

**Report to:** Lead Cabinet Member for Transport and Environment

**Date of meeting:** 25 September 2017

**By:** Director of Communities, Economy and Transport

**Title:** East Sussex County Council (Eastbourne 108a, 108b and 108c) Cycle Track Order 2017

**Purpose:** To seek authority to seal the Order to convert the existing public footpath alongside Crumbles Sewer (between grid reference TQ62822/01243 and TQ62762/01508, and between TQ62713/01426 and TQ62705/01620) to a cycle track pursuant to Section 3 of the Cycle Tracks Act 1984

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**RECOMMENDATION:** The Lead Member is recommended to approve the sealing of the Order for the conversion of a section of newly created public footpath alongside Crumbles Sewer in Eastbourne into a cycle track

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## **1. Background Information**

1.1 East Sussex County Council has developed proposals for an off road pedestrian and cycle route known as the Horsey Way that will link the Town Centre with Sovereign Harbour in Eastbourne. The objective of the scheme is to provide a safe alternative route for cyclists who are currently using the busy A259 Seaside. The Horsey Way has several phases which have been designed and constructed at different times due to scheduling, planning, deliverability and financial considerations. A plan showing the location of the route and the phases is shown in Appendix 1.

1.2 Phase 1A of the Horsey Way between the Railway Station and Susans Road has already been constructed but will not become operational until Phase 1B between Susans Road and Ringwood Road is constructed in 2018/19. Phase 2 of Horsey Way between Ringwood Road and Lottbridge Drove has already been constructed and is fully operational.

1.3 The Phase 3 of the route between Lottbridge Drove and Langney roundabout is currently being constructed and involves the need to convert a section of existing footpath to a cycle track that can be used by both pedestrians and cyclists. The scheme is being funded from the South East Local Enterprise Partnership (SE LEP) Local Growth Fund programme allocation to the Eastbourne/South Wealden Walking and Cycling package, alongside development contributions. The location of the section of footpath to be converted to a cycle track is shown on the plan in Appendix 2.

## **2. Supporting Information**

2.1 The majority of the land ownership over the route has been ascertained and negotiations with the various landowners to gain control of the land have been completed with dedication agreements under Section 38 of the Highways Act 1980 being secured. Part of the land required adjacent to that owned by the Chatsworth Settlement is unregistered. This has been adopted following a process involving the creation of a public footpath across this land under Section 25 of the Highways Act 1980 and then subsequently converting this newly created footpath to a cycle track under the Cycle Tracks Act 1984.

2.2 There is one section of the route that involves construction over land owned by East Sussex County Council. Although the County Council owns this section of the route it is proposed that adoption of this land for a cycle route be progressed using the same Footpath creation/conversion to cycle track process as for unregistered land referred to in paragraph 2.1.

2.3 The creation of the public footpath under the Highways Act 1980 was undertaken following the completion of a consultation process on 21 October 2016. This involved the placing of a Notice at each end of the section of land involved for a 28 day period, advertising the County Council's intention, as well as consultation with statutory consultees and a range of interested groups, including all the utility companies, Auto Cycle Union, British Horse Society, Byways and Bridleways Trust, Open Spaces Society, Ramblers Association, The Cyclist Touring Club, and Eastbourne Borough Council. No objections were received and therefore the public footpath came into effect on 21 October 2016.

2.4 The same process as detailed above was followed in order to convert the newly created footpath to a cycle track under the Cycle Tracks Act 1984 in January 2017. A consultation was undertaken over a period of 21 days and no objections were made against the proposed Order. The Order can now be validated.

2.5 Under the County Council's Scheme of Delegation there is no specific reference to any delegated authority to make Orders under the Cycle Tracks Act 1984, therefore Lead Member authority is being sought to make an Order under this Act.

### **3. Conclusion and Reason for Recommendation**

Once completed, the Horsey Way cycle route will provide a continuous route for pedestrians and cyclists between the Town Centre and Sovereign Harbour. The third phase of the scheme, which is currently being constructed, will consist of a traffic free route extending for a total length of over 900m between Lottbridge Drove and Langney roundabout. It is therefore recommended that Lead Member approval is given to the sealing of the East Sussex County Council (Eastbourne 108a, 108b and 108c) Cycle Track Order 2017, in order to enable cyclists to use the route being constructed between Lottbridge Drove and Langney roundabout.

