

<b>Subject:</b>	<b>Coastal Cycle Route (Phase 2) – Swalecliffe to Whitstable: Public Consultation</b>
<b>Director/Head of Service:</b>	Head of Planning & Regeneration
<b>Decision Issues:</b>	These matters are within the authority of the Executive for funding and byelaw alteration, and Kent County Council for works on the adopted highway and Cycle Tracks Act
<b>Decision type:</b>	Non-key
<b>Classification:</b>	This report is open to the public.
<b>CCC Ward(s):</b>	<b>Chestfield &amp; Swalecliffe, Tankerton, Gorrell, Harbour</b>
<b>Summary:</b>	<i>This report outlines the public consultation on phase 2 of the coastal cycle route between Swalecliffe and Whitstable, which took place between 23 January and 19 February 2012. The proposal provides a 3km missing link in the coastal cycle route network linking Phase 1 of the Oyster Bay Trail (where it currently terminates at Swalecliffe) with Whitstable Harbour via Tankerton Promenade, and proposes cycling at all times. In addition a new link is proposed between the harbour and Stream Walk as well as improvements along a section of the Crab &amp; Winkle Way. 410 responses were received: 80% were in favour of the proposed scheme along the sea wall and 87% were in favour of the proposed link between the harbour and Stream Walk.</i>
<b>To Recommend:</b>	<p><b>(1) That the Panel approves in principle the implementation of phase 2 of Oyster Bay Trail and the link between Whitstable Harbour and the Crab &amp; Winkle Way as set out in the report.</b></p> <p><b>(2) That the Canterbury City Council Executive be asked to approve the scheme.</b></p> <p><b>(3) That the Canterbury City Council Executive be asked to amend the byelaw prohibiting cycling along the promenade between Swalecliffe and Whitstable Harbour.</b></p> <p><b>(4) That Kent County Council follows the procedures of the Cycle Tracks Act (1984), as required, for approval to allow shared use for pedestrians and cycles along sections of the route.</b></p>
<b>Next stage in process</b>	<b>Report to Canterbury City Council's Executive</b>

## **SUPPORTING INFORMATION**

### **1. Introduction**

#### *Background*

The National Cycle Route (NCR) network has been developed by Sustrans in partnership with local authorities. There is an extensive network of coastal cycle routes around the country and it is feasible to cycle between Kent and Scotland using a network of existing cycle routes around the Kent coastline. One of the few gaps is a 6km missing section between Swalecliffe and Seasalter.

In November 2007, the Joint Transportation Board supported the implementation of the 10km long Phase 1 of the scheme between Reculver and Swalecliffe, and in December 2007 the Executive approved Phase 1 of the scheme. Phase 1 was completed last year and the scheme is being well used by cyclists and is working well. This involved some new construction, changes to the byelaw to permit cycling along specific sections of promenade between Beltinge and Swalecliffe, and the conversion of some public footpaths to Cycle Tracks. The Oyster Bay Trail currently terminates at Swalecliffe where cyclists must rejoin Swalecliffe Court Avenue.

This 3km missing gap between Swalecliffe and Whitstable would link Regional Cycle Route 15 at Swalecliffe and NCR1 at Whitstable (which leads towards London, the East coast of England and Scotland, in addition to the popular Crab & Winkle Way towards Canterbury). Improvements would also be carried out to the links between the existing Crab & Winkle Way and the Harbour. (Please refer to Appendix 1).

The final 3km section between Whitstable and Seasalter would be the final phase of the coastal cycle route and is not the subject of this report.

Increasing the walking and cycling network across the district is an objective of the city council's ten year integrated transport strategy and the Corporate Plan. This route (with seasonal restrictions) is identified as a high priority on the national and regional cycle route network in the city council's approved Draft Canterbury District Walking and Cycling Strategy (2003). The benefits of increases in cycling include improved health, reductions in pollution and traffic congestion and substantial economic benefits.

The economic benefits from cycle tourism are well proven nationally and the potential benefits for the area between Swalecliffe and Whitstable can best be illustrated by using figures from studies carried out on the adjoining 28 mile long circular Viking Trail. A study by Canterbury Christ Church University College in 2003 showed that the Viking Coastal Trail generated nearly £300,000 per year for the local economy, a good return on the total investment of about £500,000. Businesses along the Viking Coastal Trail were aware of the value of cycle tourism and 77% agreed that the Trail benefits the local area. The study also showed that the majority of users are cycling for pleasure and exercise, however, the Trail is also seen as an important transport route within Thanet with up to 58% of weekday users making utility journeys (ie journeys to work, school, shopping etc). The majority of users of the Trail are local but it is also attracting cyclists from elsewhere in Kent, the UK and Europe.

The various delays caused to the Crab & Winkle bridges project (which was granted planning permission in 2011) jeopardised the likelihood that the scheme would be implemented within the various funding timescales as part of Connect2 Big Lottery Fund and the Department for Transport Links to Schools programme. This meant

that £745k of the funding that had been allocated by Sustrans towards the bridges scheme was lost. This 'lost' funding was given to other schemes on reserve lists so that they could be implemented by the required deadlines.

