

From: Philip Riden <chairman@chesterfieldcivicsociety.org.uk>

Sent: 13 October 2021 14:58

To: Kewal Singh Athwal (Elected Members) <Kewal.Singh.Athwal@derbyshire.gov.uk>

Cc: toby.perkins.mp@parliament.uk; tricia.gilby@chesterfield.gov.uk

Subject: Chesterfield East-West Cycling and Walking Route

CHESTERFIELD AND DISTRICT CIVIC SOCIETY

Chairman: Philip Riden, 9 Owen Falls Avenue, Chesterfield S41 0FR

Dear County Councillor Athwal,

Chesterfield East-West Cycling and Walking Route

As you are presumably aware, since the publication of the paper to be considered by your cabinet meeting tomorrow, the Civic Society has sought to alert residents of roads on the western side of Chesterfield to this scheme. All those who have responded have stated quite definitely that they did not receive the circular which the county council claims was delivered to 4,041 household on 117 street on or near the route. Most have also said that they are planning to write to you to express their opposition to the section of the route which follows Chatsworth Road between its junctions with Holymoore Road and Storrs Road.

You will also have received a petition with 700 signatures opposing the permanent closure of Crow Lane at the eastern end of the route.

The Civic Society has sent a paper to the Secretary of State for Transport asking him to call in the scheme for reconsideration, on the grounds that it is widely opposed locally and that the public consultation exercise was not carried out in the manner stated by the county council. We have also laid a complaint before the Local Government Ombudsman concerning the second of these matters. I have today spoken to Toby Perkins MP, who has offered to consult the responsible Minister and may seek an Adjournment Debate on the scheme. I attach for your information the paper in question and the two covering letters.

In these circumstances, I think it would be most unwise for the county council to decide to implement this scheme in its present form. Not only is the scheme itself very unpopular in Chesterfield, but the shortcomings of the county council's consultation exercise are so serious that the results presented in your consultants' report, including the statistics claiming to indicate support for the scheme, are in my view not a safe basis on which to proceed. Some of the residents of Chatsworth Road who have contacted me are seriously considering taking professional advice to establish what grounds they have for action against the county council, in view of the likely damage to the value of their property.

I would have thought the best decision the cabinet could come to tomorrow would be to halt further work on this project until a proper consultation can be held about both the eastern and western arms, and renewed efforts can be made to create a cycle route between Greendale Avenue and Somersall Lane, which would not be opposed locally.

Yours sincerely,

Philip Riden

Email from Derbyshire county council dated 15 October 2021

Dear Philip,

Active Travel Route – Chatsworth Road – Chesterfield

Thank you for your enquiry regarding the active travel route along Chatsworth Road. This matter has been investigated by officers in the Place Department and the response they have prepared is set out below.

Many thanks for your email regarding the Chesterfield East-West Cycling and Walking Route. Several objections to the proposals were received and they have been summarised as follows:

Consultation Exercise was not received / Consultation Exercise was flawed

The consultation exercise followed a consistent approach to all consultations undertaken by the County Council where three weeks were provided for representations to be made between the 8th March 2021 and 25th March 2021.

Due to the Covid-19 pandemic; face-to-face engagement was not possible, so other means of communicating the proposals were utilised including an online survey held on the website (<https://chesterfieldcycleroute.commonplace.is/>) and a mail distribution of 4,000 letters to households on or close by the route. A map showing the extents of the letter distribution area can be found on page 42 of the Engagement Summary in Appendix 2 of the Cabinet Member Report <https://democracy.derbyshire.gov.uk/documents/s10485/Chesterfield%20East%20West%20Walking%20and%20Cycling%20Route.pdf>.

As part of the community engagement, various stakeholders and Local Councillors were informed of the proposals, as a means of ensuring its members were represented and informed of the proposals. Furthermore, press releases, articles published in local press and on the Councils website all had details of the proposals.

A broad range of comments were received, as part of the community engagement exercise with 71% of total responses were supportive of the route and at this section there was 60% support.

Cycle Route is not used by cyclists / won't be used by cyclists / will be dangerous for cyclists

Chatsworth Road is currently a 40mph road dominated by vehicles and high speed with no provision for cyclists hence the reluctance for cyclists to use this route. Under the proposals the speed limit will be reduced to 30mph and a segregated two-way cycle track will be installed adjacent to the northern kerb. This will provide a safe and secure cycle route for all cyclists of all levels, connecting cyclists to the nearby school and destinations further east to the Hospital. Having vehicles further away from the northern kerb line provides an improved walking route further away from polluting vehicles. The designs are consistent with schemes throughout the country, which have proven to be successful and safe with vehicle tracking conducted to ensure vehicles are not impeded accessing the side streets and driveways. The cycle lane will be clearly marked warning drivers of the potential presence of cyclists.

