

Chesterfield East West Walking and Cycle Route

Chesterfield Cycle Campaign Briefing Document

The Emergency Active Travel Fund tranche 1 in 2020 required local transport authorities (for Chesterfield that is Derbyshire County Council) to take immediate action without prior public consultation to provide greater space for walking and cycling because of the Covid pandemic. Local authorities were given eight weeks to implement schemes with a public consultation to take place after up to eighteen months later.

Derbyshire County Council (DCC) closed Crow Lane & Corporation St to through traffic to create greater space and safer walking and cycling routes, other measures for walking were also put in place elsewhere in Chesterfield.

The route along Crow Lane created a walking and cycle route virtually free of vehicles from the golf club entrance to the rear entrance of the Royal Hospital. This also enabled a simpler route to continue along the Trans Pennine Trail to Inkersall and Staveley reducing the need for three steep climbs to one steep climb.

The Royal Hospital backed the creation of the route and at the same time introduced an electric bike purchase scheme for staff.

Local authorities were then invited to bid (by Department for Transport, DfT) for tranche 2 to create walking and cycle routes permanently. DCC drew up plans incorporating the closure of Crow Lane to vehicles, an enhancement of the existing 'station link' and Hipper Valley Trail as far as Somersall Park and the creation of a segregated cycle route along Chatsworth Road from the Storrs Road junction to the Holymoore Road junction.

DfT made it quite clear in that bidding process that routes must be in urban areas (certain themes identified under the LCWIP process could meet the criteria), add cycling infrastructure where there was unused road space as well as taking away road space to create traffic free routes and infrastructure must comply with the recently published 'Local Transport Note 1/20' which is the DfT cycle infrastructure design guide.

The DfT's 'rapid cycleway prioritisation tool' identified Chatsworth Road as suitable (See doc 1 attached).

DfT's letter to local authorities is also attached (doc 2). Which contains the statement 'Schemes that do not meaningfully alter the status quo on the road will not be funded. All cycling schemes, permanent or temporary, will need to include segregation or point closures to through traffic.'

A company called Local Transport Projects (LTP) was engaged by DCC to carry out a public consultation which was advertised on social media, local papers, council websites and councillors etc. LTP engaged a company to do a mail shot to residents along the route advising them of the consultation.

This seems to be the cause of controversy, there are reports that residents never received a letter, although some of these reports are from people not actually on the route, whereas we have been told by others that they did receive the letter.

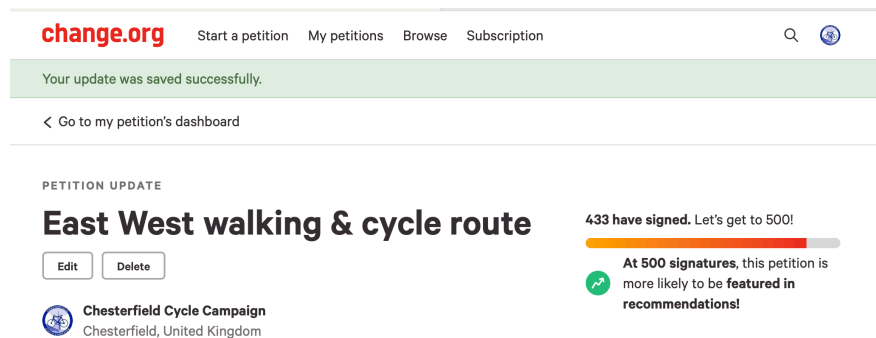
The online consultation (paper copies were also available) was originally going to be 6 weeks long but due to the County Council election in 2021 'purdah' period it was reduced to just over 3 weeks.

The consultation was split into 5 sections (section 1 being Chatsworth Road, section 5 Crow Lane) and the responses received were:

	Sentiment - N° People and %			Total
	Positive	Neutral	Negative	
Section 1	180 (60%)	31 (10%)	90 (30%)	301
Section 2	157 (85%)	15 (8%)	12 (7%)	184
Section 3	135 (86%)	15 (10%)	6 (4%)	156
Section 4	132 (87%)	15 (10%)	5 (3%)	152
Section 5	237 (61%)	24 (6%)	128 (33%)	389
Total	841 (71%)	100 (9%)	241 (20%)	

From that table there is a clear majority in favour of the proposals for all sections of the route. For the more controversial sections one and five there is a majority in favour of 60% & 61%.

Our Campaign ran a petition on the website 'change.org' which received 433 in favour of the permanent closure of Crow Lane.



