

INTERNAL WORKING DOCUMENT

Science Vale Route 1 - Informal TRO consultation – issues and options appraisal for next steps in formal process

Key facts

1. Existing bridge over Letcombe Brook could be considered unlawful as it restricts access for all byway users – but it was installed in 1980 when route was CRB at request of BHS
2. No TRO or other legal measure was put in place at the time of its installation
3. The bridge has been maintained since installation with no work to remove, relocate or reconfigure it - other than the 2019 Skanska options assessment
4. Existing bridge is very near end of serviceable lifespan
5. The slope has had no management/repair or other intervention and is considered a natural feature
6. The whole Route 1 scheme cannot proceed in present form without
 - a. a brook crossing and slope adjustment that enables reasonably safe cycling, walking and horse-riding uses, and
 - b. The dedication of additional access for connecting routes via Red Barn
7. Informal TRO consultation x2 has confirmed objections from motorised users, predominantly motorcyclists, and also includes support from parish councils and police
8. No respondent mentions the alternative minor road route that is available for TRO1 or the need to use A417 for TRO2 (for MPVs)

Key objections/challenges

1. Motorcyclists claim they have used TRO1 and TRO2 routes without problem and without causing problems for many years – although most state unlikely to meet anyone at same time
2. 4x4 users say that the brook is a natural stopping point/destination in its own right and that there is no problem reversing or turning around for either route
3. The illegal obstructions are highlighted as preventing some vehicle access
4. OCC criticised for not tackling byway anomalies such as TRO2 before or after NERCA
5. TRO reason regarding narrowness of routes is challenged (based on comparable roads)
6. TRO reason for preventing illegal activities is challenged by motorcyclists (crimes not committed by M/Cs)
7. TRO reason for unable to construct to meet shared standards for narrow slope is challenged (compared with routes elsewhere in country)
8. TRO is challenged as being not an effective measure and not good use of public funds (comments don't take account of structures being proposed)
9. TRO challenged as being too heavy handed and without prior discussions (despite the informal TRO process being used)

Options

1. **Carry on with TRO1 and TRO2 - with minor modifications to clarify reasons.** By providing clarification to reasons and ensuring evidence re design it would allow more consideration of the reasons at consultation stage – and modification at reporting/decision stage would be possible if some relaxation in restrictions was deemed necessary

This is suggested to be the way forward for at least the formal TRO consultation stage as it is low risk and doesn't give ground unnecessarily

2. **Abandon TRO1 completely** – this is considered unacceptable as it would place whole scheme at risk because a replacement bridge/slope could not be constructed **unless** PP secured and then separate s247 application made from SoS to stop up restricted byway and byway rights

At this stage it is suggested that this abandon TRO and replace with s247 is not an option

3. **Abandon TRO2 completely** – This could remove MPV objection area and would need s66 barriers installed where the RB starts as well as at Newbury Road but it wouldn't be possible to install barriers at Ginge Road eastbound byway which could cause illegal use concerns. The dead-end and narrow nature of the track is the problem here as are likely projected speed increases with the change to surface to make it easier and safer for walkers, cyclists and equestrians. By maintaining a dead-end byway OCC would need to provide turning area for MPVs otherwise users would have to reverse up and onto Ginge Road. If this option was adopted and if accidents took place a follow up TTRO/TRO could be implemented.

Because of the narrow width, likely speed increase and no ability to barrier at Ginge Road it is suggested this is not an option at this stage

4. **Modify TRO1 to allow motorcycles (or vehicles with 0.5t/5ft width limit)**. Strong arguments have been made by M/Cs regarding crime and physical/safety impacts. Also, any barriers could not prevent M/C access. Limited engineering/design thought to be needed to enable access to the bridge/slope **BUT** speed and noise factors are still a factor and OCC is going to be constructing and promoting this route for NMUs for cycling, walking and horseriding. If accidents took place a follow up TTRO/TRO could be implemented.

It is suggested that this is not an option at this stage as OCC's primary role is to ensure user safety on a newly constructed and promoted facility

5. **Modify TRO2 to allow motorcycles (or vehicles with 0.5t/5ft width limit)** The dead-end nature of the track is the problem here as are projected speed increases with the change to surface to make it easier and safer for walkers, cyclists and equestrians. s66 safety barriers could be installed on Ginge Road and Newbury Road. **BUT** speed and noise factors are still a factor and OCC is going to be constructing and promoting this route for NMUs for cycling, walking and horseriding. If accidents took place a follow up TTRO/TRO could be implemented.

It is suggested that this is not an option at this stage as OCC's primary role is to ensure user safety on a newly constructed and promoted facility

6. **Modify TRO1 to restrict MPV access just to slopes and bridge** This is a modification to create a dead end all-user byway from Ardington Road to the upper field (access to slopes and watercourse not included) and from Ginge Road to the field edge. This would remove MPV access to the very narrow sections of the route and would enable parking and walking to the 'destination' of the brook BUT speed and noise factors are still a factor and any barriers could not prevent motorcycle access.. By creating a dead-end byway OCC would need to provide turning area for MPVs otherwise users would have to reverse up and onto Ginge Road and Ardington Road. If this option was adopted and if accidents took place a follow up TTRO/TRO could be implemented.

It is suggested that this is not an option at this stage as OCC's primary role is to ensure user safety on a newly constructed and promoted facility. Deliberately creating a dead-end route would add a responsibility for manoeuvring incidents. There would be a strong likelihood that motorcyclist would continue to use the whole route.

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