The scheme will cause congestion and air pollution / impact access to side streets due to removal of central hatched area

Chatsworth Road is currently one lane in each direction and will continue to be under the proposals. The removal of central reservation is not expected to increase congestion as the

numbers of vehicles making the turn off Chatsworth Road into the adjacent cul-de-sacs is low. The right turn lane into Holymoore Road is busier and is to be retained. Air quality is to be monitored and adverse impacts are not expected.

Unsafe for pedestrians, school children and elderly / loss of pedestrian crossing provisions over Chatsworth Road

The proposals will remove the seven crossing islands and central hatched area replacing it with six new pedestrian islands between the two-way cycle track and the eastbound lane. The scheme will also introduce an additional pedestrian signalised crossing at the western extents near Holymoore Road along with much reduced crossing distances over the adjacent side streets of Chatsworth Road. Combined with the reduction in vehicle speeds this scheme provides significant improvements to pedestrians.

The cycle lane will be clearly marked outside of the school along with clear delineation along the cycle track at carriageway level with designated pedestrian crossing points provided and raised tables to slow cyclists at these crossing locations.

Alternative route options are preferred and more cost effective

For many years, the County Council has attempted to provide an alternative route by extending the Hipper Valley Trail between Somersall Park and Holymoore Road, but the land necessary is outside its own control and negotiations proven unsuccessful. If this land had been acquired, significant investment in infrastructure, such as public lighting and an all-weather path wide enough for pedestrians and walkers would most likely not have related to a reduced cost.

Providing conventional cycle lanes on both sides of Chatsworth Road would impact a larger number of driveways and side streets along with twice the number increasing the cost of the scheme. Having this layout would not have provided any additional space for turning lanes or central islands.

In my role as Cabinet Member for Highways Assets and Transport, I can confirm that the information provided is in line with the current Council's priorities and policies.

If you require any further information or clarification regarding the details of this letter, please contact Anthony Sabato directly by email: anthony.sabato@derbyshire.gov.uk.

Regards

Cllr Kewal Singh Athwal | Cabinet Member for Highways Assets and Transport |
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Derbyshire County Council | County Hall | Matlock | DE4 3AG
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Email sent to County Councillor Athwal 17 October 2021

Dear Sir,

In common with several other recipients, I have read with contempt a common form email sent out by an officer in your name, and evidently composed by at least one other officer, which purports to answer the extensive and wide-ranging objections raised to the western section of the above scheme, which I understand your cabinet resolved to proceed with at its recent meeting.

I am particularly appalled at your refusal to reply to my email of 13 October, in which I drew your attention to the county council's failure to carry out a consultation exercise on the lines on which it claims to have done. Your officer's email simply repeats the statement that a circular was distributed to 4,000 households and completely ignores the paper which the Civic Society has sent to the Local Government Ombudsman and the Secretary of State and which I copied to you. This sets out evidence, which we believe meets the civil law ('balance of probabilities') standard of proof, that residents of at least twenty of the 117 roads on which the county council claims to have distributed the circular did not in fact receive it. Merely to get your officer to repeat a statement which can be shown to be untrue does not make it any more likely to be true, and in my view leaves the county council open to judicial review for its failure to carry out a consultation on the lines it has claimed to do. I can only assume that your legal officer has advised you that there is no serious risk of anyone taking such action and so the threat can be safely ignored.

The form email also makes no reference to the petition signed by 711 people opposed to the permanent closure of Crow Lane. If the cabinet failed to take this petition into consideration before deciding to go ahead with the scheme, I would imagine that this is a further ground on which a complaint can be made to the Local Government Ombudsman and the Secretary of State concerning the county council's conduct. The Civic Society will be encouraging the promoters of the petition to take such action.

I am not in the least interested in corresponding with the county council at officer level on this matter, as the form email invites recipients to do. This is a purely political matter which you, as the elected member responsible, should deal with yourself. At least two of the objectors who wrote to you last week suggested that, before making a decision, you should visit Chesterfield to make yourself familiar with the section of Chatsworth Road which will be affected by this scheme. Not merely have you failed to do this, but you have not even had the courtesy to explain why you were unable or unwilling to do so.

The Civic Society will continue its campaign against this scheme, which is very widely opposed in Chesterfield, will confer no benefit on the town, will cause considerable inconvenience to many residents, and will do serious damage to an important main road.

Yours faithfully,

Philip Riden
Chairman
Chesterfield and District Civic Society