However, Sustrans are still very keen to support improvements to the cycle route network in Whitstable. Approximately £131k of Connect2 funding is currently still available for the Whitstable component of the 'Reculver Links' scheme which is comprised of Phase 2 of Oyster Bay Trail, and the missing link on the Viking Coastal Trail in Thanet. The Connect2 Steering Group has agreed that some of the Connect2 funding can be used to provide improvements to link Phase 2 of the Oyster Bay Trail with the Crab & Winkle Way to help improve the cycle route network in Whitstable. These improvements are intended to be an 'interim' measure and the longer term aspiration remains the building of the bridges and the extension of the route along the disused railway line.

## 2. **Detail**

The scheme was drawn up by agreement with the Connect2 Steering Group which is comprised of officer representatives of Canterbury City Council (Transportation), Kent County Council (Highways & Transportation and Public Rights of Way), Sustrans, Spokes, the Crab & Winkle Line Trust, the council's Portfolio Holder for Transportation and the council's Deputy Leader.

Since the Walking & Cycling Strategy and current Local Plan were approved (in 2004 and 2006 respectively), times have changed and cycling has become more popular as a sustainable mode of transport as an alternative to the car for every day journeys and for leisure purposes. Counts undertaken on the sea wall demonstrate that cycling is already taking place.

The council understood the Local Plan Inspector's concerns in relation to the First Review Revised Deposit (March 2003) and, as requested, has considered alternatives so as to ensure that the most appropriate scheme can be considered and recommended, incorporating outcomes of consultation, advise on guidance for cyclists, and explain the reasons for ruling out potential alternative routes. The Inspector's report was the start of a long process before reaching this point.

Restricting cycling to a seasonal or specific timed periods is anticipated to raise peoples' expectations with regards to enforcement. Enforcement of a byelaw prohibiting cycling would need to be undertaken by the Police (with the backing of the city council) and the resources to undertake this are very limited.

The Connect2 Steering Group would like to give cyclists personal responsibility to decide when it is safe to cycle. The Group therefore felt that the public should be consulted on a shared route that allowed cycling at all times rather than a seasonal cycle route. The feedback received would enable Members to gauge local peoples' views before a decision was made.

In September 2009 the General Purposes Committee resolved that officers carry out consultation for a cycle route along Tankerton promenade linking up with Seasalter (Minute Ref 293). The intention was to seek Members' views on options before deciding which should go out to public consultation, and then to undertake the consultation and report back to Members before they make their final decision.

Having considered potential alternative routes and options, an informal steer was taken from the council's Executive on the proposal for public consultation, and

Members were happy with the proposal set out in this report to be taken forward for public consultation.

If approved, the route would be signed in a similar way to Phase 1 of Oyster Bay Trail with signs stating 'Please cycle courteously and give priority to pedestrians'. The busier areas would be signed 'You are entering a busy area. Cyclists please be prepared to dismount'.

There are no practical or feasible routes that would avoid the need to utilise the sea wall and which are likely to be used by cyclists. This is because cyclists would be tempted to stay on the sea wall whether it is legalised or not because that will be the most direct and most attractive route. The alternative routes that were considered and ruled out by the Connect2 Steering Group (including Marine Parade, Tankerton Road, Tower Hill, grass-top path) are described below (in section 5). By positively signing the promenade, it is anticipated that there will be an improvement in general consideration between all users.

There are four public footpaths along the proposed route. In accordance with Kent County Council's current policy, the Cycle Tracks Act (1984) would need to be implemented by KCC, as local highway authority, for public footpaths that are to be converted to shared use. There is an existing byelaw currently prohibiting cycling along Tankerton Promenade and would need to be amended.

The proposed improvements can be divided into three main parts and are described as follows:

*(i) Proposed route along sea wall/promenade*

The coastal cycle route currently terminates at Swalecliffe and the proposed route into Whitstable would be to continue along the promenade (please see Appendix 1). The route would continue along the grasscrete path from Swalecliffe, and then onto the sea wall/promenade going past the Skatepark. The promenade varies in width between 4.0m and 6.7m.

There are three sections of privately owned beach huts fronting the sea wall, measuring approximately 270m to the east (near the Skatepark), 470m (including the sailing club), and 250m (on the western section).

The route would continue towards Beach Walk where it would then join onto the carriageway for a short section, before rejoining the sea wall behind the swimming pool which is approximately 3.1m wide. A new dropped kerb would be provided which would also help disabled people and parents with pushchairs. The section of city council owned beach huts fronting this sea wall measures approximately 100m and are behind the step in the sea wall.

