

PROJECT STUTTON GREENWAY



Report for consideration by Stutton Parish Council

**Councillor Mike Hems
12th February 2024**

Introduction and background

The idea of a Greenway in Stutton goes back several years and during the consultation on the Neighbourhood Plan - the "Big Conversation" - one of the requests was to have a safe, surfaced route for pedestrians of all capabilities, motorised buggies, wheelchair and pushchair users, connecting the two ends of Stutton and giving better access to the facilities of the Community Hall, Community Shop and the playing field with the woods behind. The route along the busy Manningtree Road involves crossing the road at several places and negotiating kerbs and very narrow pavements. The Greenway route makes use of existing public footpaths but they are frequently muddy and rutted, narrow in places and impossible for wheelchairs and pushchairs. This led to what has been described as the most popular of the Community Actions, Number 12 in the Neighbourhood Plan: "We will work to create a surfaced Greenway using existing footpaths back from but parallel to the B1080, linking existing and new developments and village facilities." Whilst many views had been previously expressed about whether or not cycling could be included in the Greenway Project it is in the last six months or so and stemming from the work of the Cycling Strategy group, that the scope of the Greenway has widened to formally include cycling in the negotiations with Landowners and Suffolk County Council.

What is the Greenway

In many ways it "does what it says on the tin". It is an accessible route alongside our green countryside. It is nothing new for those who choose to use and are capable of using the footpaths but it is new for those whose circumstances make them less able or completely unable to do so and it is of course new to cyclists. More specifically the Greenway is a 1.1M wide path of crushed concrete 140mm deep, topped with a 40mm layer of Granite Fines (10mm to dust) and held in place where required by timber edging. The surface will run along the existing public footpath between Alton Hall Lane and Bentley Lane with an access point in the middle of its length at Cattsfild and a junction with a public footpath nearby. The total length being some 400 metres. It is level and designed so that even when it is needed to drop from the height of the fields to the road surface, it does so with a gentle gradient.

Demand from users

The route of the Greenway is currently well used by local walkers and dog walkers. There are the occasional large groups of hikers and in season, holiday makers from Alton Water use the route to access the Community Shop. Whilst the request for the Greenway was demonstrable from the residents of Stutton in formulating the Neighbourhood Plan it is very hard to quantify the extent of its future use and to therefore assess its value for money. However, in carrying out this project I have of course considered who would benefit and in admittedly a non-scientific way investigated their requirements by asking different people and representatives of the groups of people we can anticipate will be new users of the Greenway. The new users are:

- Mobility scooter users
- Wheelchair users
- People with young children and prams, pushchairs or strollers
- People with difficulty walking on rough surfaces
- People who have difficulty with busy roads or crossing them
- General cyclists
- Children and parents walking or cycling to and from school
- Children walking or cycling to the playing field, community hall or shop
- Official parties of children (walking bus)

During this project I have received correspondence supporting the project. In particular, positive support from the Stutton Primary School who think it will encourage parents to walk their children to school which is both healthier for them and reduces traffic on our busy road. It is also pointed out that the school's "walking bus" would be able to use the Greenway. Also, Oak House believe their residents will benefit in particular by having a better countryside route to get to Alton Water. The written comments received are at Appendix A.

People and organisations involved

The project to deliver a Greenway has required a degree of co-ordination. It started with the residents of Stutton voicing the demand and the Stutton Parish Council turning that demand into a workable plan. The County Council developed a detailed specification and plan of the work to be carried out and Landowners were then required to give their written permission to construct the Greenway on their land and give permission to allow cycling. Now that a contractor had been found and has provided a quote for the work it is now back to the Parish Council to consider giving final approval and agreeing to finance the project.

Practical challenges and obstacles

Practical challenges have been many. Including the large oak tree some 70M along from Alton Hall Lane. The footpath currently goes around this tree and the new surface will do likewise without significantly taking any more of the field area. Generally, tree roots were considered to be an issue in the earlier negotiations with Suffolk County Council after views expressed by the "tree officer" but simply employing a "non-dig" construction method where required and covering any exposed roots with a protective geo-textile membrane has solved this problem.

