

From: Simon Jones, Corporate Director, Growth, Environment & Transport

To: Neil Baker, Cabinet Member for Highways and Transportation

Subject: Aylesford Towpath Improvements/embankment reinforcement

Key decision 23/00035

Classification: **Unrestricted**

**Past Pathway of report:** Active Travel Fund (ATF) Schemes have been reported:

- 9 December 2020
- 19 January 2021
- 8 September 2021
- January 2022
- 17 March 2022
- 8 November 2022
- 15 November 2023

**Future Pathway of report: For Cabinet Member Decision**

**Electoral Division:** Malling North East, Tonbridge and Malling  
Andrew Kennedy MEM

**Summary:** This paper provides an update on the Active Travel Fund 4 Extension (ATF4e) scheme and the strategic approach for how officers intend to deliver the Aylesford Towpath walking, wheeling, and cycling scheme.

**Recommendation(s):**

The Cabinet Member for Highways and Transport is asked to agree to:

1. APPROVE the progression and delivery of the Aylesford Towpath improvements scheme
2. APPROVE that the cost of staff and consultancy time for the delivery and supervision of the project, be recovered against project funding
3. DELEGATE authority to the Corporate Director of Growth, Environment and Transport to obtain and implement Statutory Orders, approvals or consents required for the scheme, including but not limited to Compulsory Purchase Order, Side Roads Order and any Traffic Regulation Orders required for the delivery and successful operation of the scheme
4. DELEGATE authority to the Director of Infrastructure, in consultation with the Corporate Director for Growth, Environment and Transport, to negotiate and complete all required land acquisition including by means of Compulsory Purchase Order as necessary to secure the delivery and future maintenance of the scheme
5. DELEGATE authority to the Corporate Director of Growth, Environment and Transport to procure and enter into construction contracts as necessary for the

delivery of the scheme, subject to the approval of the Commercial and Procurement Division.

6. DELEGATE authority to the Corporate Director of Growth, Environment and Transport to take relevant actions, including but not limited to, entering into and finalising the terms of relevant contracts or other legal agreements, as necessary, to implement the above decision

The Proposed Record of Decision is appended as Appendix A to this report.

## **1. Introduction**

- 1.1 The Department for Transport (DfT) via their executive Agency, Active Travel England (ATE) has provided four annual phases of active travel funding from 2019/20, 2020/21, 2021/22 and 2022/23. The first tranche supported the installation of temporary projects for the COVID-19 pandemic with the second, third and fourth tranches to enable and support the creation of permanent infrastructure to support walking, wheeling, and cycling and active travel in general.
- 1.2 The last paper presented to the Environment and Transport Cabinet Committee on Active travel on 15 November 2023 provided a detailed background for the four tranches.
- 1.3 A cross-party Member Group was set up, led by the Cabinet Member for Highways and Transportation who informed all KCC Members of the working group and giving them an opportunity to join. This group provides support and guidance on Active Travel ideas. It has met regularly since August 2022.
- 1.4 The Grant governance for all ATF funding rounds requires KCC to work closely with ATE specifically on designs giving assurance to the appropriate standards along with regular financial and programme reviews. Should changes to finance and programme be required, a change control process is to be followed with ATE.

## **2. Active Travel Fund 4 Extension 2023/24 (ATF4e)**

- 2.1 In September 2023, Active Travel England suggested that a further Capital Grant would be awarded to Highway Authorities and would be an extension to the Tranche 4 funding previously provided and that previous schemes submitted that just fell short of a successful funding bid could be resubmitted.
- 2.2 KCC had two schemes from ATF Tranche 4 which were supported by the Member Working Group but were unsuccessful in gaining funding. These were the Aylesford Towpath and a route in Ashford identified in Ashford Borough Council's Local Cycling and walking Plan (LCWIP) and known as Route 5.
- 2.3 The Aylesford Towpath had universal support from the Member Group and was chosen to be the project put forward for the ATF4e grant submission.
- 2.4 The Aylesford Tow Path is a walking, wheeling, and cycling route that follows the river Medway and has County level significance. The path aims to connect

Rochester to Tonbridge. Currently, it's part of a Public Right Of Way (PROW), but once the proposed scheme is completed, it will become a Cycle Track under the Highways and Transportation Directorate's responsibility.

- 2.5 The ATF4e scheme proposes to widen the substandard width, unofficial shared footway/cycleway to provide a 3.0m width for approximately 830m. There is a section that requires reinforcement of the embankment to ensure the construction is in line with Design Manual for Roads & Bridges (DMRB) life span requirements. This is a significant element of the scheme proposal and cost as the existing retaining wall has collapsed over a length of approximately 100m which has meant that the route from Aylesford car park heading east towards Maidstone for a significant length has had to be closed for safety reasons.
- 2.6 The upgrade and reopening of the route is a key missing link which will unlock the wider network of active travel routes. A significant section of the route has recently benefited from Local Enterprise Partnership (LEP) funding to provide a new asphalt surface which further increases the utility of this path. The route was well used for both recreational and utility journeys, with over 100 cyclists a day using other sections of the tow path. A recently created section has over 20,000 journeys per month.
- 2.7 At present, the Tow Path provides a direct, flat off carriageway substandard shared pedestrian/cycle route between Maidstone and key employment areas in Snodland and New Hythe. It also connects the residential areas of these locations to the employment opportunities within Maidstone itself. The path itself lies within an Output Area that is ranked in the bottom 20% of the country in the Index of Multiple Deprivation and provides connections to equally deprived areas.
- 2.8 Included within the improvements is wayfinder signing and low-level solar lighting/road studs and a rest area with seating within the extents.
- 2.9 The only alternative to this route is on a busy distributor route with high levels of traffic including HGVs that is not safe or attractive to walking, wheeling, or cycling.