Counts were undertaken in August and September 2010 over 11-hour periods on a weekday, weekend and Bank Holiday weekend at two locations on the promenade: by the public toilets close to the Hotel Continental and also by the Sailing Club at Tankerton. The weather conditions were mostly good although one day of bad weather resulted in a slight reduction in overall numbers. The section of promenade near the Hotel Continental was generally busier with pedestrians than by the Sailing Club. On average there were 1,608 pedestrians and 444 cyclists per day using the promenade. For each site, an average of between 28% and 32% of users are cyclists in the busier summer period. The maximum peak hourly count was 548 users on the Sunday of the Bank Holiday (when the weather was overcast and windy). There was a daily average total of 112 dog walkers, 65 pedestrians with

pushchairs and 14 wheelchair users. On average, approximately 12% of cyclists were elderly. The information is considered to be representative of usage on typically busy summer days.

It is proposed that signs would be erected along the sea wall advising cyclists to cycle courteously and to give way to pedestrians. This would complement the existing signs on phase 1 of the Oyster Bay Trail and the Viking Coastal Trail. For the sections with beach huts, it is proposed to erect signs that warn cyclists that they are entering a busy area and to be prepared to dismount. Care would be taken not to erect too many unnecessary signs as they could potentially clutter and urbanise the coastal environment and become an ongoing maintenance liability.

In determining the need for segregation, site-specific factors need to be taken into account as well as anticipated numbers of pedestrians and cyclists. There needs to be a balance between the need to create a path with a suitable surface for cycling and which is safe for pedestrians, and the need to avoid urbanisation as segregation involves white lines, Equality Act 2010 compliant tactile paving at regular intervals, signing and coloured surfacing.

Our experience has shown that shared use has worked well in the Canterbury district and examples are cited later in the report (please refer to section 7). Experience has also shown that on segregated paths, cyclists and pedestrians tend to mill around and do not normally keep to their 'correct' side, and that segregation on shared use routes can increase cyclist speeds, whereas shared unsegregated routes generally result in people acting more courteously. Neither phase 1 of Oyster Bay Trail, the Viking Coastal Trail (in Thanet) nor the Crab & Winkle Way are segregated. The scheme presented for public consultation proposes shared, unsegregated use.

*(ii) Proposed improvements between Harbour and Crab & Winkle Way*

At the end of the sea wall, the route would be signed along the Harbour access road, which is relatively lightly trafficked, and towards Harbour Street. Cyclist warning signs would be erected to warn drivers.

A new ramped cycle/zebra crossing would be provided on Tower Parade at the popular crossing point between Gorrell Tank and the Harbour, thereby making it easier for pedestrians, disabled people and cyclists to cross. Care would be taken to ensure that the positioning of the bus stop did not affect the safe operation of the crossing and this will be considered at the Stage 2 Safety Audit.

The route would then follow Lane's Walk, a public footpath between Gorrell Tank and the Health Centre (varying in width between 2.6m and 2.9m with a pinch point of 2.3m). This path would be resurfaced along its entire length with the provision of new dropped kerbs at each end. Improvements would also be carried out to the ramp leading up from Gorrell Tank towards the path as this would provide smoother and easier access for wheelchair users.

The cycle route would then be signed onto Westgate Terrace and along Reservoir Road (which are both relatively lightly trafficked residential roads). It would then turn into Cuckoo Down Lane, a public footpath (varying in width between 3m and 3.6m) that leads towards Cromwell Road. The path would be resurfaced and a new dropped kerb would be provided at the junction with Reservoir Road together with a white access highlight marking to make the path more conspicuous to road users. The route would be signed across the existing informal crossing to Stream Walk with footway improvements being provided at the junction with Cromwell Road.

The cycle route would then continue along Stream Walk carriageway and onto Stream Walk path to link up with the existing Crab & Winkle Way. The existing rusted metal bollard on Stream Walk would be replaced with a lockable timber bollard.

*(iii) Improvements to the Crab & Winkle Way*

Improvements to the existing Crab & Winkle Way would include surfacing improvements at the point where the existing route leaves Stream Walk and joins Albert Street, thereby also improving facilities for pedestrians and disabled people.

Other improvements would include widening of dropped kerbs where the cycle route crosses roads to make it easier for cyclists and pedestrians to cross, in addition to improvements to visibility at crossing points, making it easier for cyclists/pedestrians and car drivers to see one another.

Nearer to Whitstable railway station, the soffit and walls of the railway tunnel would be painted to make it brighter and the steps on the path adjacent to Whitstable station would be replaced with a slope with as gentle a gradient as possible, which would replace the existing steps and narrow wheeling ramp. The provision of a new ramp with hand rails would thereby also provide improvements for disabled people and parents with pushchairs.

The opportunity could also be taken to enhance existing signage for the Crab & Winkle Way in the vicinity of the station as part of the scheme.