At the Alton Hall Lane end there is a considerable drop in height from the field to the road and a telegraph pole, water pipe and water meter prevents the surfaced route following the old footpath. To achieve a gentle gradient and avoid these obstacles the path deviates out into the field 6M before the road and exits onto the road some 4M away from the original footpath.

At the Bentley Lane end there is the same problem of dropping in height from the field to the road with an added issue of roots from a large Oak tree just inside the Almshouses wall. This was solved by the new path following a zig-zag route into the field with a gentle gradient.

In between the large Oak tree in the Path and Cattsfield there is a stretch where sleepers have been laid to hold the path secure above the field. Some of these will require removing. If Contractors had been required to remove and dispose of these mostly rotten timbers there would have been added costs. Also, in various places along the route the hedges belonging to home owners have been allowed to grow out onto the path, pushing the path into the field. These will need cutting back and the branches and foliage will need to be removed. The Parish Council will attempt to persuade the householders to carry out this work but if that isn't achieved before construction begins this work and the removal and disposal of the foliage and old sleepers will be carried out under the leadership of Stutton Grows, if necessary, organising a community based working weekend or similar.

Landowners

The footpath at the Alton Hall Lane end runs for some 260M along the edge of a field owned jointly by Jayne Daniels and her brother, Alan Suckling. They have helpfully agreed that all communications and permissions can come from Jayne Daniels on behalf of them both. She has agreed to the construction of the Greenway as detailed in the specification and plans and had no issues with

agreeing to permit cycling. She did raise concerns about the water pipe and water meter but these issues had already been noted and will be dealt with.

The remaining 140M of the Greenway runs along the edge of a field owned by Henry Strutt. He had no issues with the new surface deviating into his field and the construction of the Greenway on his land but he repeated the concerns he has previously expressed about cyclists clashing with pedestrians. However, he was assured that there would be signs at all four entrance points indicating “Careful cycling permitted – cyclists must give way to other users” and that the Parish Council would review the matter, with land owners one year after the Greenway is operational. He then gave his written permission for the construction of the Greenway and to permit cycling. He queried whether there will be a formal agreement with the County Council and felt there should be a waiver of any liability of the land owner in the event of any accident on the Greenway. This matter was taken up with Suffolk County Council and it was established that they viewed that use of the footpath by cyclists was permissive and any claims after incidents would be outside of their jurisdiction and would fall to the landowners.

Liability and insurance

When consulting the landowners Henry Strutt was loathe to provide Public Liability Insurance through his own insurance due to the possibility of premium costs rising both now and in the future and was of the view this was a matter for either the County or Parish Council. Jayne Daniels does not have such insurance and naturally would be concerned about costs of acquiring same. We have explored the Parish Council obtaining separate insurance with brokers who provide this product and with the NFU as specialist rural insurers but we were unable to find anyone to provide the cover we require. However, the Parish has its own insurance with Local Councils Insurance which includes public liability up to £10,000,000. After discussions with them they have agreed that, subject to conditions, the Parish Council would be covered for public liability for the Greenway with **no increase on existing premium**. The conditions are:

- That the Parish Council have the sole responsibility for the maintenance and upkeep of the path.
- A risk assessment must be carried out.
- Signage approved by the Health and Safety Executive must be displayed showing that both cyclists and pedestrians would be using the footpath.
- A visual inspection regime must be in place by a member of the council, or someone appointed by them, to ensure there are no obvious hazards and remedial action should be taken immediately.
- The risk assessment and the inspection must be recorded.

The parish council is already familiar with such a regime as this is exactly what is undertaken by Stutton Grows for their management of Canhams Woods where annual risk assessment and monthly checks are both made and recorded.