### **3. Financial Implications**

- 3.1 The estimated cost of the scheme is £1.72m and is being funded partly by developer contributions already banked (£0.436m), PROW funds (£0.3m) and the Active Travel Fund Tranche 4e (£1.2m). The detailed costings have been provided via the Highway Term Maintenance Contract and the budget available from the three sources is considered adequate to deliver the scheme. The costings include an element to cover risk and contingency and use of the existing procured contracts reduces any cost uncertainty to ensure it is affordable within our funding envelope.

### **4. Options considered and dismissed and associated risk.**

- 4.1 The only other option is to permanently close the route which universally has not been supported due to the importance of the route.

## **5. Legal implications**

- 5.1 The proposals are permitted development and do not require planning permission.
- 5.2 Approvals from the Rivers Authority and Crown Estate are being progressed as the installation of piles to function as a retaining wall to support the embankment needs to be implemented at certain times of the year to not interfere with fish spawning and other ecological and environmental requirements.
- 5.3 The scheme requires additional land from the adjoining landowner –The Crown Estate as the piles are required to be installed within the river side of the existing retaining wall. Crown Estate have been contacted, and Heads of Terms are being drawn up at present. The land will be transferred to KCC and designated as Highway land provided that this report is supported and approved for progression to construction. The consideration for the land to be dedicated as public highway is likely to be below £10,000 and is incorporated into the budget set aside.

## **6 Equalities implications**

- 6.1 The Equalities Impact Assessment (EqIA) shows that there will be positive impacts for all users because of the scheme completion. There may be some temporary negative impacts during the construction, and this will be explored further and managed appropriately.

## **7 Governance**

- 7.1 The Cabinet Member for Highways and Transportation and the cross-party walking and cycling working group will be kept informed of progress.
- 7.2 The governance process includes enabling KCC officers to project manage, obtain, and implement all necessary statutory orders and approvals, negotiate and complete land acquisition, and progress and complete procurement processes.
- 7.3 All ATF funded projects require KCC to work closely with ATE on designs, financial and programme reviews and follow a change control process if required.

## **8 Conclusion**

- 8.1 The Active Travel Fund Tranche 4 Extension (ATF4e) scheme represents a significant step forward in enhancing active travel infrastructure within the region and reopens a popular route that has been closed for several years due to the collapse of a length of retaining wall. By widening the substandard width of the existing shared footway/cycleway and addressing critical structural issues, the scheme aims to provide a safer and more accessible route for pedestrians and cyclists. The project not only improves connectivity between

key employment areas and residential zones but also supports the broader vision of creating a continuous active travel route from Rochester to Tonbridge.

- 8.2 The successful implementation of this scheme will unlock the potential of the wider network of active travel routes, encouraging more people to choose walking, wheeling, and cycling as their preferred modes of transport. The inclusion of wayfinder signing, low-level solar lighting, and rest areas further enhances the user experience, making the route more attractive and functional.
- 8.3 Financially, the scheme is well-supported by a combination of developer contributions, PROW funding, and the Active Travel Fund Tranche 4e, ensuring that the project is affordable within the allocated budget. The legal and governance frameworks are in place to facilitate the smooth progression of the scheme, with approvals from relevant authorities and land acquisition processes being actively managed.
- 8.4 The project aligns with the strategic goals of enhancing connectivity, improving safety, and supporting environmental sustainability.

## **9. Recommendations**

- 9.1 The Cabinet Member for Highways and Transport is asked to agree to:
  1. APPROVE the progression and delivery of the Aylesford Towpath improvements scheme
  2. APPROVE that the cost of staff and consultancy time for the delivery and supervision of the project, be recovered against project funding
  3. DELEGATE authority to the Corporate Director of Growth, Environment and Transport to obtain and implement Statutory Orders, approvals or consents required for the scheme, including but not limited to Compulsory Purchase Order, Side Roads Order and any Traffic Regulation Orders required for the delivery and successful operation of the scheme
  4. DELEGATE authority to the Director of Infrastructure, in consultation with the Corporate Director for Growth, Environment and Transport, to negotiate and complete all required land acquisition including by means of Compulsory Purchase Order as necessary to secure the delivery and future maintenance of the scheme
  5. DELEGATE authority to the Corporate Director of Growth, Environment and Transport to procure and enter into construction contracts as necessary for the delivery of the scheme, subject to the approval of the Commercial and Procurement Division.
  6. DELEGATE authority to the Corporate Director of Growth, Environment and Transport to take relevant actions, including but not limited to, entering into and finalising the terms of relevant contracts or other legal agreements, as necessary, to implement the above decision

The Proposed Record of Decision is appended as Appendix A to this report.

## **10. Background Documents**

10.1 Appendix A – Proposed Record of Decision

10.2 The ATF4E funding application form, context intervention plan, supporting sustainable travel choices plan and wider network unlocked plan has informed this report.

10.3 EqIA

## **11. Report Authors**

Report Author: Jamie Watson  
Senior Programme Manager – Active  
Travel  
Telephone number 03000 413854  
Jamie.watson@kent.gov.uk

Relevant Director: Haroona Chughtai  
Director of Highways and Transportation  
Telephone number 03000 412479  
Haroona.chughtai@kent.gov.uk