### 3. **Relevant Council Policy/Strategies/Budgetary Documents**

**Canterbury District Local Plan (2006):** The Inspector's Report on the Canterbury District Local Plan First Review Revised Deposit (March 2003) stated that the cross-path pattern of pedestrian movements on a narrow space with beach huts and access paths will inevitably cause problems and incidents, and that the shared use of Tankerton Promenade be ruled out from the early morning to the early evening during the conventional seaside seasons of the year. The Inspector also stated that the cycle route could go along Marine Parade or along a new constructed path along the grassed area near the cliff top, and that the council should consider this before finally deciding the cycle and pedestrian route through Tankerton.

The proposed cycle route has been identified in the Canterbury District Local Plan (2006) - objective 6.2 is to increase the network of walking and cycling networks. The relevant section relating to cycling states that Canterbury City Council will consider alternative routes and restricted access along Tankerton Promenade and Marine Parade walking and cycling routes in Whitstable. The proposed route along Tankerton Promenade is identified in the Proposals Map.

A new development plan is currently being prepared and the council expects to publish a Preferred Options document later this year. This will replace the Canterbury District Local Plan (2006), including policy C3 relating to pedestrian and cycle routes. The majority of policies in the CDLP were saved by the Secretary of State in 2009, and therefore remain in place until the new plan is completed.

**Corporate Plan (2011-16)** - Pledge 4 (6) is encouraging sustainable travel by supporting improvements to public transport, increasing cycling and walking routes, car clubs and charging points for electric and hybrid cars.

**Ten year integrated Canterbury District Transport Action Plan (2004):** key aim of improving travel choice. The Transport Action Plan will be reviewed and work is under way to prepare a new Action Plan for consultation to take place later this year.

**Ten year Canterbury District Walking and Cycling Strategy (2003):** implement cycle routes linking the National Cycle Route Network. The proposed cycle route along Tankerton Promenade was rated as a high priority scheme and the proposal was described as allowing cycling along the promenade outside the peak summer period ie between 1 October and 30 April. During the summer months (1 May to 30 September) it was proposed that cycling would only be permitted between the hours of 5pm and 9am in order to allow commuter cycling to continue but to prohibit cycling at times of heaviest pedestrian usage. The route to be used by cyclists during the busiest summer period was proposed to be Tower Parade, Tower Hill and Marine Parade. However, cyclists travelling westwards would now need to detour around the one-way system unless a contra-flow cycle path could be implemented.

**Kent County Council's Local Transport Plan 3 (2011-2016)** promotes cycling through several themes and objectives including growth without gridlock, access to jobs and services, supporting independence, tackling a changing climate.

**Kent County Council's Growth Without Gridlock (2010)** supports extended and improved cycling facilities countywide for health and the environment and is also directly cited as an objective for the Canterbury district.

#### 4. Consultation

##### (a) Public consultation

Public consultation took place between 23 January and 19 February. A public exhibition was displayed for four weeks at Whitstable Museum (open Monday to Sunday, 10am to 4pm) with free entry, and was advertised in the local press, posters and on social media. Plans were available at the council offices in Whitstable, Herne Bay and Canterbury, and online. Although the closing date for receipt of comments was 21 February, the deadline was extended to 2 March due to the popularity of the consultation. Letters and emails were also sent out to nearly 100 local groups, residents' associations and schools likely to have an interest.

The final public consultation results are:

- 410 questionnaire responses were received
- 87% (358) were local residents and 5% (20) were visitors
- 80% (330) were in favour of the proposed scheme along the promenade
- 87% (357) were in favour of the proposed link between the Harbour and the Stream Walk and the improvements along the Crab & Winkle Way
- 52% of respondents (215) were from the Whitstable postcode area
- 76% of respondents (313) were from Canterbury district postcode areas
- Of the 215 respondents from the Whitstable area, 77% (165) were in favour of the proposal along the promenade, and 87% (187) were in favour of the new cycle route link between Whitstable Harbour and Stream Walk and the improvements to the Crab & Winkle Way
- 8% (31) stated that their day-to-day activities were limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months. Of these 31 respondents, 90% (28) were in favour of the scheme.
- Over 1,300 hits were received on the council's relevant web page.

A report showing the feedback received is shown in Appendix 2 including all the comments that were made. Some of these comments have already been presented to Members of the Joint Transportation Board, and so the additional comments received are shown in a different colour for Members' assistance.

*Examples of feedback supporting the scheme along the promenade:*

- Acknowledges most of what already happens
- A pleasurable flat off road route for walkers and cyclists
- Avoid traffic, wonderful views
- Common sense
- Encourage fitness and outdoor activities
- Cyclists use local facilities such as pubs, cafes, B&Bs etc and this a great way to improve commerce in the area
- Many people already use the promenade to cycle on and it makes sense to legalise it
- I am disabled and need to use my recumbent trike for exercise and a coastal route is ideal.

