

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

**Date of meeting:** 20 July 2020

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

**Title:** East Sussex County Council and Wealden District Council Cuckoo Trail Management Agreement – 2020 to 2025

**Purpose:** To seek approval of the Cuckoo Trail Management Agreement for 2020-2025

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**RECOMMENDATIONS:** Lead Member is recommended to (1) approve the draft Cuckoo Trail Management Agreement between East Sussex County Council (ESCC) and Wealden District Council (WDC); and

(2) delegate authority to the Director of Communities, Economy and Transport to authorise completion of the Management Agreement on behalf of the County Council.

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## **1 Background Information**

1.1. The Cuckoo Trail (“the Trail”) officially opened in May 1995. Since September 1996, East Sussex County Council (ESCC) and Wealden District Council (WDC) have worked in partnership to manage the Trail, a 14 Mile (23km) route for walkers, cyclists and horse riders which stretches from Heathfield to Shinewater Park, Eastbourne. It passes through Horam, Hailsham and Polegate. The Trail primarily follows the track bed of the former Cuckoo Line railway which closed in 1968. Plan 1 – Appendix 2 shows the route of the Trail.

1.2. Around 80% of the Trail is in the freehold ownership of WDC, with the remaining 20% in the freehold of ESCC. Plan 2 – Appendix 3 details the extent of each Authority’s ownership.

1.3. As well as providing public off-road access, the Trail is also an important wildlife corridor. This means that the Trail is also managed for its ecology and as a ‘linear country park.’ WDC and ESCC have agreed to work to a detailed Landscape and Ecological Management Plan for the Trail with the joint aim of improving the ecology on site. This agreement is referenced in Para 7.0a of the draft Management Agreement.

1.4. The Trail is a popular, well known and well used off-road route. It is estimated that the Trail receives around 250,000 visitors annually. Part of Sustrans’ National Cycle Network route 21 and the London-Paris Avenue Vert follow the Trail. The Trail also features as an important strategic route in ESCC’s draft Local Cycling and Walking Infrastructure Plan.

## **2 Supporting Information**

2.1 Preceding Cuckoo Trail management agreements: Agreements between ESCC and WDC were previously on a three-year basis. In 2014, this was extended to five years and a draft agreement to cover 2015-2020 was agreed, but never signed. This was partly due to a now-completed review of countryside site management at ESCC, as well as contractor changes at WDC. Both authorities did, however, work to the spirit of the draft 2015-20 agreement during that time.

2.2 The rationale for change: Following ESCC’s recent Countryside Access Strategy review as well as the introduction of new operational countryside contractor arrangements at WDC, it

became clear that an updated Management Agreement was needed between both parties, especially from an operational and financial perspective.

2.3 **Key changes in the 2020-25 agreement:** The following points summarise the main changes proposed with the 2020-25 draft agreement:

2.3.1 **Land ownership and management:** In the draft 2015-20 agreement, and partly funded by an annual WDC contribution of £25k, ESCC managed works and public enquiries along the whole Trail. In the 2020-25 agreement, ESCC will only manage works on the section of Trail within their freehold ownership. WDC will manage all works on the section of Trail within their freehold ownership.

2.3.2 **Single point of contact for public enquiries:** To provide a single point of contact along the Trail, ESCC will continue to handle all initial public enquiries (Schedule 2, paras c and d.) ESCC will deal directly with any enquiries which arise on its own freehold section. However, any enquiries in relation to WDC's freehold section of the Trail will be referred by ESCC to WDC. As detailed in Table 1, p.7, WDC will contribute £10k annually towards ESCC providing this service (that will also cover ESCC's facilitation of the governance arrangements detailed below.) The costs detailed in Table 1 will be reviewed annually in line with the CPIx.

2.3.3 **Simplified governance arrangements:** Prior agreements have required four formal management meetings a year to plan and monitor Cuckoo Trail work. As detailed in Schedule 1d (page 6) the new agreement reduces this to two management-level ('core Group') meetings a year, including an annual joint inspection of the Trail. Between Core Group meetings, two officer level meetings will be held with a more operational focus.

2.3.4 **Sharing of services and joint-projects:** As appropriate, either Authority can engage each other's rangers or contractors to carry out works on their own section of the Trail. Any such works will be based on actual costs incurred, with no profit element included. Works and projects which benefit the whole Trail, and subject to prior agreement between both parties, will be split on an 80%/20% basis between WDC and ESCC respectively and in line with land ownership.

2.4 The 2020-25 draft agreement was due to come into force on the 1 April 2020, however, agreement of the final draft version was delayed by the COVID-19 pandemic and lockdown in March. Both ESCC and WDC have been working to the principles of the agreement since 1 April 2020.

2.5 **Financial information:** While the new agreement will reduce WDC's annual management contribution to ESCC from £25k to £10k, the County Council's maintenance commitment to the Trail will reduce from 100% to 20%, as the Rights of Way & Countryside Team will only need to cover the section of land within the County Council's ownership. The resources freed up by this change will be re-focused onto the County Council's statutory maintenance of the 2,000 miles of Public Rights of Way in East Sussex.

### **3 Conclusion and Reasons for Recommendations**

3.1 Lead Member is recommended to approve the draft Cuckoo Trail Management Agreement between ESCC and WDC covering the period from 1 April 2020 to the 31 March 2025, and delegate authority to the Director of Communities, Economy and Transport to authorise completion of the Management Agreement by the County Council.

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LOCAL MEMBERS

Councillor Nick Bennett	Arlington, East Hoathly & Hellingly
Councillor Bill Bentley	Wealden East
Councillor Bob Bowlder	Hailsham Market
Councillor Gerard Fox	Hailsham New Town
Councillor Daniel Shing	Polegate & Watermill
Councillor Stephen Shing	Willingdon & South Downs
Councillor Rupert Simmons	Heathfield & Mayfield
Councillor Alan Shuttleworth	Langney
Councillor Colin Swansborough	Hampden Park

BACKGROUND DOCUMENTS

None