

**Report to the Parish Council on HCC's draft Feasibility Study Report on New Off-Road Footways**

HCC's full draft feasibility study report was circulated to parish councillors on 1 March 2023. This document summarises the Road Safety Working Group's view of the HCC report and recommends the steps for the parish council to take in response.

**Summary of Works and Cost Estimates**

In the draft report the estimated costs for designing and constructing each of the three sections of new off-road footway are as follows:-

<b>Section 1:</b> Alongside FE land, 100 Medstead Road to Bushy Leaze Wood entrance (508m long)	<b>Option A:</b> Tarmac path with improved road drainage, separated from road by green verge	Est. cost: £380,000 <i>(£264,000 before 44% optimism bias applied)</i>
	<b>Option B:</b> Tarmac path with improved road drainage, separated from road by hard kerb	Est. cost: £560,000 <i>(£389,000 before 44% optimism bias applied)</i>
<b>Section 2:</b> Alongside FE land, Bushy Leaze Wood entrance to 188 Medstead Road (138m long)	<b>Option A:</b> Tarmac path separated from road by green verge	Est. cost: £190,000 <i>(£132,000 before 44% optimism bias applied)</i>
	<b>Option B:</b> Tarmac path with new road drainage, separated from road by hard kerb	Est. cost: £265,000 <i>(£184,000 before 44% optimism bias applied)</i>
	<b>Option C:</b> Rural-style footpath within the woodland (owned by FE)	Est. cost: £175,000 <i>(£122,000 before 44% optimism bias applied)</i>
<b>Section 3:</b> Kings Hill, 72 Kings Hill to Alton Abbey (370m long)	Tarmac path mostly separated from road by green verge, with a road crossing point close to 45 Kings Hill	Est. cost: £485,000 <i>(£337,000 before 44% optimism bias applied)</i>

The optimism bias is a factor designed to compensate for uncertainty, at an early stage in the design process, of what the final design will consist of, and hence what the final construction cost will be. It guards against any tendency to underestimate the complexity and cost of the project. We have a number of questions for HCC about how the estimated costs have been derived, and in particular (i) how appropriate is the (high) 44% optimism bias now that the initial design has been completed in the report, and (ii) how appropriate it is to apply the optimism bias to certain costs.

## Recommended approach to each Section/Option

In reverse order of priority:

### Section 3

HCC recommends that Section 3 is not pursued. There are seemingly insurmountable problems relating to (i) insufficient visibility for pedestrians at the potential road crossing points; (ii) the need to fell mature trees and potential extensive damage to tree roots; and (iii) the engineering challenge of a ramp up from 72 Kings Hill to the top of the roadside bank.

Given the technical problems indicated by HCC, the relatively high estimated cost, and the lowest priority ranking, **we recommend that the parish council does not pursue Section 3 with HCC at this time.** As things stand we see no alternative solution for this section that merits investigation.

### Section 2

Separately, FE has advised the parish council that it currently does not support a new formal path constructed through its woodland at this location, so that rules out the FE-owned woodland path of Section 2 Option C. Bushy Leaze Wood is, however, a woodland designated as 'open access to the public', and so the public has a legal right to walk through the woodland. The upshot of this is that a woodland path may be 'worn' by repeated public use, as is common in Bushy Leaze Wood. What will not be permitted by FE are deliberate path-making works such as (i) clearance of living trees; (ii) groundworks such as path levelling or digging through obstacles; and possibly (iii) strimming away existing vegetation.

A free woodland path worn by public use would seem similar to (and could be considered an extension of) the cleared and worn roadside path in the neighbouring private woodland. This would seem to be much better value for money than spending large sums on Section 2 Options A or B (which options we also know would be unpopular with neighbouring residents, principally because roadside vegetation conferring some privacy would need to be removed). There is also a significant technical issue with Options A & B as they would include the ramp up to the private woodland opposite 188 Medstead Road. It's quite likely that the ramp is too steep and would need to be re-engineered, which would entail unwanted complications with the private woodland owner and the immediate neighbours.

Finally, it's also the case that it looks very unlikely that the parish council can raise funding to construct engineered paths in both Section 1 (our highest priority – see below) and Section 2.

For the above reasons **we recommend that the parish council does not pursue Section 2 with HCC at this time.** Instead we should consider encouraging members of the public to walk through Section 2 woodland along an optimal route.