*Examples of feedback objecting to the proposal along the promenade:*

- I am registered deaf and cannot hear anything coming up behind me
- The promenade is very busy in summer with walkers, children, dogs, beach hut owners etc
- It will make it much more difficult for pedestrians
- Insist that riders dismount at beach hut areas to safeguard against any accident.
- Although many cyclists would be cautious in cycling along the promenade, there are those that would be a danger especially to the elderly and children.
- Use Marine Parade
- Where there are beach huts the promenade is obscured to all but more relevantly to children who feel free to run out and across the path
- Dangerous to have this as could be a potential hazard. Especially for young children. No need as plenty of roads in area. This should remain pedestrian only otherwise will be constantly dodging bikes. Accountability issues if accident - how can we report an incident as no number plates on bike.

*Examples of feedback supporting the new link/improvements to Crab & Winkle Way:*

- Improvements will encourage safer cycling and perhaps encourage more people to get on their bikes and lead to a healthier population
- It is a safer route than the busy roads
- Cycle traffic will be able to safely commute from Canterbury to Whitstable Harbour and beyond (and reverse) without encountering a congested harbour and Whitstable High Street
- Improvements will assist pedestrians, disabled people and parents with push chairs
- Replacing the steps at the station is a very good idea and will give better access for wheelchairs too
- Makes it safer for families and less confident cyclists
- It will make access safer and, more importantly, easier for cyclists and wheelchair users. Improving cycle routes will take cyclists off the roads

*Examples of feedback objecting to the new link/improvements to Crab & Winkle Way:*

- It will encourage even more cyclists at the expense of other users
- It's too convoluted and narrow in places
- A more direct route would be preferable

- Better signs are all that are needed
- Why invent another on road cycle route to Whitstable Station when we already have Crab & Winkle Way but poorly signposted
- The destination for most is the town not the station.
- Significant cycle traffic on Stream Walk (road) will be inconvenient for local residents and be a danger to cyclists.

The following additional comments have been received and are shown in full in Appendix 2:

**The Canterbury Development Advisory Panel** is the city council's panel of disabled people and accessibility professionals who work with the council on a voluntary basis to highlight any accessibility issues and put forward practical ideas to solve them. DAP generally welcomes a scheme that has significant health and well-being benefits for local communities, visitors and tourists, and a reduction in pollution and congestion. DAP believes that some accommodation is essential between all user groups and welcomes the improvements to the Crab & Winkle Way particularly at Whitstable Station and the improved crossing points. Overall, the Panel considers that a conservative approach that is likely to have the least adverse impact on disabled people is best, with the proviso that monitoring is undertaken across the seasons, particularly along the promenade and at the new crossing on Tower Parade. They have also recommended enlisting the help of Spokes and/or others to raise awareness of the need for a more prominent 'User Code'.

However, some members of the DAP are opposed to shared use whose view is that the most critical clash of interest is likely to be between fast moving cyclists and pedestrians with a hidden sensory impairment. Some Panel members believe that this is more of a perceived risk rather than an actual risk. It is likely that clashes occur on narrower pathways or where there are poor sight lines, poor surfaces and where there are high ambient noise levels. Specific concerns relate to areas of the promenade where footfall is excessive in summer and where there are higher levels of ambient noise preventing elderly and disabled people from hearing cyclists. Their full report is shown at the back of Appendix 2.

**The Canterbury Group of the Kent Ramblers** does not object to the proposals.

**Natural England** supports the scheme because positively signing the cycle route around Longrock (ie along the grasscrete track on top of the bund) will help to discourage some people away from the Site of Scientific Interest and RAMSAR site which is a sensitive inter-tidal habitat for over-wintering and migratory birds.

**The Whitstable Beach Campaign** is broadly in favour of the scheme and has suggested segregation by a white line along the promenade, doubling the width of the grasscrete track at Longrock, and additional cycle parking provision.

**The council's Foreshore Manager** supports the scheme and has suggested a number of enhancements including provision of 'A' boards for Tankerton Sailing Club and Lifeguards for gentle warning type signs, signage to nearby cafés, cycle parking, repositioning of water standpipes to help reduce congestion on the promenade and for health and safety reasons, improvements to slope paths, provision of information board to direct cyclists away from Longrock and away from SSSI, additional 'no cycling' signage to discourage cycling through the Harbour. These can be investigated further and incorporated into the final scheme design where feasible.

**Guide Dogs** have objected to the scheme. They do not support unsegregated cycle paths as they consider that they pose a safety issue and problem for blind and partially sighted pedestrians as they would be at risk from potential collisions in a shared environment. This could make it a 'no go area' for visually impaired people and other vulnerable people.

**The Whitstable Society** has objected to the scheme mainly due to the potential for conflict between criss-crossing movements of children, beach hut users and fast moving cyclists during busy summer months. They consider that the proposed signing will not help and that the bad behaviour of cyclists will be exacerbated. They have requested that the public consultation is re-run, instead proposing a cycle route along the sea wall with summer time restrictions. Their full report is shown in Appendix 2.

