

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

**Date of meeting:** 14 March 2022

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

**Title:** Alexandra Park shared pedestrian and cycle route, Hastings

**Purpose:** To consider the petitions calling on East Sussex County Council to address cycling measures in Alexandra Park, Hastings.

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**RECOMMENDATIONS:** The Lead Member is recommended to advise the petitioners that:

- (1) The separate requests ‘to remove the proposed section of the shared pedestrian and cycling route from the lower section of Alexandra Park’ and for ‘East Sussex County Council to Support the Cycleway and Walking & Cycling 'Greenway' link through Alexandra Park’ have been considered; and
  - (2) As the proposed shared pedestrian and cycle route running through Alexandra Park meets the wider County Council objectives as set out in section 1 of the report, and that the proposed route has historically been subject to public and stakeholder consultation, further design review, road safety audits and an Equality Impact Assessment, the proposal will progress to implementation as part of the Capital Programme for Transport Improvements 2022/23.
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## **1 Background Information**

1.1. At the County Council meeting on 23 July 2021, Councillor Daniel presented a petition to the Chairman on behalf of the Lead Petitioner stating:

*“We, the undersigned, call upon East Sussex County Council to remove their support for a shared cycle pedestrian pathway through the lower part of Alexandra Park between Dordrecht Way and Bethune Way. Otherwise, there will be inevitable conflict between pedestrians, children, dogs, buggies, cyclists, the elderly and the blind.”*

1.2. In addition, at the County Council meeting on the 8 February 2022, Councillor Julia Hilton presented a petition on behalf of the Lead Member stating:

*“We the undersigned call on East Sussex County Council to reject the petition that has been submitted in objection to this important active travel project (which was based on a campaign of misinformation and scaremongering) and to continue with the route construction when the reference to the Secretary of State has been resolved.*

*This route project being taken forward by East Sussex County Council has been through a very long process of consultation, safety audits, redesign work and delays. It has been approved by the Hastings Borough Council Cabinet by a unanimous vote and has also been approved by East Sussex County Council. It is strongly supported by local groups and organisations that campaign for long overdue improvements to cycling & walking infrastructure in Hastings to encourage active travel, to reduce the ever-present risks to cyclists of injury and fatalities on the roads and to tackle climate change. The route is an essential section of the Hastings Walking & Cycling Strategy - core network of walking & cycling routes (agreed by ESCC and HBC). It would be a tragic and retrograde step to abandon the route through Alexandra Park as it would destroy the integrity of the whole routes network and undermine action to respond to the Climate Crisis”.*

1.3. Copies of both petitions are available in the Members' Room. Standing Orders provide that where the Chairman considers it appropriate, petitions are considered by the relevant Committee or Lead Member and that a spokesperson for the petitioners is invited to address the Committee. The Chairman has referred this petition to the Lead Member for Transport and Environment.

## **2 Supporting Information**

### Policy Context

2.1 The proposed Alexandra Park route forms one of the principal routes originally identified in the Hastings Walking and Cycling Strategy approved by the Lead Member for Transport and Environment on 15 September 2014. It provides the central link in the west from Bexhill/Hastings Combe Valley Greenway and the proposed cycle route between Queensway and Silverhill, and future eastern routes to the Hastings town centre and seafront as well as Conquest hospital.

2.2 Latterly, the East Sussex Local Cycling and Walking Infrastructure Plan (LCWIP) approved by Cabinet in September 2021 establishes an ambitious proposed network of preferred cycling and walking routes and measures in specific areas of the county, including Hastings. The proposed Alexandra Park route is one of the identified priority schemes which supports an inclusive environment where active travel is integral and a realistic option for everyday journeys.

2.3 The scheme will contribute key County Council priorities and their associated strategies, particularly relating to climate change and the decarbonising agenda, economic growth and recovery, and health and wellbeing.

### Funding

2.4 This proposal will be delivered using funding from various sources including Local Growth Fund monies secured through the South East Local Enterprise Partnership (SELEP), the County Council's capital programme for local transport improvements and development contributions. There is limited time to spend the Local Growth Fund (LGF) with an expectation that this funding is spent by March 2023.

### Previous Lead Member decisions

2.5 The principle of a shared route through Alexandra Park was agreed by Hastings Borough Council's Cabinet in January 2016 subject to the removal of the route from outside the Park's café following a two-stage consultation process undertaken by the Borough Council between April and August 2015. Since 2017, a number of reports have been presented to the Lead Member for Transport and Environment in relation to the detail of the proposed cycle route alignment to run through both the Upper and Lower sections of Alexandra Park (see location plan at Appendix 1).