RUPERT CLUBB

Director of Communities, Economy and Transport

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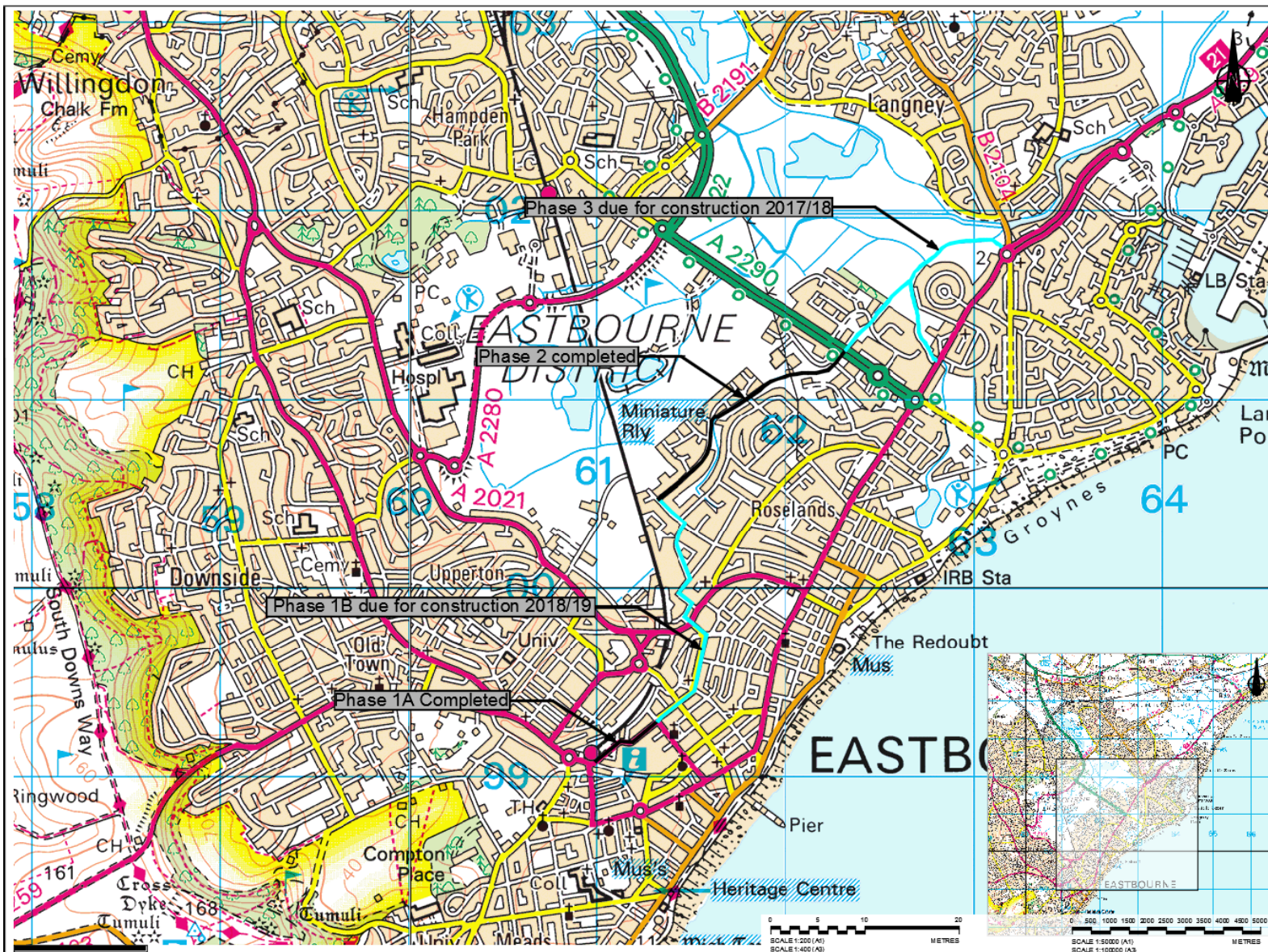
### LOCAL MEMBERS