(b) Joint Transportation Board views

The Joint Transportation Board recommended approval of the scheme on 21 February 2012. It was suggested that monitoring be undertaken so that any safety issues could be reported back to Members (Minute ref JTB79).

It is anticipated that route user surveys would be undertaken and this is being investigated further with Spokes, the Crab & Winkle Line Trust and Sustrans in consultation with the Canterbury Development Advisory Group.

(c) Local Member views

Two local Canterbury City Council Members have given their support, and their comments are included in Appendix 2.

5. **Options available with reasons for suitability**

Several options were considered and ruled out because they were considered to be unsuitable, and are explained below:

(a) Routeing the scheme along Herne Bay Road and Marine Parade would involve cyclists having to navigate a one-way section of carriageway along the B2205 St Swithin's Road, Tankerton Road and Bennell's Avenue, requiring cyclists to change lanes. Marine Parade is heavily parked up with cars during the busier summer months, and there may be concerns about car doors being inadvertently opened onto cyclists. Cyclists are unlikely to deviate from the promenade to cycle along Marine Parade.

(b) The construction of a segregated cycle track along the top of Tankerton Slopes would avoid cyclists having to use the carriageway. However, this is anticipated to cost well in excess of £110,000 and would be prohibitively expensive. Cyclists are unlikely to deviate from the promenade and up the slopes to use such a route and it may attract objections from the many people who sit at the top of the slopes during the summer months.

(c) Tower Hill is now one way (eastwards) as far as the junction with St Anne's Road and was provided as part of the Whitstable Castle refurbishment scheme. If the cycle route were signed along Marine Parade or along the top of the slopes rather than along the promenade, a contra flow cycle lane would need to be provided on Tower Hill and is anticipated to cost approximately £30,000. A contra flow cycle lane was considered as part of the recent KCC one-way scheme on Tower Hill, however, the additional cost could not be justified. It would also result in the removal of some on-street parking which is anticipated to be contentious. A contra-flow cycle lane on Tower Hill would also involve using a steep hill and would not be as attractive to cyclists as a route along the sea wall.

- (d) An alternative to (c) above could be to sign cyclists along St Anne's Road, around Tankerton Circus and along Tankerton Road or along Kingsdown Park and Northwood Road. Using Tankerton Road would involve cycling up a long hill which is a busy bus route and would be less pleasant for cycling than the sea wall. Kingsdown Park would be a more pleasant and level route for cyclists compared to Tankerton Road. However, cyclists would then need to cycle along a busy section of Tower Parade between the junction with Northwood Road and the harbour or, alternatively, improvements would need to be made to the pedestrian crossing near to the junction of Northwood Road and Tankerton Road to allow cyclists to cross to Beach Walk. These options involve meandering along roads away from the sea front.
- (e) A seasonal or timed cycle route period along the promenade (as described in the Walking & Cycling Strategy) was considered for consultation. However, enforcement of such restrictions is extremely difficult. The Police are responsible for enforcing such a byelaw (with the backing of the city council) as it is only the Police that have the power to obtain an offender's name and address. Any enforcement of the byelaw would need to be undertaken jointly by the Police in partnership with the city council. Active enforcement would have to apply to everyone and not just those who were considered to be a nuisance and this could result in an increase in complaints from cyclists who cycle carefully and courteously. It is unlikely that the Police have the resources to be able to enforce such restrictions. Some council staff on duty in the area have the right to ask cyclists to dismount if it is considered that they pose a risk to the public. A seasonal cycle route is anticipated to raise peoples' expectations with regards to enforcement and would also necessitate an alternative cycle route during the period of restriction. The alternative routes as described in (a) to (d) above are considered to be either undesirable or prohibitively expensive. By positively signing the promenade, it is anticipated that there will be an improvement in general consideration between all users.

## **6. Reasons for supporting option recommended, with risk assessment**

There are no practical or feasible routes that would avoid the need to utilise the promenade which are likely to be used by cyclists. This is because cyclists would still be tempted to stay on the promenade whether it is legalised or not because that will be their most direct and most attractive route, so these alternative options could simply be 'white elephants'. The route is already being well used by cyclists, and the scheme formalises what is already happening. This scheme gives responsibility to cyclists to make their own considered and common sense judgement.

The new mainly traffic-free link between Whitstable Harbour and the Crab & Winkle Way avoids the busy junction of Cromwell Road and Westgate Terrace which can be very busy in the summer months and at weekends, with vehicles turning into and out of Gorrell Tank car park. The route via Reservoir Road gets cyclists away from Cromwell Road, and enables them to cross this road away from queuing traffic.

The improvements to the Crab & Winkle Way between Stream Walk and Whitstable Station will help to improve visibility where the cycle route crosses the carriageway, and also makes it more pedestrian friendly particularly near to Whitstable Station.

The route along the sea wall would be subject to a risk assessment (similar to that undertaken for phase 1), and the sections of route on the adopted highway would be

subject to Stages 1 and 2 Safety Audit prior to construction, to be signed off by Kent County Council as highway authority.