Maintenance

The requirements of the insurance company has clearly settled the question of responsibility for maintenance. It will be with the Parish Council. This raises the question of the costs of upkeep which is very hard to quantify but likely to be minimal. Thankfully the construction of the Greenway is of basic, easily obtainable materials and there is no requirement for specialist knowledge or machinery so any repairs required could be carried out by local handymen or even volunteers. The County Council have indicated that if the surface deteriorates quickly, within one calendar year of completed

work then the County would require the relevant contractor to make good their works at no additional cost.

Signage

A slight change to our plans agreed with the landowners was needed regarding signage. To comply with the requirement of our insurance then approved signage (as per the Highway Code) will be used. They are essentially signs at the four entrance points showing “dual pedestrian and cycle use”. Also, signs at the two exit points in the middle section where the Greenway exits onto a path from Cattsfeld and a public footpath (Footpath 41) alongside a field which will state “No Cycling”. The landowners have been informed of this change of plan in relation to signs and are in agreement. (see Appendix B for sign detail)

Suffolk County Council

Whilst the Stutton Parish Council has to fund this project the work has to be commissioned by Suffolk County Council and carried out by their selected contractor. This is due to the route being a public right of way. There were initial delays, due mostly to the lack of resources available in the County Rights of Way team, but more recently they have been able to give responsibility for delivering this project to one individual, an Oliver Wastell. His experience, enthusiasm and a positive attitude to overcoming problems has been a significant factor in developing this project. Oliver, has produced a detailed specification and plans. These were agreed by myself on behalf of the Parish Council and then by Landowners and these plans have enabled a Contractor to be sought who would be absolutely clear as to what was required. Oliver’s normal role is with the Green Access Team and he is being allowed to take on this project separate to his normal duties but as his role is funded from a separate budget, the County have indicated there will be a fee of £400 for officer time. This will only be payable if the project proceeds and may not be charged at all. This is because the Greenway is being used as a case study by the County as they try and work out how much time is needed to undertake CIL funded projects brought forward by parishes. To allow construction the County will need to issue a closure order for the footpath and there will be a fee of £400 for this.

The County have made it clear that where the Greenway deviates from the official footpath this will in effect be a permitted footpath and the original footpath route must still be available. This does not cause any practical issue.

Contractor

The contractor is Hugh Pearl Land Drainage Ltd. They are a large company with experience and expertise across a wide area. See their website. <https://www.hughpearl.co.uk/>

They have been used by Suffolk County Council widely in the past and completed four projects during 2023. My enquiries with the Council have revealed that “their quality of work has always been good and the people doing the actual work have always been professional and personable”.

Cycling

Stutton Parish Council is committed to developing a Cycling Strategy to enable and encourage the greater use of cycling by local residents. An attempt earlier in 2023 to ask landowners to permit cycling on public footpaths on their land failed. This was largely due to Henry Strutt not agreeing to cycling on unmade footpaths and concerns about conflict with walkers. A separate concern was made about cycling on the public footpaths which are currently surfaced roads but used by heavy

lorries and farm machinery, placing cyclists at risk. The completion of the Greenway with cycling included will be a significant start to the Parish delivering on the Cycling Strategy. If successful and assuming there is no significant conflict between cyclist and pedestrians, then the council will be better placed to revisit the previous discussions with landowners.

Cost of project

This project, if it proceeds, will be funded by the Stutton Parish Council. In discussion at parish meetings it has been anticipated that the monies will come from the Community Infrastructure Levy CIL funding and some money has been reserved for the project. In May 2021 the Stutton Parish Council agreed to the construction of the Greenway with an estimate of £14,769. In Sept 2022 the council agreed to continue with the Greenway and although the minutes don't record it, the meeting was aware the quote had increased to £23,280.

