


CONGLETON TOWN COUNCIL
COMMITTEE REPORTS AND UPDATES

COMMITTEE:	Council		
MEETING DATE AND TIME	3rd October 2024 7 pm	LOCATION	Congleton Town Hall
REPORT FROM	Deputy Chief Officer – Marketing and Communities Manager		
AGENDA ITEM REPORT TITLE	7.2 Request to Apply for a Right of Way in Congleton		
BACKGROUND INFORMATION	<p>A request was made from the Congleton Climate Action Sustainable Travel Group via Public Question time at the Community Committee on 29 August for the Town Council to apply to Cheshire East Council to have a path from the Bus Station to the Police Station and Library to Market Square added to the Definitive Map as a Right of Way.</p> <p>After CTC officers discussed the question with the Rights of Way Team at CEC it seemed unlikely that the path would qualify. Officers at CEC Rights of Way Team had already had several rounds of correspondence with Congleton Sustainable Travel.</p> <p>It was also clear that it makes no difference to CEC who fills in the forms and that anyone has a right to request to add a modification to the Definitive Map. It was suggested as a response from the Chair of Community that it would be best for the Sustainable Travel Group to apply for this path.</p> <p>The Sustainable Travel group was told if it still wanted the Council to submit the form it would need to be discussed at Council to see if the Town Council agreed with the principle of the route before putting the Town Council's name on an application to CEC requesting the routes are added as a Right of Way. A copy of the question and the response can be downloaded (link takes you to the CTC website).</p>		

	<p>The group has subsequently contacted the Town Council and requested that they would like the Town Council to consider submitting the request although the Sustainable Travel group will do the research and background work.</p> <p>This paper is to establish if the Council agrees with the proposal from the Sustainable Travel Group and wants the Town Council to put forward the request to CEC.</p> 
<p>More details</p>	<p>REQUEST: Could the town council work with Congleton Sustainable Travel in its application to claim various public rights of way around the library area, by providing support in the form of a main point of contact for the application.</p> <p>Introduction</p> <p>Congleton Sustainable Travel aims to maintain and improve local facilities for sustainable travel, in order to provide genuine choices for active travel for all, regardless of age, disability or economic situation. To help achieve this, the group collaborates with the town council's Equal Access Advisory Group.</p> <p>What</p> <p>CST wants to protect well-used existing routes over private and Cheshire East land, and restore access to a previously popular route over Cheshire East land. It will do this by applying for modifications to the definitive map. The definitive map shows all legal rights of way.</p> <p>Why</p> <p>CST is concerned that the privately owned but vital ramped access to/from the library is not protected and could be legitimately blocked off by an owner. This is the path from the bus station to the library.</p> <p>This would inconvenience many and disadvantage people who need short easy routes due to their disabilities, infirmities or caring for young children. Whether walking from nearby car parks or a bus stop, they would be forced to use the longer way round by the ex-Barclays Bank. The pavement is cambered so difficult for those with pushchairs or mobility aids, and the corner by the crossing becomes crowded and unsafe to pass when people are gathered waiting for the lights to change.</p> <p>Should the ramped access be blocked off, a claim for a right of way would likely succeed due to its unchallenged use to date. But the process for re-opening would be lengthy. It would be better to start the application now rather than wait until forced into it.</p>

	<p>The route alongside Hammond McNulty's between Market Square and the library similarly provides a short easy way (and a bench for a rest) for those approaching the library, bus stops and car parks from the High St. Without this route they would have to use the longer and less safe detour as described above.</p> <p>The shortcut between the police station and the library was lost in 2017 when the borough council offices were demolished. As a consequence, pavement users have to take a longer and less safe journey around three sides of the square, two sides of which have hazardous uneven damaged paving. This is awkward for those with pushchairs, shopping trolleys, and mobility aids, and a problem for those with disabilities and infirmities who need the shortest and easiest route without the risk of tripping.</p> <p>Those using mobility aids that are legally required to use roads are also disadvantaged due to Market Square being a one-way street. Their only option from the police station side is using the longer route along Kinsey St to turn right and travel uphill on High St. Unfortunately drivers tend to speed along Kinsey St and, if heading for Canal St, often engage in the dangerous manoeuvre of closely overtaking the person who is moving slowly up the hill from their standing start at the junction.</p> <p>How?</p> <p>The various routes around the library make a rough T shape so cannot be claimed as one overall route. CST proposes to make two applications to be submitted at the same time due to their interdependency.</p> <ol style="list-style-type: none"> 1. A public right of way between Market Street (near the bus station) and Market Square (near Hammond McNulty's) 2. A public right of way between the police station and the library entrance. <p>Additional information</p> <p>The Rights of Way Team does not believe that the path between the bus station and Market Street would qualify as a Rights of Way. They also believe that the route across the green space at the back of the Town Hall would not qualify as it was a former car park.</p>
Environmental Considerations	<p>Suggested by the Sustainable Travel Group:</p> <p>Protecting facilities for active travel within the town centre supports the town council's climate emergency policies.</p>
Equality Considerations	<p>Suggested by the Sustainable Travel Group: Helps to address the town council's equality and inclusivity aims - for children and the town's mobility-impaired, visually-impaired and infirm residents and visitors (over 20% of the population have a disability of some kind) by:</p> <p>Route 1. Protecting a short and accessible route between Market St and Market Square (Hammond McNulty end) to avoid a longer unsafe detour for children, and anyone using mobility aids or with a visual impairment.</p> <p>Route 2. Restoring a direct route to avoid a longer hazardous diversion for those on foot and using mobility aids.</p>

Financial Considerations	None for Congleton Town Council other than staff time. Potential costs for CEC
PROPOSAL	<p>To agree on which of the following actions the Town Council wishes to take about this request:</p> <ul style="list-style-type: none"> a) To work with Sustainable Travel and for CTC to submit an application requesting the two routes be added to the Definitive Map in the name of Congleton Town Council – and progress this through all the stages including a public hearing if necessary. b) As above, but accept the response received from CEC. c) To write a letter of support for the application, but not put the request in the name of the Town Council d) Not support the application and leave it to Sustainable Travel to submit the application