Suggestions to provide monitoring and promote a good user code of practice, as well as the provision of cycle parking, local signage, relocation of standpipes for health and safety reasons can be investigated further and incorporated into the final scheme design where feasible.

## 7. Implications

### (a) Financial Implications

The scheme is estimated to cost approximately £151,000. The city council's 2011/12 capital programme allocates £20,000 (PC4068) which would be carried over into 2012/13. Sustrans have allocated the remaining funding (approximately £131,000) from the Connect2 Big Lottery Fund provided that the scheme can be delivered by March 2013.

Maintenance of the cycle route along the promenade would be undertaken by the city council (budget code PR1600 2043) and maintenance of the cycle route on adopted highway would be undertaken by Kent County Council, as local highway authority.

If the scheme does not go ahead, the external funding will instead be used on another Connect2 scheme on the reserve list somewhere else in the country. The city council funding (£20,000) would instead be used on another high priority cycle route scheme outside of Whitstable.

### (b) Legal Implications

There are four public footpaths along the proposed route:

- (i) CW41 public footpath – approximately 120m long section of promenade just east of the Skatepark, varying in width between 6m and 6.7m.
- (ii) CWX21 public footpath – approximately 1.58km long path along the Promenade between Beach Walk and the Sailing Club, varying in width between 4m and 5.7m.
- (iii) Lane's Walk CWX24 public footpath – approximately 85m long path between Westgate Terrace and Harbour Street (between Gorrell Tank and Whitstable Health Centre), varying in width between 2.6m and 2.9m with a pinch point of 2.3m.
- (iv) Cuckoo Down Lane CWX19 public footpath – approximately 85m long path between Cromwell Road and Reservoir Road, varying in width between 3m and 3.6m.

In accordance with Kent County Council's current policy, the Cycle Tracks Act (1984) would need to be implemented by KCC, as local highway authority, to convert a public footpath to a shared use cycle track.

The existing byelaw currently prohibiting cycling on the affected sections of sea wall between Swalecliffe and Whitstable Harbour would need to be amended.

### (c) Staffing/resource

The consultation, design and construction to be done within existing resources of the city council's transportation team.

### (d) Property Portfolio - none

### (e) Environmental/Sustainability

The improvement of pedestrian and cycle route facilities encourages the use of more sustainable transport modes. Bicycles are non-polluting.

(f) Planning/Building Regulations

The proposed cycle route (but with restrictions during the summer months) has been identified in the Local Plan (adopted 2006). It is unlikely that any sections require planning permission, however, this is being discussed with Development Control.

(g) Human Rights and Equalities issues

Consultation with local groups will ensure that minority groups are not marginalised. Encouraging walking and cycling can result in more independent lifestyles and is socially inclusive. The scheme will result in improved access by the provision of new dropped kerbs, improvements to surfacing and the replacement of steps with an Equality Act compliant ramp at Whitstable Station.

It is anticipated that shared use will be contentious for some people, as they consider that shared use surfaces lead to an increased risk to their safety, reduced confidence and independence.

The city council's Head of Legal Services, Equality Policy Officer and Kent County Council have been consulted on this specific issue. There is no law which explicitly states that shared use is unlawful. We do have to pay due regard to the public sector equality duty under the Equality Act 2010. This duty must be considered in the decision on any eventual scheme, balanced with the objectives of fostering tourism and healthy recreation by the promotion of this cycle route which will serve the needs of the whole population.

KCC also has a duty to ensure that the highway/footway is as safe as can be realistically made in scheme designs as well as through a programme of measures to reduce highway casualty rates. Under the Traffic Management Act (TMA) 2004, KCC has a duty to take due regard of all road users when designing facilities and manage the existing road network. A balanced approach has been taken to address these issues in the past and this approach has been underlined by the TMA. Disabled people are one group of a range of users of a shared space, and there are also cyclists who feel vulnerable cycling or are simply not old enough to go onto the carriageway. The potential for a serious injury on the highway is greater than for an off-road facility.

Since 1985, approximately 30km of traffic-free shared use cycle routes have been implemented in the Canterbury district. We are aware of one injury accident arising between a pedestrian and a cyclist. Crashes involving personal injury on the public highway are reported to the Police and it is unlikely for there to be accidents recorded away from the public highway. Therefore, there may be an element of under-reporting of accidents between cyclists and pedestrians on dual use facilities. However, across the National Cycle Network, accidents on traffic-free routes are notable by their rarity. Research has shown that the perceptions of conflict are higher than that actually experienced (The Merits of Segregated and Non-Segregated Traffic Free Paths – A Literature Based Review, Phil Jones Associates Transport Planning Consultants, 2008).

