

To: Executive Member For Culture, Delivery And Public Protection
Date: 17 June, 2022

Parks And Open Spaces Quality Improvement to a public right of way in Sandhurst
Director of Place, Planning and Regeneration

1 Purpose of Report

- 1.1 To seek approval for the allocation of S106 funding (£7,076) to support accessibility improvements to Sandhurst Footpath 15, which runs between Branksome Hill Road and College Road. [See Annex 1 for site maps and pictures.](#)
- 1.2 To confirm which financial contributions secured from developers under Section 106 of the Town and Country Planning Act 1990 will be applied to the project (see Annex 2).
- 1.3 If approved, the S106 monies will be used by BFCs Parks and Countryside service, to provide a new compacted stone surface to improve the year-round use of this public right of way

2 Recommendation(s)

- 2.1 **That £7,076 of S106 contributions ([as summarised in Annex 2](#)) are allocated to fund improvements to Sandhurst Footpath 15.**

3 Reasons for Recommendation(S)

- 3.1 To use s106 funding located within 400 metres of Sandhurst Footpath 15, to improve its surface and facilitate year-round access for residents. [See 5.2 for further information.](#)
- 3.2 The two developer contributions proposed for this project have been collected through S106 agreements to support providing, expanding, or improving open space, and/or outdoor recreational facilities within 3 kilometres of the development sites.
- 3.3 S106 funding is secured in accordance with adopted planning policy. Of significance is Planning Obligations Supplementary Planning Document (SPD) (2015) (ref. section 5.11 Open Space of Public Value and the 'Plus One' Principle whereby works are prioritised towards improving quality of existing open spaces over time.
- 3.4 The justification for requiring developers to supporting the improvement of open space and outdoor recreational facilities is given in [The National Planning Policy Framework \(NPPF\)](#):
'8. Promoting healthy and safe communities

100. Planning policies and decisions should protect and enhance **public rights of way** and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

- 3.5 The improvements will help to deliver key policies in the Bracknell Forest Rights of Way Improvement Plan (RoWIP2):

Policy RoWIP 1 Rights of Way for All

1.2 Increase the availability of Rights of Way to all users.

Policy RoWIP 7 Sustainable Benefits

7.3 Improve and enhance the traffic free Rights of Way network around urban areas to increase the use of sustainable transport for accessing work, schools and services.

4 Alternative Options Considered

- 4.1 Not utilising funding to deliver these improvements:

- could result in a failure to mitigate the impact of the development
- might lead to funds being returned to the developers if no other qualifying scheme was located through which to deliver enhancements in time
- would be a missed opportunity to provide improved access to this footpath, and bring value to the local community

- 4.2 These are the most suitable development contributions for this project, out of the s106 open space development monies that are still unallocated. They are within distance constraints and 'applied for the purpose' date where it is specified in one of the s106 agreements.

- 4.3 As a Highway Authority, BFC has a duty to maintain the surface of rights of way. The scale of work required to improve accessibility to this public footpath is outside what can be achieved, as part of routine maintenance carried out by the rights of way team.

5 Supporting Information

- 5.1 Sandhurst Footpath 15 is a public right of way that runs between Branksome Hill Road and College Road, in College Town, Sandhurst. [See map in Annex 1.](#)

- 5.2 It is an urban-based footpath that is very narrow in nature, running between the boundaries of four neighbouring properties. The path is unsurfaced, with the grass reduced to bare soil in many places, which is likely from heavy use of the footpath.

- 5.3 The footpath is used as an urban cut through for access to neighbouring schools and shops etc. The next nearest pedestrian through route for access between Branksome Hill Road and College Road is 180-200 metres to the south, along Yorktown Road, or just under 310 metres to the north, along Richmond Road.

- 5.4 The unsurfaced nature of the footpath, and the fact that it is a well-used through route, means that it is more susceptible to becoming seasonally very wet and muddy. This reduces its accessibility, making it more difficult to pass along. This is made worse in the spring and summer, with vegetation overgrowth, along the line of the path.
- 5.5 Adding a new compacted stone surface would help to provide year-round access to the footpath. It would encourage residents to continue to travel by foot for shorter journeys. It would also help to restrict vegetation growth along the line of the footpath.
- 5.6 The work would consist of applying a limestone scalping base with a fine granite dust on top to be wheelbarrowed the length of the path (due to the available width) and compacted to form a surface suitable for walking.
- 5.7 There is no registered owner identified on the Land Registry for land over which this footpath runs. Consultation letters have been sent to residents neighbouring the footpath. BFC has a duty to keep the surface of public rights of way which are maintained at public expense in a fit state for public use.
- 5.8 There would be no significant financial implications to BFC by carrying out this work. The surface should last many years, with small 'top ups' expected and covered through general rights of way maintenance programmes. The implications are in fact that it will reduce maintenance costs, through reducing the requirement to cut back fast overgrowing vegetation in the spring/summer.