The screenshot shows the Change.org website interface. At the top, there is a navigation bar with the Change.org logo, links for 'Start a petition', 'My petitions', 'Browse', and 'Subscription', and a search icon. Below the navigation bar, a green notification bar states 'Your update was saved successfully.' and a link to 'Go to my petition's dashboard'. The main content area features a 'PETITION UPDATE' section for the 'East West walking & cycle route'. It shows '433 have signed. Let's get to 500!' with a progress bar. Below the progress bar, a green checkmark icon is followed by the text 'At 500 signatures, this petition is more likely to be featured in recommendations!'. There are 'Edit' and 'Delete' buttons. The petition is associated with the 'Chesterfield Cycle Campaign' from 'Chesterfield, United Kingdom'.

Opposition was expressed by some Borough and County councillors and DCC invited them and Chesterfield MP Toby Perkins to a meeting with the DCC lead member for transport Kewal Singh Athwal and highways officers. We understand that meeting was attended by Borough Cllr Tricia Gilby, Borough & County Councillor Dean Collins and County Councillor Jack Woolley and agreement was reached on measures to enable Crow Lane to be closed to vehicles as detailed in the cabinet report. Chatsworth Road was not raised at that meeting. The report was approved by DCC cabinet in October 2021.

Points to note:

- DfT have set a deadline of March 2022 for work to begin.
- DfT have made it clear to local authorities that if they don't proceed with approved bids the funding will be recovered and they may be barred from future active travel funding, see extract from DfT letter to local authorities 'Local authorities will need to demonstrate that the funds can be spent or fully committed in this financial year. As before, if this condition is not met, the Department will reserve the right to claw the funding back by adjusting downwards a future grant payment to your authority.'

Alternative Proposals

A certain amount of misinformation has been bandied about concerning the long awaited Hipper Valley Trail extension across the fields from Somersall Lane to Greendale in Holymoorside. This has been an ongoing negotiation between DCC and various land owners for over 15 years. The original proposal was for the footpath to be converted to a bridleway but that was rejected mainly because of the difficulty of providing a safe exit for horses onto Somersall Lane. More recently the proposal was to be a 'footpath with permissive cycling rights'. However the route was to have at least two field gates across it and to go straight across the final field unfenced which sometimes has cattle in the field.

Our Campaign was unhappy with those proposals but in absence of anything better we supported it. What was proposed was not compliant with LTN 1/20 nor considered an 'urban' area and because it doesn't alter the status quo of nearby roads would not be eligible for this funding. Unfortunately DCC and the land owners were not able to agree on various issues and DCC decided that they could no longer continue negotiation.

The owner of the last field before Greendale has filed a 'section 31' notice (doc 3) which acknowledges a current right of way across their land (a footpath) but prevents any change of use or rerouting. This would appear to effectively stop the path becoming a footpath with permissive cycle rights which was the status proposed by DCC.

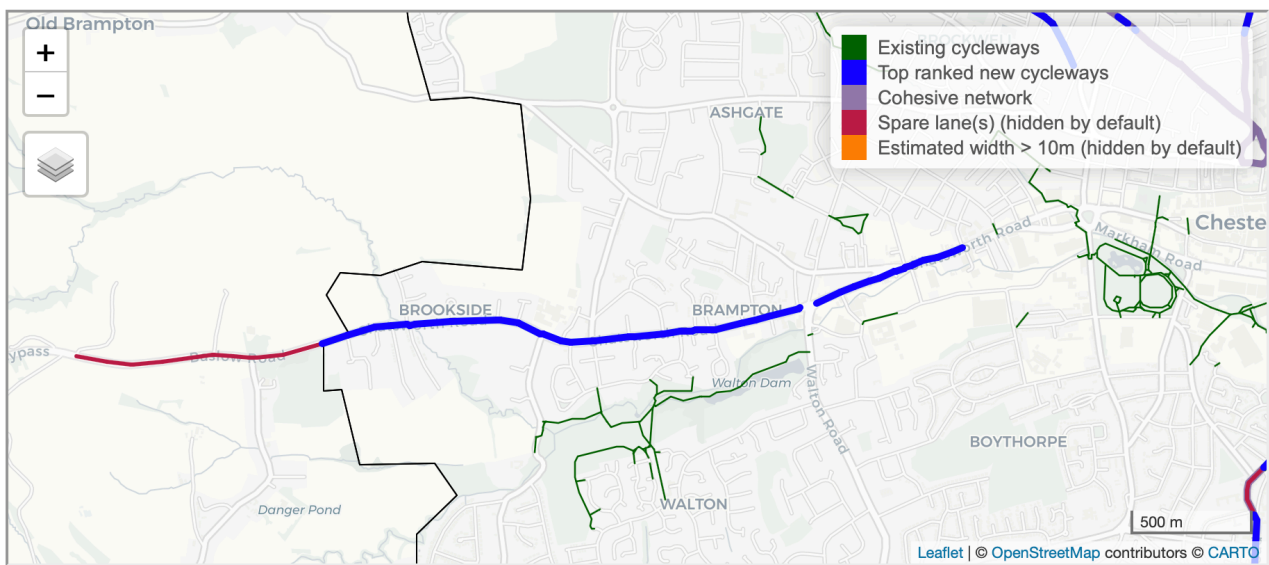
This route has entirely separate funding allocated by DCC and funding is not linked to the East West route at all.