A useful case study is the Kensington Gardens Shared Use Trial (2002). Two of the main paths in Kensington Gardens were converted on a trial basis to unsegregated pedestrian/cycle shared use. This conversion was done by way of signs and painted on symbols. User surveys carried out showed that park users considered the main changes to have been a substantial improvement in pedestrian/cycle accidents, near

misses and general consideration for each other (Royal Parks Agency Kensington Gardens Shared Use Trial - Final Report, WS Atkins, 2002).

Our experience across the Canterbury district has demonstrated that shared use has worked very well. Some successful examples of shared use in urban areas include Falala Way and the ramped Cycle/Zebra crossing near the council offices in Military Road, the pedestrianised High Street in Canterbury (where cycling is permitted between 4pm and 10.30am), and the network of shared use paths at Toddler's Cove including the Horses & Goats Tunnel at Wincheap. Some successful rural examples of shared use include the Crab & Winkle Way NCR1, Great Stour Way NCR18 riverside path (between Chartham and Canterbury), the Canterbury to Fordwich NCR1 route, Phase 1 of Oyster Bay Trail RCR15 between Reculver and Swalecliffe which includes sections of promenade between Beltinge and East Cliff and between Hampton and Swalecliffe.

It is both KCC and CCC policy (Walking and Cycling Strategy 2003) that new shared use pedestrian/cycle routes should only be used if there is no other feasible alternative and where putting the scheme in is an improvement for all, including cyclists and disabled people over what was there before.

The promenade between Swalecliffe and the Harbour varies in width between 3.1m and 6.7m which is wider than the 3m minimum desirable width that is recommended for unsegregated shared use. Cuckoo Down Lane varies in width between 3m and 3.6m. The minimum width for shared use is generally 2.5m although this can be reduced in exceptional circumstances. Lane's Walk varies in width between 2.6m and 2.9m with a pinch point of 2.3m where there is good visibility.

Equality analysis is on-going throughout the scheme's design and development to assess how effectively the proposed cycle route will meet the needs of all users, how the scheme could potentially impact on disabled people and what we can do to make the improved scheme better for everyone. Initial research and findings from this analysis have been summarised throughout this report. The city council is committed to considering equality implications in its decision-making processes around policies and services.

(h) Crime and Disorder - none

(i) Biodiversity

Positively signing the cycle route around Longrock (along the grasscrete track on top of the bund) will help to discourage some people away from the Site of Scientific Interest and RAMSAR site which is a sensitive inter-tidal habitat for over-wintering and migratory birds.

(j) Safeguarding Children - none

(k) Energy efficiency - none

## **8. Conclusions**

The 3km gap in the coastal cycle between Herne Bay and Whitstable is a missing link in the national and regional coastal cycle route network. The scheme included in the approved Canterbury District Walking & Cycling Strategy includes summer restrictions and is identified as a high priority scheme. In December 2007, the Executive approved Phase 1 of the scheme between Reculver and Swalecliffe. Phase 1 was completed last year and the scheme is working well. In September

2009 the General Purposes Committee resolved that officers carry out consultation for a cycle route along Tankerton Promenade linking up with Seasalter (Minute Ref 293). Having considered and ruled out potential alternative routes and options, an informal steer was taken from the council's Executive on the proposal for Phase 2 for public consultation, and Members were happy with the proposal as set out in this report to be taken forward for public consultation.

The proposal taken forward for public consultation is to allow cycling at all times along the sea wall at Tankerton and also for a new cycle route link between the harbour and the Crab & Winkle Way in addition to improvements to the Crab & Winkle Way between Stream Walk and Whitstable Station. This public consultation was carried out to gauge local peoples' views before Members come to a decision in April.

The public consultation resulted in 410 responses being received and overall 80% of respondents were in favour of the proposed cycle route along the promenade and 87% of the respondents were in favour of the proposed new route between the harbour and the Crab & Winkle Way. However, formalising shared use is contentious for some people who have objected to the scheme due to concerns about the potential for conflict between cyclists and pedestrians particularly in the busier summer months and in particular near the beach hut areas.

By positively signing the promenade, it is anticipated that there will be an improvement in general consideration between all users. Monitoring would be undertaken and reported back to Members.

The scheme is estimated to cost approximately £151,000. The city council's 2011/12 capital programme allocates £20,000 (PC4068). Sustrans have allocated the remaining funding (approximately £131,000) from the Connect2 Big Lottery Fund provided that the scheme can be delivered by March 2013. If approved, construction works are programmed for autumn 2012, with signing along the promenade to take place by March 2013. This scheme can be delivered within the programmed timescale for utilising Sustrans Connect2 Big Lottery Fund, although any slippage could affect the deliverability and agreed funding. If the scheme does not go ahead, the external funding will instead be used on another Connect2 scheme on the reserve list somewhere else in the country. The city council funding would instead be used on another high priority cycle route scheme outside of Whitstable. Alternative route options are unlikely to be used by many cyclists and some options would involve greater expenditure, for which no funding is available.

**Contact Officer: Sheila Flynn Telephone: 862 459**

Appendix 1: Plan showing proposed route

Appendix 2: Public consultation results