The new contractor is Hugh Pearl Land Drainage Ltd and their quote for providing the Greenway is £17,813. There are other costs of £400 for Suffolk County Officer time (if charged) and a £400 fee from the County for the footpath closure. Finally, there will be a cost for signs of £416. (Erection by volunteers at no cost). **This makes a total of £19,029.** *Note: The contractor has stated that in their view timber edging is not required in many areas and their quote reflects this. However, we think that because the footpath is higher than the field for much of the length, timber edging is required on at least the field side from Alton Hall Lane to the exit to footpath 41. The contractor has been asked to confirm that this is included in their quote. This clarification should be available for the 12th February 2024 meeting so we can be sure the quote represents the highest cost that will be charged.*

Conclusions and Recommendations

The Greenway would be a tangible improvement of infrastructure and as such could be described as a perfect example of how the Community Infrastructure Levy (CIL) funds should be used. There is of course the question of whether it provides value for money. The community has asked for the Greenway but how much will it be used? The Parish could commission work to further assess the need by going out to our residents and asking them. However, one can argue that we have already done this as part of the preparation of the Neighbourhood Plan and the Council has already agreed on two occasions to the principle of developing the Greenway. That was before the significant benefit of allowing cyclists to use the route was realised. The development of the project itself has garnered written comments of support from organisations of influence such as the local school, Oak House as well as individual users.

In this case, as it so often is, the final decision of whether to approve the Greenway project requires a sage judgment to be made. The list of users of the Greenway as detailed in the earlier section "demand from users" shows a significant benefit to people who because of their circumstances cannot currently use this alternative route to Manningtree Road and they are currently denied the opportunity of a safer, healthier and more rewarding journey. This must be part of the considerations when reaching this judgement.

Having spent time exploring and considering this matter I am personally left in no doubt that the Greenway represents good value for money and will add significant benefits to many people in Stutton. I therefore recommend that the Stutton Parish Council approve the construction of the Greenway as detailed in this report and commit the funds required.

Mike Hems
Councillor.

APPENDIX A

Comments received about the Greenway

From Stutton C of E Primary School.....

Good morning

Thank you for this.

We feel this would be a great benefit to our pupils and parents as we have a 'walking bus' each morning along that route and this may also encourage more children to join us or to walk to school which is healthier and also helps traffic through the village.

Thank you.

Kind regards

**Lucy Seager
Administrator(
Stutton Church of England Primary School**

From Oak House....

Yes, I raised the issue of the Greenway at our meeting and all (16) of the residents in attendance were very enthusiastic about it – it's a big "thumbs up" from us at Oak House!

Kind regards

Tina Hyam
Housing and Care Manager

From Stutton resident

Footpath behind Cattsfild

I would like to see the path behind Cattsfild accessible for all as we need safe access for pedestrians, wheelchairs, prams and cycles wherever possible.

Amanda
Cattsfild

From Stutton resident....

GREENWAY

Our family of four (Me and Andy with our 2 children, age 5 and 6) live in Alton Hall Lane. We are keen walkers and cyclists (the children also have scooters). Installing a Greenway between the footpath and village shop would give us a safe route to walk and cycle to the Recreation Field, Shop and Community Hall. I will definitely choose this rather than use the car to travel this short distance. And as the children get older they will be able to take this route independently from us.

I help with the Stutton School Walking Bus. The Greenway will provide a safer route to school for the group of children (ranging from 4 - 10 years old). At the moment the children walk from the Kings Head Pub along the main road to the school.

During the wintertime the footpaths can be too wet and muddy to use. In the summertime they can be very overgrown with stinging nettles. By installing a greenway I hope this problem would be overcome, so we can use this route all year round.

Many thanks

Rachel, Andy, William & Florence
Alton Hall Lane
Stutton

From Stutton resident

Hi

I am emailing to show my support for the proposed greenway in Stutton. As a family who have been in the village for over 15 years now, we have seen a big increase in the volume and speed of traffic going through our village and anything which will help people move around the village safely, without the need to drive is a great idea all round.

The path behind Cattsfield also gets used by the walking bus for the primary school which we are running in the hope of less cars parking on the school corner, if the route was easier to access for all users I am sure it would get used by more families.

Kind regards
Lucy

SIGNS TO BE USED