6 Consultation and Other Considerations

Legal Advice

- 6.1 The allocation of funding proposed in this report complies with the requirements of the S106 agreements.

The approval of the recommendation in the report falls within the decision making remit of officers in consultation with the Executive member pursuant to the Bracknell Forest Council Constitution April 2022 Part 2, section 6 paragraph 6.2 (a)(vi)

Financial Advice

- 6.2 The S106 funding identified within the report is available for this scheme and once approved will be added to the Department's capital monitoring for 2022-23 as part of the rolling S106 capital programme.

Other Consultation Responses

- 6.3 Letters have been sent to residents who neighbour Sandhurst Footpath 15. There have been no objections received to the improvements we have proposed, which are outlined in this report.

Equalities Impact Assessment

- 6.4 An EIA scoping assessment has been carried out for this project and included in Annex 4. There are no negative impacts resulting from the proposed project, which means a full EIA doesn't need to be completed.

Strategic Risk Management Issues

- 6.5 S106 contributions will need to be refunded should they not be allocated in accordance with the respective legal agreement. Future maintenance costs associated with this project will be met by Bracknell Forest Council.

Assistant Director: Planning

- 6.6 The proposed work to the footpath surface will improve access to this right of way. This is an appropriate use of S106 funds and complies with the terms of the two S106 agreements at Annex 2. This will help to improve the quality and capacity of outdoor leisure in the area, thereby mitigating the impact of the relevant developments in this regard.

Climate Change Implications

- 6.7 The recommendations in Section 2 above are expected to have no impact on emissions of CO2 and should be carbon neutral. This is for the following reasons:
- Improving access to the footpath should help to encourage residents to travel by foot for short journeys (active travel).
 - The limestone material proposed for the resurfacing work is porous in nature, meaning that drainage won't be restricted and the resurfacing won't increase water run-off.
 - There will be a small carbon impact when transporting the equipment to site, but this should be offset by the carbon saved by the points raised above.

Health & Wellbeing Considerations

- 6.8 This scheme has the potential to improve residents' health and wellbeing.

Getting active outdoors (in this case walking) is proven to improve physical and mental health.

Regular physical activity:

- helps lower depression and anxiety levels.
- can slow age-related cognitive decline
- improves physical health e.g. better BMI, reduces blood pressure and better strength and flexibility

Encouraging a more active lifestyle is also an important consideration given the impact to residents' health caused by the coronavirus pandemic.

7 Background Papers

[Annex 1: Site maps and pictures](#)