2.6 At the decision-making meeting on 20 March 2017, the Lead Member resolved to defer a decision on the proposed route and requested that an alternative route should be investigated along St Helens Road (Appendix 2). The outcomes of Route Review Study on the alternative route via St Helens Road, as well as a review of both the upper and lower sections of the route through Alexandra Park for comparison, was presented to the Lead Member on 18 June 2018 (Appendix 3 and 4). Following consideration of the existing risks of both alignment options, and identification of mitigating measures to reduce such risks, the report recommended that the St Helens Road route should not be progressed, and the Lead Member resolved to progress the proposed route through Alexandra Park to detailed design and construction as part of a future year's Capital Programme of Local Transport Improvements.

2.7 The scheme was also subject to a Lead Member decision-making meeting on 28 September 2020 to consider objections to footway conversion to shared cycle use near Dordrecht Way which forms part of the proposal where it was resolved to convert the footway.

### Response to Petitions

2.8 As highlighted in section 1 of the report, the Council is in receipt of two petitions regarding the Alexandra Park cycle route proposal – one for and one against.

2.9 The petition submitted in July 2021 requests the removal of the lower section of Alexandra Park from the overall proposal on safety grounds. The removal of the lower section of the Alexandra Park scheme would leave a gap in the cycle network between western Hastings and future provision for eastern Hastings and into Hastings Town Centre. This would act contrary to the objectives of the East Sussex LCWIP

2.10 Not all the current walking routes in the park would be available for cycling and the proposal is that a specified route would be designated for use by cyclists. If the scheme is delivered, Hastings Borough Council (HBC) would be responsible for the long-term maintenance of the cycle route. They would enforce the operation of the route within the park to further ensure the safety of all users. HBC officers would instruct their Rangers and Wardens to have a heightened presence in the park at specific times and to engage with cyclists where appropriate to deter unsafe cycling. Cyclists riding outside the designated route would be potentially liable to Fixed Penalty Notices for contravention of the byelaws. It is anticipated that this proportionate approach combining education and enforcement would encourage appropriate behaviour by all park users.

2.11 Following on from this initial phase of education and enforcement, the Borough Council's Cabinet previously resolved in 2016 that they would continue to monitor how the shared route was used, and should any serious concerns arise, would deploy their enforcement staff to address these issues. The Borough Council have indicated that this resolution still stands.

2.12 In terms of the safety of the route for park users, an independent safety review is conducted at key stages throughout the design process to identify potential risks in the proposed design so that they could be mitigated. In addition, a post construction Safety Audit would also be carried out should the cycle route be constructed. The last 3-year crash data up to 31 December 2021 has identified five slight crashes involving cyclists on the immediate neighbouring roads around Alexandra Park. The ages of cyclists involved range from 28 to 72 and the causation factors were cars pulling out and conflicting with the cyclists' movements. Therefore, the Alexandra Park proposal will offer a safer off-road alternative to the existing surrounding road network. An Equality Impact Assessment has also been carried out and is attached as Appendix 5.

#### *Alternative alignments to Lower Park section*

2.13 We have previously looked at alternative alignments to the route through the park. As highlighted in paragraph 2.6, the 2018 Route Review Study considered St Helens Road as an alternative. The report highlighted a number of concerns with this route - the proximity to the listed spiked fencing around the park, the potential conflict with bus users at the existing bus stop on proposed shared alignment, removal of many trees which line St. Helens Road, and the removal of most on-road parking. Therefore, it was agreed that the St Helens Road proposal was not feasible, and this recommendation was agreed by the Lead Member at their June 2018 decision making meeting.

2.14 Following receipt of the July 2021 petition, other alternative on road alignments have been considered including the use of Lower Park Road which runs to the south of the lower section of Alexandra Park and connects with Dordrecht Way. However, there are a number of issues that have been initially identified with this option which would affect its deliverability or support locally:

- the existing footway which runs around this section of the park is too narrow to accommodate pedestrians and cyclists and therefore would need to be widened and converted to a shared pedestrian and cycle path
- Similar to St Helens Road, the spiked railing also runs along the perimeter of this section of the park so the width would need to be sufficient to keep cyclists an appropriate distance away from the railings
- In addition, the width of the shared path would need to meet the LTN1/20 guidance for such facilities which would potentially necessitate the removal of existing parking which runs along the park. It is understood there was a petition presented to the County Council in August 2021 requesting an extension to existing parking along Lower Park Road, which will

be considered as part of a wider parking review for Hastings. On these grounds, it is assumed that any loss of parking would also not be acceptable locally

### Scheme Programme and Governance

2.15 The detailed design for the scheme was programmed for completion as part of the 2021/22 Capital Programme for Transport Improvements approved by the Lead Member for Transport and Environment at the decision-making meeting on 15 March 2021. In undertaking the detailed design, the County Council has been acutely aware of Alexandra Park's historic and environmental importance as it is listed as a 'Registered Park' with Historic England. Therefore, particular focus has been given to ensuring all materials are sympathetic to the local environment. These have been consulted on and approved by Historic England.