### Section 1

HCC presented two options for our highest priority, Section 1: Footway with green verge (Option A) and footway with hard kerb (Option B). Option A is clearly superior to Option B for the following reasons:

- We asked HCC for a footway separated from the road by a verge, not by a kerb, as this is what is demanded in the Beech Neighbourhood Development Plan;
- The verge will give the footway a more rural feel;

- The verge provides more separation of pedestrians from passing vehicles;
- The kerbed option exacerbates surface water flow and would require much more in the way of new drainage work than the verge option (which largely entails constructing new inlets into the existing drainage ditches); and
- Option A is estimated to cost only 68% of Option B.

In Section 1 there is not really a low-tech informal path alternative to an engineered footway, as the drainage grips and ditches need to be negotiated and there will need to be significant clearance and levelling of the ground. Also, this is HCC land immediately adjacent to the carriageway, and so in reality we cannot escape from needing HCC's technical and safety approval for footways. **We therefore recommend that the parish council pursues Section 1 Option A with HCC, and makes an application to EHDC for Strategic CIL Funds to meet the estimated cost (see below).**

In the parish council's original brief for HCC's study, it asked for all new footways to be 'rural-style' (i.e. constructed similar to the footpath to the A339). HCC has assured us that the cost difference between a rural-style footway and a tarmac footway would be minimal, and with the tarmac footway having much less in the way of future maintenance requirements. We propose to ask for some clarification about how this is reflected in the cost information. But **we recommend that the parish council accepts HCC's preference for a tarmac footway in Section 1.**

#### **Application to the EHDC Strategic CIL Fund (deadline 24 March)**

Let us assume that HCC's cost estimate of **£380,000** for Section 1 Option A will be put forward as the project cost for the imminent CIL funds application. Based on projected parish council funds at 31 March 2023, we suggest that the parish council could commit **£50,000** to the project cost, this sum being made up of:

- **£7,000** of available Neighbourhood CIL funds (£27,800 received by parish council, less £8,000 allocated to on-road footways, less £12,500 cost of feasibility study report);
- A **£10,000** grant to be applied for from the National Lottery Communities Fund 'Awards for All' programme (which has a history of contributing such sums towards new footpaths);
- **£23,000** from current general parish council reserves (substantially all of unallocated cash reserves); plus
- A **£10,000** loan taken out by the parish council (to be paid off over two years by increasing the precept by £5,000 per year, i.e. an average extra council tax payment per household of £25 p.a. for two years, on top of the current £85 p.a. average council tax payment to the parish council. The increased precept may need to be maintained for another 2 years to rebuild a financial reserve).

This would mean that EHDC Strategic CIL would supply **£330,000** or 87% of the project funding. Such a % is right at the top end of what EHDC will fund (looking at past funding awards), and so we should attempt to reduce it towards 80% by:

- Having HCC reduce their £380,000 cost estimate, principally by challenging the optimism bias % that they have used (we have already queried this);
- Asking HCC to make a contribution to the project from their own funding streams;
- Having EHDC take into account the £12,500 already spent by the parish council on the feasibility study;
- Committing to contribute to the project any further Neighbourhood CIL due to the parish council during the course of the project (there is currently a potential further £25,000 Neighbourhood CIL in relation to approved developments that have not yet commenced, but there is no guarantee if or when that money will become available);

- Applying to the National Lottery Communities Fund for more than £10,000 through a different grants programme, if possible; and
- Possibly increasing the size of the loan(s) taken out by the parish council.

There is nothing to lose, and there is potentially much to gain, by applying for Strategic CIL Funds this year. Delaying will merely mean that the project cost increases with inflation, and there is a danger that the chances of funding it will recede over time.

**We recommend the parish council takes the following course of action:**

- **Compile the draft Strategic CIL application on the basis of a £380,000 project seeking £330,000 CIL funds.**
- **Pursue all of the potential cost reduction and extra funding avenues listed above, and revise the application accordingly before 20 March.**
- **At the parish council meeting on 20 March, approve the Strategic CIL application to be submitted to EHDC by 24 March (or alternatively decide not to submit an application).**
- **Continue to pursue all of the potential cost reduction and extra funding avenues listed above, and approve any revisions to the application at the parish council meeting on 17 April or 15 May.**
- **Provide EHDC with a revised Strategic CIL application by a deadline TBA in May (as the parish council did in May 2022).**

**We also recommend submitting the attached comments and questions to HCC concerning the feasibility study report.**