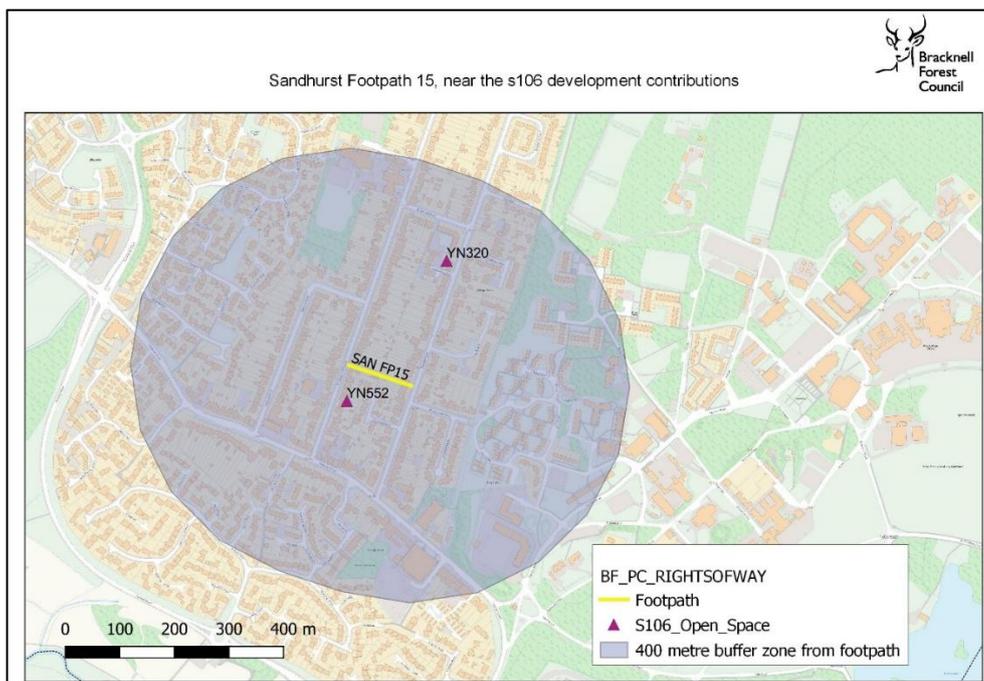
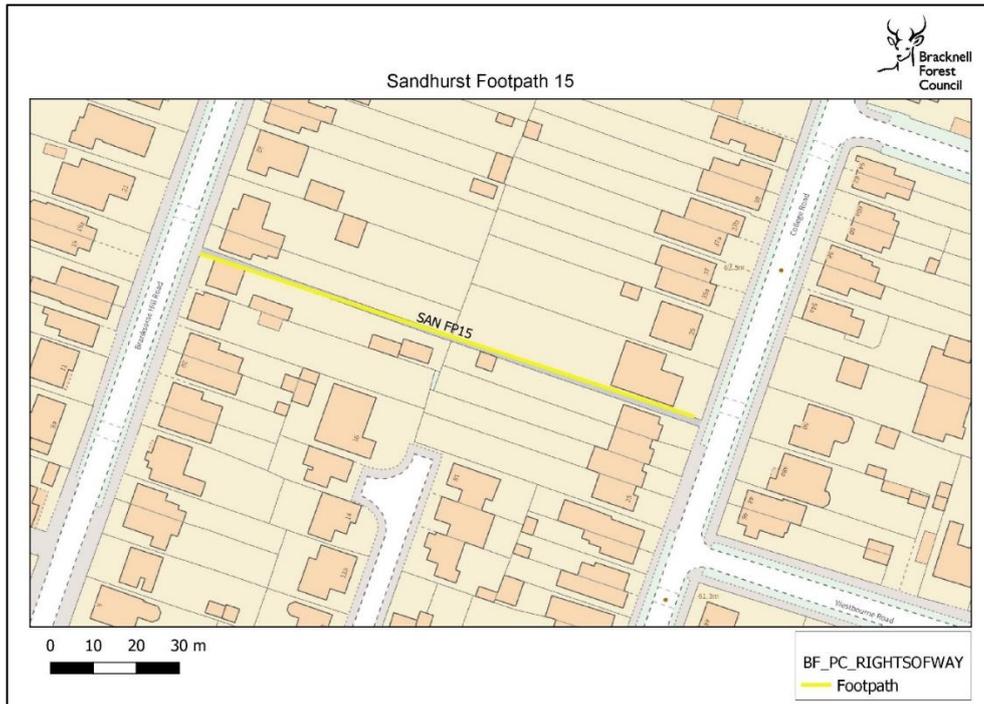
[Annex 2: S106 allocation details](#)

Annex 3: P&C S106 funding application form
Annex 4: Initial Equalities Screening Record Form

8. Contact for further information

Rob Solomon
Email: Rangers@bracknell-forest.gov.uk
Tel: 01344 354441
Revision V1 25.04.2022

Annex 1: Site maps and pictures



Unrestricted



Pics of path when it's dry during summer. This quickly becomes muddy and wet during the autumn/winter.

Previous attempts to temporarily repair sections of the footpath, by applying a crushed stone aggregate (pictured left) haven't lasted. A more permanent solution is needed.

Annex 2: S106 allocation details

YN CODE	PLANNING REF.	PLANNING SITE NAME	WARD	AMOUNT AVAILABLE	AMOUNT TO ALLOCATE	TERMS	SPEND APPLICATION DATE
YN320	05/00340/FUL	75-81 College Road	College Town	£9,372.53	£5,035	For providing, expanding, or improving open space and/or outdoor recreational facilities within 3km.	N/A
YN552	14/00797/FUL	Rear of 10-12 Branksome Hill Road, College Town, Sandhurst	College Town	£2,041	£2,041	For providing, expanding, or improving open space and/or outdoor recreational facilities with 3km	16/02/2023

Total: £7,076

Annex 3: P&C S106 funding application form

Open space and outdoor recreational facilities (S106):
 Proforma for consideration of potential parks and open spaces improvement projects.