2.16 Whilst the local County Councillors do not support the proposal on safety grounds, Hastings Borough Council has continued to indicate their support for the proposal through a Statement of Support submitted to the County Council by Councillor Evans, their Environment Portfolio Holder. The Borough Council has recently publicly consulted on proposed changes to their existing Byelaws within Hastings parks which would permit cycling on the proposed designated route through Alexandra Park. Responses to this process are currently being considered by the Secretary of State, and the decision on this process is scheduled to be considered by the Borough Council in June 2022. Therefore, implementation of the Alexandra Park route is subject to this decision.

2.17 Subject to the outcome of the Hastings Borough Council Byelaw consultation in June 2022, construction of the route is currently proposed to commence in late 2022 in line with SELEP Local Growth Fund delivery timescales.

### Strood Road section

2.18 Whilst most of the route is covered by the Byelaw referenced in paragraph 2.16 there is a short section of footpath along Strood Road, covered by an existing 'Right of Way' footpath which would require conversion under a Cycle Track Order (CTO). A CTO was advertised on 2 July 2021 for a 4-week period. The advertisement generated over 170 responses from members of the public. Most comments objected to the premise of cycling through the park on safety grounds.

2.19 All objections to a CTO need to be submitted to the Secretary of State (SoS) for Transport in accordance with Cycle Tracks Act 1984, for consideration. The caseworker for the SoS has confirmed that in their experience, many CTOs proceed to a Public Inquiry.

2.20 Careful consideration has been given to the benefits and disbenefits of progressing the CTO given the likelihood it progresses to Public Inquiry. The time and cost of preparing for and attending a Public Inquiry (for example, legal preparation, venue, hiring of expert witnesses etc) could be considerable and would have to be funded by the County Council. There is also no guarantee of a positive outcome on what is a relatively short section of a much longer route. Therefore, on balance it is not considered an appropriate use of the County Council's resources and available funding to proceed with the CTO process for the Strood Road section of the route.

2.21 An alternative option has been considered for this short section which would involve the installation of 'cyclist dismount' signs at the proposed section at Strood Road alongside retaining its current status. This would then be monitored over a 12-month period to see how effective this is and whether it requires further enforcement.

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

3.1 The 2014 Hastings Cycling Strategy and latterly the East Sussex Local Cycling and Walking Infrastructure Plan, approved in September 2020, identifies the route through Alexandra Park as a priority for delivery and an integral part of a network of cycle routes for the town, linking to the proposed route between Silverhill and Queensway in western Hastings and future eastern routes to the Hastings town centre and seafront as well as Conquest hospital.

3.2 Following Lead Member approval in June 2018 to progress the scheme to detailed design

and construction, there has been significant and careful consideration given to ensuring any potential risks to pedestrians and cyclists using the proposed cycle route through both the Upper and Lower sections of Alexandra Park are mitigated and incorporated into the design of the scheme. This process has included independent road safety audits at preliminary and detailed design stages to consider the overall safety of the scheme, and identify any recommended changes, as well as assessing the equalities impacts of the scheme on those groups with protected characteristics. Throughout this process, HBC have remained supportive of the scheme and have agreed to monitor the operation of the route through the park, educate users and where necessary undertake enforcement.

3.3 Despite looking at alternative on road routes, which have been discounted for technical feasibility reasons, the recommended route through the Lower section of Alexandra Park remains the most practicable solution for providing for cyclists in this part of Hastings and would support the Council's strategies and objectives relating to reducing carbon emissions, supporting economic recovery and growth, and improving health & wellbeing.

3.4 It is therefore recommended that both sets of petitioners be informed that the County Council will progress with the delivery of the proposal as per the current alignment, through both the Upper and Lower sections of Alexandra Park, subject to the outcome of the Hastings Borough Council Byelaw consultation in June 2022.

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#### LOCAL MEMBERS

Councillors Daniel, Marlow-Eastwood.

#### BACKGROUND DOCUMENTS

None