

**FOR PUBLICATION****DERBYSHIRE COUNTY COUNCIL****CABINET MEMBER DECISION – HIGHWAYS ASSETS AND TRANSPORT****Report of the Executive Director – Place****Dedication of Land for the Widening of the Existing Footway to  
Accommodate a Shared Use Cycle Facility – Bobbin Mill Lane,  
Chesterfield****1. Divisions Affected**

- 1.1 Divisions affected is Walton and West.

**2. Key Decision**

- 2.1 No. This is not a key decision because its effect comprises of only one electoral area in the County and cost of the legal agreement, the remedial works to remove the vegetation and expand the footway will be met by the project budget which has funding approval of £1.68 million as part of the Department for Transport (DfT) approved scheme. The cost for this work and associated legal fees are not yet known, but is expected to be a nominal expenditure.

**3. Purpose**

- 3.1 To seek the Cabinet Member's approval to enter into a legal agreement for the dedication of land to the County Council from an adjacent landowner to form part of the adopted highway to enable the widening of the existing footway to accommodate shared use cycle facility in Bobbin Mill Lane, Chesterfield Road.

**4. Information and Analysis**

- 4.1 The land in question (see Appendix 2) forms part of the proposals for the Active Travel Fund, Tranche 2 – East West Chesterfield Cycling and Walking Route, which was publicly consulted on in March 2021.

- 4.2 This land is currently within private ownership and is occupied with low level vegetation. The existing footway forms part of the adopted highway for which the Council is the highway authority and therefore responsible for its maintenance. It is proposed to extend the footway as shown in Appendix 2.

## **5. Consultation**

- 5.1 The proposals formed part of the public consultation for the East – West Chesterfield Cycling and Walking route with the community engagement period taking place between 8 March 2021 and 25 March 2021. Owing to the Covid-19 pandemic, it was not possible to undertake face-to-face engagement. As such, an online survey, which sought to gather the views of the local community, was held on the ‘Commonplace’ community engagement website. People without internet access could complete paper surveys or call a dedicated phone number for assistance.
- 5.2 The proposals were part of Section 3: Walton Road to Boythorpe Road of which 156 responses were received with 135 (86%) of responses in support of the proposals. More details of the consultation and can be found in the background paper – Cabinet Report Chesterfield East – West Walking and Cycling Route dated 14 October 2021.

## **6. Alternative Options Considered**

- 6.1 **Do something different** – Alternative proposals to avoid the requirement for the land dedication were investigated, but due to the constraints on site with regard to the car park access, bus stop requirements and cycling and pedestrian safety/comfort the existing proposals provide the greatest level of service along with cost benefit.
- 6.2 **Do Nothing** – Will potentially be a safety issue for cyclists who will be forced in the carriageway with interaction with buses and vehicles entering/exiting the car park. Some cyclists may use the existing narrow footway causing a conflict between pedestrians and bus users.

## **7. Implications**

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

- 8.1 Cabinet Report [Chesterfield East – West Walking and Cycling Route](#).

## **9. Appendices**

- 9.1 Appendix 1 – Implications.
- 9.2 Appendix 2 – Land to be Dedicated.

## **10. Recommendation**

- 10.1 That the Cabinet Member:
- a) Authorises the Director of Legal and Democratic Services to enter into a legal agreement for the dedication of land to the County Council from an adjacent landowner to form part of the adopted highway for the widening of the existing footway to accommodate shared use cycle facility in Bobbin Mill Lane, Chesterfield Road.

## **11. Reasons for Recommendation**

- 11.1 The recent consultation with the local community and key stakeholders has demonstrated overall broad support for the proposals and funding has been secured for the project from the Department for Transport.
- 11.2 The benefits of the proposals meets the Council's pledged to tackle climate change stated in the carbon reduction manifesto, which includes supporting and promoting the development of low carbon travel and sustainable travel and smarter choices.

## **12. Is it necessary to waive the call-in period?**

- 12.1 No.

**Report Author:** Anthony Sabato – Capital Programme Manager - Place  
**Contact details:** 07826 944021

**This report has been approved by the following officers:**

<b>On behalf of:</b>  Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)	
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### **Implications**

#### **Financial**

- 1.1 The cost of the legal agreement, the remedial works to remove the vegetation and expand the footway will be met by the project budget which has funding approval of £1.68 million as part of the Department for Transport (DfT) approved scheme. The cost for this work and associated legal fees are not yet known.

#### **Legal**

- 2.1 The land in question will be dedicated to form part of the adopted highway by a means of a formal agreement between the County Council and the adjacent landowner under Section 72 of the Highways Act 1980.

#### **Human Resources**

- 3.1 The project has been designed and consulted upon utilising a consultancy resource and these costs are contained within the overall funding for the project.

#### **Information Technology**

- 4.1 None.

#### **Equalities Impact**

- 5.1 An Equality Impact Assessment has been carried out, as part of the Cabinet Report Chesterfield East - West Cycling and Walking Route, dated 14 October 2021 which can be viewed in the background papers. The Equality Impact Assessment has demonstrated that the project proposals are robust, well supported by the community and that responded to the consultation exercise and that adverse impacts will be mitigated and are not expected to be significant.

#### **Corporate objectives and priorities for change**

- 6.1 The scheme supports the Council's key priorities in contributing towards a resilient, healthier, and safer community by encouraging a shift towards cycling and walking as the preferred travel alternative and part of the recovery from the Covid-19 pandemic. The scheme will also

contribute towards reducing carbon emissions and help to encourage well-being in those taking up active travel options.

**Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 None.

Report Sign Off and Version Control

Report Title	Dedication of land for the widening of the existing footway to accommodate shared a shared use cycle facility – Bobbin Mill Lane, Chesterfield.
Author	Anthony Sabato
Meeting and Date	
Version	1.0
Exempt item	

Implications	Name and Comments	Date Approved
Finance		
Legal		
Human Resources		
Information Technology		
Equalities		
Corporate Objectives and priorities for change		
Consultation		
Other – please specify		

Author's Directorate Sign Off

		Date
Managing Executive Director/Executive Director	Chris Henning	
DMT – if applicable		
CMT – if applicable		
Cabinet Member briefed – if applicable		
Other – please specify		