Chesterfield Civic Society have suggested that Walton Back Lane/Cotton Mill Hill is a suitable alternative cycle route. Our Campaign doesn't consider that suitable being a narrow country lane especially at school drop off and pick up times and unless the road was closed to through vehicles it would not satisfy the criteria of 'altering the status quo'.

There is a group of Holymoorside and Walton residents who would like DCC to attempt to reinstate the proposals for the cross field route. Our Campaign supports that if any future route is continuous without field gates and a suitable width and surface (5m wide and a sealed surface).

Document 1

Rapid Cycleway Prioritisation Tool map identifying Chatsworth Road



See full map [here](#), and a more description of the layers and the methodology at cypit.bike/rapid.

Document 2

DfT letter to local authorities

Dear all,
Rupert Furness
HEAD OF ACTIVE & ACCESSIBLE TRAVEL DEPARTMENT FOR TRANSPORT
33 HORSEFERRY ROAD
LONDON
SW1P 4DR

walking.cycling@dft.gov.uk Web Site: www.dft.gov.uk 10 July 2020

Emergency Active Travel Fund - invitation to bid for Tranche 2

Allocations for the first tranche (£45m) of the £225m for temporary active travel measures have now been decided, and your authority should by now have received confirmation of the amount you have received. Details of all allocations are available on gov.uk

This letter invites authorities to bid for tranche 2 of the funding. Bids must be submitted by Friday 7 August.

Combined Authorities are expected to produce a single bid on behalf of their constituent authorities, as with tranche 1 of the funding. Funding for London boroughs and Transport for London is being handled separately in tranche 2, and London boroughs do not need to submit proposals to the Department for Transport.

The objectives of the Emergency Active Travel Fund are to help local authorities implement measures to create an environment that is safer for both walking and cycling (both, not one or the other). This will allow cycling in particular to replace journeys previously made by public transport, and will have an essential role to play in the short term in helping avoid overcrowding on public transport systems. Longer term, it will also help deliver significant health, environmental and congestion benefits.

As the Department made clear in its letter seeking proposals for tranche 1, the amounts published at the beginning of the process for each local authority were only indicative. The actual sums allocated will depend on how ambitious a council is willing to be.

The Department has been pleased by the extent to which many councils showed real ambition in their tranche 1 proposals. A number of councils whose proposals showed the highest ambition have received more than the tranche 1 funding they were initially allocated, while others who demonstrated less ambition have received less. Authorities who received less than they were indicatively allocated in tranche 1 are welcome to revise their proposals and put forward bids for those schemes as part of the tranche 2 process providing they can show that their revised proposals meet the criteria below.

Tranche 2 of the Emergency Active Travel Fund amounts to £180m in total. As with tranche 1, to receive any funding, authorities will need to satisfy the Department that they

have swift and meaningful plans to reallocate road space to cyclists and pedestrians (both groups rather than one or the other), including on strategic corridors. Schemes that do not meaningfully alter the status quo on the road will not be funded. All cycling schemes, permanent or temporary, will need to include segregation or point closures to through traffic: advisory cycle lanes, and those marked only with white paint, will not be funded.

Funding in the second tranche will also depend on how swiftly and effectively authorities have implemented the plans for which they have received funding in the first tranche.

Tranche 2 funding can be used to support both temporary, low-cost schemes, and permanent schemes with a short lead time, so long as they meet the criteria outlined above. Local authorities will need to demonstrate that the funds can be spent or fully committed in this financial year. As before, if this condition is not met, the Department will reserve the right to claw the funding back by adjusting downwards a future grant payment to your authority.