Councillor Tutt

### BACKGROUND DOCUMENTS

None

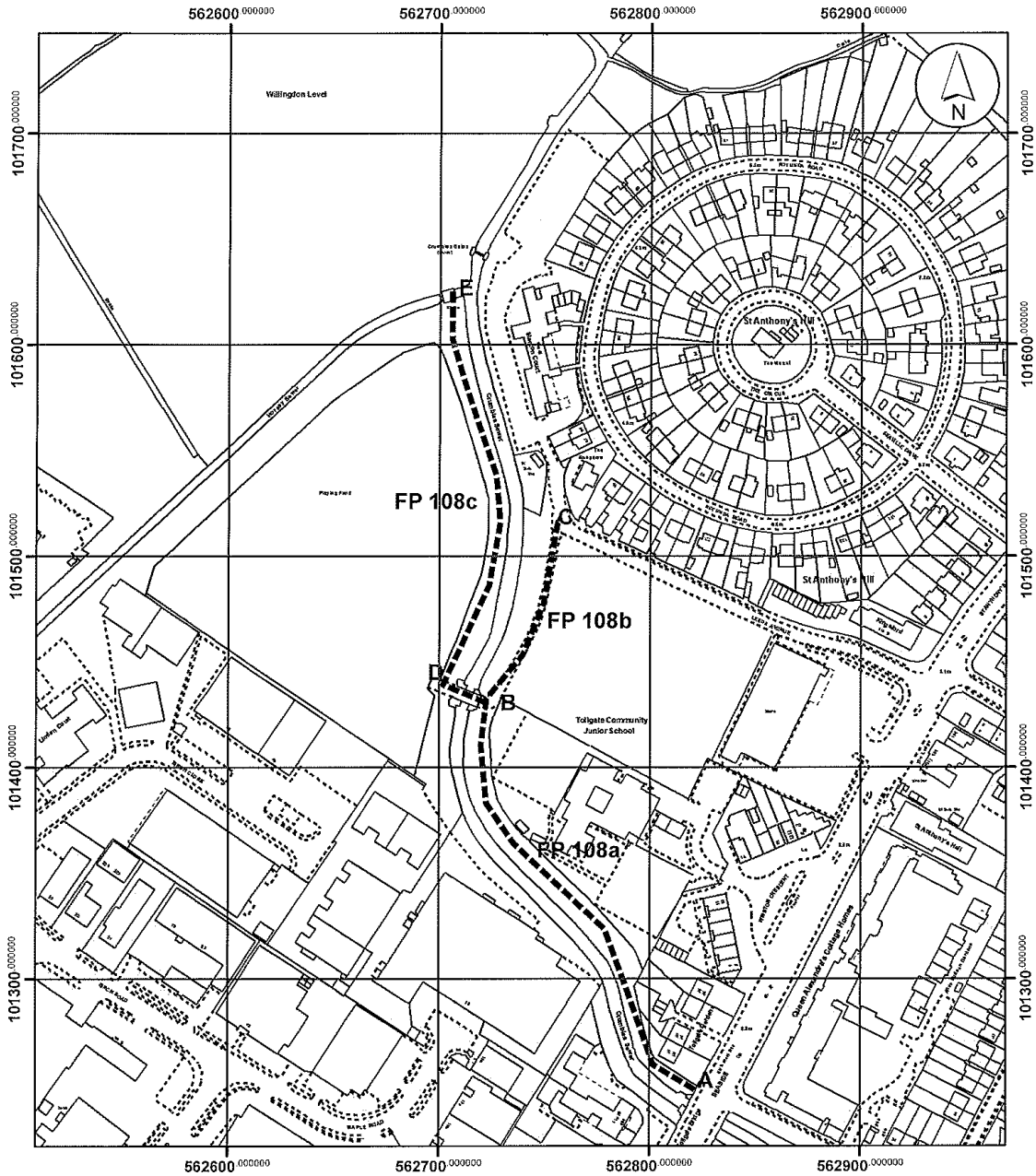
ROUTE OF THE HORSEY WAY CYCLE ROUTE






APPENDIX 2

SECTION OF FOOTPATH TO BE CONVERTED TO A CYCLE TRACK



Map Title: Dedication of a public footpath Eastbourne 108a 108b and 108c		<b>East Sussex County Council</b> County Hall St Annes Crescent Lewes  eastsussex.gov.uk	
Key: Footpath Eastbourne 108a & 108b A - - - - B - - - - C Footpath Eastbourne 108c B - - - - D - - - - E		<small>© East Sussex County Council 2016.                  Aerial Photography © Getmapping.com 2016.                  This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100018521.2016.</small>	
Date:	12 10 2016	Map No:	EAS/FP108a, b & c/ded/mapV1
Scale:	1:2,500	Author:	NMc