders that collectively submitted feedback, included:

- **Sustrans** - the national walking and cycling charity, that were supportive of the proposal.
- **Mid-West Berkshire Local Access Forum**, who are an advisory body that supports 'responsible shared-use' where the width 'is sufficient to accommodate the volume of cycling', but the Forum has concerns regarding the width of the footpath between Roebuck Cottage to Thames Promenade.
- The **Thames Path Management Group** highlighted their recently adopted Cycling Policy that outlines factors for consideration when proposing shared-use facilities and the requirement for shared-use facilities to be a minimum of 2 metres wide.
- **Open Space Society** objected to the proposals based on narrow footpath widths.

- The **Ramblers Association (Berkshire)** also objected to the proposal based on narrow footpath widths between Roebuck Cottage and Thames Promenade. The Group did not object to the remaining sections, but highlighted DfT guidance on shared-use.
  - The **Ramblers Association (Pang Valley)** highlighted national guidance recommending that shared-use facilities be constructed to 3 metres wide.
- 4.6 Of the 194 objections received, most respondents reported concerns about potential conflicts with other users. However, officers are only aware of three actual incidents between users along the Thames Path. However, if the Cycle Track Orders are confirmed, officers would recommend the use of considerate shared-use signing to highlight the presence of other users as previously highlighted through informal consultation and used by other organisations involved in the promotion of rights of way, including the Canals and Rivers Trust.
- 4.7 Other concerns highlight that footpath widths along the route do not comply with the Department for Transport's Local Transport Note 'Shared Route for Pedestrians and Cyclists' stating that shared-use facilities should be a minimum preferred width of 3 metres. It should be noted that this is guidance rather than a requirement and that the Note also acknowledges that Highway Authorities may need to consider whether a 'sub-standard facility is better than none'. Our Cycling Strategy acknowledges this guidance and outlines that shared-use facilities will be a minimum of 2 metres wide. The proposed widths of the Cycle Tracks are set out in paragraph 4.3.
- 4.8 Given that cyclists and pedestrians already share the Thames Path unofficially and the strong support shown for the proposal, it is our recommendation that the Cycle Track Orders are submitted to the Secretary of State for determination. Independent legal advice will again be sought as part of this process.
- 5. CONTRIBUTION TO STRATEGIC AIMS**
- 5.1 Changing the legal status of the Thames Path to a joint footpath and cycle track will contribute towards the following strategic aims:
- Keeping the town clean, safe, green and active.
  - Providing infrastructure to support the economy.
- 6. COMMUNITY ENGAGEMENT AND INFORMATION**
- 6.1 The consultation was carried out between 27<sup>th</sup> April and 25<sup>th</sup> May 2017.
- 6.2 Respondents were able to respond and request further details on the consultation in writing, by email and via the online consultation web page. Details of the consultation were also published in the local media.

6.3 Statutory consultees were informed of the proposals in writing in accordance with the Cycle Track Regulations 1984. Other stakeholders and local interest groups were informed of the consultation through existing contacts or distribution lists, including the Mid-West Berkshire Local Access Forum, Cycle Forum and Older People's User Group.

## **7. LEGAL IMPLICATIONS**

7.1 Proposals relating to the conversion of footpaths to cycle tracks are advertised under the Cycle Tracks Act 1984 and Cycle Track Regulations 1984.

7.2 As there are objections to the Cycle Tracks Orders, the Council is required to refer the Orders to the Secretary of State for determination. Given the number of objections, it is likely that the Secretary of State will call a Public Inquiry.

7.3 The Council is currently liable for accidents that occur to pedestrians using the public footpath. If the footpath is converted, the Council will also be liable for any accidents that occur to cyclists using the Thames Path whereas these are currently the responsibility of the relevant landowner.

## **8. EQUALITY IMPACT ASSESSMENT**

8.1 In addition to the Human Rights Act 1998 the Council is required to comply with the Equalities Act 2010. Section 149 of the Equalities Act 2010 requires the Council to have due regard to the need to:-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 An equality impact assessment has been undertaken and is included in Appendix B.