No.	Question	Please complete this column with your answers
1.	Name of organisation	BFBC
2.	Project title	Surface Improvements to Public Right of Way Footpath, Sandhurst FP15
3.	Project location (address, postcode, grid reference)	Public footpath running between: 26 Branksome Hill Road College Town Sandhurst GU47 0QE and 33 College Road College Town Sandhurst GU47 0RA
4.	Project parish and ward	Sandhurst College Town
5.	Project description (actions, outputs and outcomes)	The urban cut through is regularly used as an access route to neighbouring schools and shops etc. It is currently unsurfaced and along this the narrow nature of the path it becomes readily overgrown as well as seasonally wet and muddy. A compacted stone surface is proposed to improve the year round use of this public right of way.
6.	Proposed project start date	Whenever funding and contractors are available. Works are not constrained by seasonal changes or other considerations such as bird breeding.
7.	Proposed project end date	See above
8.	Policy / strategy objectives being delivered (parish, borough, national)	This links to our ROWIP goals in improving access. There will also be an obvious gain for local residents within Sandhurst
9.	Impact on climate change?	Negligible affects. Stone used will be porous.
10.	Detail of project consultation undertaken.	Limestone scalping base with a fine granite dust on top to be wheelbarrowed the length of the path (due to the available width) and compacted to form surface suitable for walking. Local residents will be consulted prior to any works and ward alerts sent to local councillors.
11.	Total cost	£7,076
12.	Amount of S106 funding requested	100%
13.	Other funding sources	N/A
14.	Future maintenance / revenue considerations	The surface should last many years. small 'top ups' will be expected and covered through general rights of way maintenance programmes.
15.	Additional information to include proposed project delivery arrangements and anticipated timescales for drawing down S106 contributions.	Project being delivered by Rights of Way ranger. Quote provided for the work comes to £5,897 (ex. VAT). The remainder of the sum requested to cover project facilitations costs. Letters have been sent to residents with properties adjacent to the footpath. Providing there are no strong objections to this work, and that we have the approval to release these monies, we would look to carry out this work ASAP. The work will need to be carried out this spring / summer, before the weather starts to get wetter again.

Lead Contact: Rob Solomon
Position (Officer / Member): RoW & SANG Officer
Date: 08/04/22

Annex 4: Initial Equalities Screening Record Form

Date of Screening: 3/5/2022	Directorate: Place, Planning and Regeneration		Section: Parks and Countryside service
1. Activity to be assessed	To release s106 payment towards improving a footpath's surface in Sandhurst, to improve accessibility.		
2. What is the activity?	<input type="checkbox"/> Policy/strategy <input type="checkbox"/> Function/procedure <input checked="" type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change		
3. Is it a new or existing activity?	<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing		
4. Officer responsible for the screening	Rob Solomon		
5. Who are the members of the screening team?	Rob Solomon and Rose Wicks		
6. What is the purpose of the activity?	<p>Please describe briefly its aims, objectives and main activities as relevant.</p> <p>The aim is to enhance recreational facilities at The Parks using s106 developer contributions, in accordance with adopted planning policy. Of significance is Planning Obligations Supplementary Planning Document (SPD) (2015) (ref. section 5.11 Open Space of Public Value and the 'Plus One' Principle whereby works are prioritised towards improving quality of existing open spaces over time.</p>		
7. Who is the activity designed to benefit/target?	Sandhurst residents who use the footpath as a cut through.		
Protected Characteristics	Please tick yes or no	Is there an impact? What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral please give a reason.	What evidence do you have to support this? E.g. equality monitoring data, consultation results, customer satisfaction information etc Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data
8. Disability Equality – this can include physical, mental health, learning or sensory disabilities and includes conditions such as dementia as well as hearing or sight impairment.	Y N ✓	Positive impact. Providing a new footpath surface should make it more accessible to users. There is nothing that can be done to increase the width of the footpath to accommodate wheelchair users, as it's located between boundaries of neighbouring properties. The next best means to increase accessibility to those with mobility issues, such as walking with the	S106 funded projects carried out at other footpaths have helped to improve their accessibility. For example, Winkfield FP6. Guidance about accessible paths is available from the Sensory Trust: https://www.sensorytrust.org.uk/resources/guidance/paths-and-routes They recommend a well-constructed and should give firm, non-slip, level access.