The Government expects to launch a new cycling and walking vision in the next few weeks, alongside new guidance on cycling infrastructure which local authorities will have to comply with to receive Government funding for cycle infrastructure schemes. The new guidance broadly reflects the criteria outlined above.

Cycling schemes identified in existing Local Cycling and Walking Infrastructure Plans (LCWIPs) may be funded if they meet all the criteria described above. The Department has also made available a "Rapid Cycleway Prioritisation Tool" which is intended to help identify promising locations for new cycleways, complementing local knowledge.

Local authorities may also bid for small amounts of funding to support the implementation of e-scooter trials where they complement the overall plan to enhance the road environment for cyclists and pedestrians.

The great majority of the funding provided will be capital funding: local authorities can bid for small amounts of revenue funding, but only up to a maximum of 20% of their total bid. Only in exceptional circumstances will authorities be granted amounts of revenue funding that are higher than this.

Local authorities will also be expected to demonstrate that they have considered the impacts of their proposals on bus and other public transport services. Measures that deliver benefits both for cyclists and bus users will be particularly welcomed. Local authorities should also consider, and take steps to mitigate, the wider impacts of any proposals, particularly on disabled people and others with protected characteristics as part of their Public Sector Equality Duty.

The Department will require more detailed evidence to access this second tranche of funding than for the first tranche of funding, and annex A sets out the information that the Department will require. We will require the completion, as before, of an online bid proforma, allowing the Department to assess the strategic, financial, management and commercial case for investment. This is available at https://www.smartsurvey.co.uk/s/EmergencyActiveTravel_tranche2proforma/

The proforma covers general details such as location, total grant sought and setting the strategic case, as well as details of individual schemes. It also asks what prioritisation process has been applied, including any alignment with LCWIPs.

Applicants are also expected to assess and confirm, through their section 151 officer, the value for money of their schemes. For all permanent schemes costing £2 million or more, the Department will require applicants to undertake a value for money assessment using the Active Mode Appraisal Tool (AMAT). Accompanying this letter, we have sent you value for money guidance to help assess your schemes which should make this process straightforward. Where it is not possible to provide this assessment and S.151 officer confirmation as part of an authority's bid by Friday 7 August, these may be provided separately and no later than Friday 11 September. Further details are at annex A.

In the event that work on value for money undertaken after the submission of the bid and/or funding award indicates that the proposals submitted may not offer value for money, the authority should submit revised proposals which do offer value for money to the Department as soon as possible. Where this is not possible, the Department will reserve the right to claw back any funding by adjusting downwards a future grant payment to your authority.

The Department will also expect the impact of schemes to be monitored and evaluated. This will be a requirement for all permanent schemes costing £2 million or more, and is recommended for other significant schemes. Guidance on this will follow shortly.

The Department will expect authorities to keep consultancy spending down to a minimum, but recognises that support may be required by some authorities to plug resource gaps on highways and scheme design issues. Wherever possible local authorities should use existing framework contractors for design and build so that efficiencies of scale and proper integration with wider highways schemes are more likely to be achieved.

The Department will make the payments via a grant under section 31 of the Local Government Act 2003 together with a formal grant determination letter. If you have any questions on any aspect of this funding, please email walking.cycling@dft.gov.uk All documents in support of your application should be sent to this address too.

Where possible, authorities should publish details of their proposed schemes, post submission to the Department, in line with the Freedom of Information Act.

Yours sincerely,
Rupert Furness

Document 3

Section 31 notice



DEPOSIT OF STATEMENT AND PLAN
SECTION 31 (6) OF THE HIGHWAYS ACT 1980

To: Derbyshire County Council, Rights of Way Department, Stand House,
Dale Road South, Matlock, Derbyshire, DE4 3RY

1. We, James Botham and Lindsay Botham, are and have been since June 1977, with our family having owned prior to 1939, the owners within the meaning of the above section of the land known as Land off Greendale Avenue more particularly delineated on the attached plan accompanying this statement and thereon edged red.
2. The aforementioned land lies in the Parish of Holymoorside in the County of Derbyshire.
3. The ways coloured blue on the said plan appear on the Definitive Map as FOOTPATHS.
4. No other ways over the land have been dedicated as highways.
4. There are no permissive ways.
5. The deposit shall comprise this statement and accompanying plan.

SIGNED:
Landowners

Address

James Botham Redwood, Mansel,
Walsall Helmingwood
Lindsay Botham Chesterfield
PERSYS S.H.3. 215,
SUA TUN

Signed
(Witness)
Name of
Witness
Address

Date