## **9. FINANCIAL IMPLICATIONS**

9.1 The Thames Path is currently designated as highway maintainable at the Council's expense (Sct. 36 Highways Act 1980) and it will continue to be maintainable by the Council if the Cycle Track Orders are confirmed by the Secretary of State.

9.2 The estimated costs associated with the Council referring the Cycle Track Orders to the Secretary of State, including a Public Inquiry and independent

legal advice, is £8,000. Any such costs will be funded by existing transport budgets.

- 9.3 The supply and installation of shared-use signing will be funded by existing Transport Budgets, subject to the Cycle Track Orders being confirmed.
- 9.4 Any other future improvements to upgrade the Thames Path, such as widening and resurfacing, will be subject to the identification of external funding.

## **10. BACKGROUND PAPERS**

- 10.1 Traffic Management Sub-Committee Cycling Strategy Implementation Plan 2016/17 - 15 June 2016.
- 10.2 Cycling Strategy 2014: Bridging Gaps, Overcoming Barriers & Promoting Safer Cycling.
- 10.3 Thames Path National Trail Cycling Policy 2017



## Equality Impact Assessment

### Provide basic details

#### **Name of proposal/activity/policy to be assessed**

Changing the legal status of the Thames Path to a joint footpath and cycle track.

**Directorate:** DENS

**Service:** Transport Planning

#### **Name and job title of person doing the assessment**

**Name:** Emma Baker

**Job Title:** Senior Transport Planner

**Date of assessment:** 05/06/2017

### Scope your proposal

#### **What is the aim of your policy or new service/what changes are you proposing?**

The Thames Path is currently designated as a right of way by foot only. This proposal aims to change the legal status of the Thames Path to a joint footpath and cycle track in order to reflect how the footpath is currently used and has been in excess of 30 years.

#### **Who will benefit from this proposal and how?**

If the legal status of the Thames Path is changed to a joint footpath and cycle track, cyclists will be able to use the right of way legally.

#### **What outcomes does the change aim to achieve and for whom?**

The outcome will result in the existing footpath becoming a public right of way on foot and by bicycle where pedestrians and cyclists will share an unsegregated shared-use path.

#### **Who are the main stakeholders and what do they want?**

The main stakeholders consist of users and landowners whose property extends to the river bank, including the public right of way.

### Assess whether an EqIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc.)

Yes (delete as appropriate)

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, and feedback.

Yes (delete as appropriate)

If the answer is **Yes** to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because:

Signed (completing officer



Date 05/06/2017

Signed (Lead Officer)



Date 05/06/2017

### Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

Think about who does and doesn't use the service? Is the take up representative of the community? What do different minority groups think? (You might think your policy, project or service is accessible and addressing the needs of these groups, but asking them might give you a totally different view). Does it really meet their varied needs? Are some groups less likely to get a good service?

How do your proposals relate to other services - will your proposals have knock on effects on other services elsewhere? Are there proposals being made for other services that relate to yours and could lead to a cumulative impact?

**Example:** A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel.

Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable. This combined impact would not be apparent if decisions are considered in isolation.

### Consultation

How have you consulted with or do you plan to consult with relevant groups and experts. If you haven't already completed a Consultation form do it now. The checklist helps you make sure you follow good consultation practice.

[My Home > Info Pods > Community Involvement Pod - Inside Reading Borough Council](#)

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Older People's Working Group	An email was sent to members of the OPWG.	May 2017
Landowners	Letters were sent to landowners in advance of the consultation	April 2017
Local interest groups, including Thames Path Management Group, Cycle Forum, Mid-West Berks Local Access Forum, Open Space Society, etc.	Emails were sent to local interest groups informing them of the consultation, including a link to the press release.	April 2017
Statutory Consultees, including Pedestrian Association, Friends of the Earth, Joint Committee on Mobility for Disabled, Joint Committee of the Mobility for Blind and Partially Sighted, utility companies, Ramblers Association, Cycling UK	Letters and/or emails were sent to statutory consultees, including national and local contacts.	April 2017
General Public	The Cycle Track Orders were advertised in the local media, on-site and through corporate media channels.	April 2017