OFFICIAL SENSITIVE (COMMERCIAL)/OFFICIAL SENSITIVE (PERSONAL)

			use of a cane, by resurfacing it. This will improve access i.e. non-slip, firm and level access. This particularly applies in the autumn/winter, when the path gets wet and muddy underfoot.	
9. Racial equality	Y	N ✓		
10. Gender equality	Y	N ✓		
11. Sexual orientation equality	Y	N ✓		
12. Gender re-assignment	Y	N ✓		
13. Age equality	Y ✓	N	The improvements should benefit the elderly, who are more likely to have accessibility issues.	See Sensory Trust Guidance
14. Religion and belief equality	Y	N ✓		
15. Pregnancy and maternity equality	Y ✓	N	The improvements should benefit pedestrians and those using small pushchairs.	See Sensory Trust Guidance
16. Marriage and civil partnership equality	Y	N ✓		
17. Please give details of any other potential impacts on any other group (e.g. those on lower incomes/carers/ex-offenders, armed forces communities) and on promoting good community relations.	Please explain For those who don't have access to a car, this footpath improvement will provide better access in a route between two streets, shops, schools, community groups etc.			
18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?	Please explain N/A			
19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?	Please explain This won't be a significant impact, as it's only limited to those who already use the footpath and would likely to do so in the future. The footpath narrow width means that it's not accessible by wheelchair users and those with twin prams, but it can be used by pedestrians and those wheeling small buggies.			
20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?	Y	N ✓	Please explain for each equality group	

OFFICIAL SENSITIVE (COMMERCIAL)/OFFICIAL SENSITIVE (PERSONAL)

<p>21. What further information or data is required to better understand the impact? Where and how can that information be obtained?</p>	<p>We occasionally receive reports from residents about the path being overgrown or muddy. The new footpath surface should improve accessibility, and mean we receive less reports of this nature.</p>		
<p>22. On the basis of sections 7 – 17 above is a full impact assessment required?</p>	<p>Y</p>	<p>N</p>	<p>Please explain your decision. If you are not proceeding to a full equality impact assessment, make sure you have the evidence to justify this decision should you be challenged.</p> <p>If you are proceeding to a full equality impact assessment, please contact Samantha.wood@bracknell-forest.gov.uk or Harjit.Hunjan@bracknell-forest.gov.uk</p>
<p>23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.</p>			
<p>Action</p>	<p>Timescale</p>	<p>Person Responsible</p>	<p>Milestone/Success Criteria</p>
<p>Appropriate comms to keep residents and Cllrs updated.</p> <ul style="list-style-type: none"> - Contacted neighbouring residents to consult them on these potential improvement works - Put out a ward alert to notify Cllrs if release of funds is approved <p>This should flag up if there are any accessibility issues residents are concerned about.</p>	<p>If/once monies have been approved for release</p>	<p>Rob Solomon</p>	<p>Residents and Cllrs informed, and no issues raised</p>
<p>Use a material that is suitable for our requirements, and that is accessible to users.</p>	<p>Summer (date TBC)</p>	<p>Rob Solomon</p>	<p>Residents can use the footpath. No complaints received about accessibility related to the new FP surface.</p>
<p>Job will likely require temporary closure of FP while work takes place.</p> <p>A suitable alternative route will be suggested on-site (signposted and mapped) for pedestrians when the TTRO is in force.</p>	<p>Summer (date TBC)</p>	<p>Rob Solomon</p>	<p>Signs / notices and maps in place. Job not lasting longer than five days.</p>
<p>24. Which service, business or work plan will these actions be included in?</p>	<p>Rights of Way Improvement Plan</p> <p>Policy RoWIP 1 Rights of Way for All Increase accessibility of the Rights of Way network.</p> <p>1.1 Identify and remove hindrances to using Rights of Way, such as stiles, unclear signage, poor surface condition, overgrown vegetation, etc.</p> <p>1.2 Increase the availability of Rights of Way to all users.</p>		
<p>25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?</p>	<p>Please list</p> <p>See information above.</p>		
<p>26. Assistant Director/Director signature.</p>	<p>Signature:</p> <p>Date:</p>		