

Report for: Decision
Item Number:



Contains Confidential or Exempt Information	Part 1 Excluding Appendix C which is Part II - Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972
Title	Thames Path Missing Link
Responsible Officer(s)	Christabel Shawcross, Strategic Director of Adult & Community Services, 01628 796159
Contact officer, job title and phone number	Kevin Mist, Head of Leisure Services 01628 796443 Anthony Hurst, Principal Officer, Rights of Way 01628 796180
Member reporting	Cllr Eileen Quick
For Consideration By	Cabinet
Date to be Considered	29 May 2014
Implementation Date if Not Called In	2014/15
Affected Wards	Riverside
Keywords/Index	Thames, River, Path, Maidenhead, Riverside

Report Summary

This report seeks to complete the Thames Path National Trail missing link in front of 1-5 Bridge View, Ray Mead Road, Maidenhead.

It presents Cabinet with three options for consideration; a riverside footpath, a roadside footway, a river pontoon.

There has been a historic desire to complete this project and a riverside footpath is supported by the Council's Local Access Forum, the Ramblers, Maidenhead Civic Society, Natural England and the River Thames Society.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
Completing the missing link will provide residents with a safe route to enjoy the Thames Path and surrounding	May 2015

1. Details of Recommendations

RECOMMENDATION: That Cabinet:

1.1 Considers the three options set out in this report.

1.2 Approves the appropriate budget of the selected option to be provided in the 2014/15 capital programme, allowing a fund raising programme to be continued with potential partner organisations to raise additional grants towards the cost.

1.3 If options 2 or 3 are selected, the Rights of Way and Highways Licensing panel is recommended to proceed with a Public Path Creation Order or Agreement.

1.4 If options 1 or 3 are selected, a report is submitted to the Rights of Way and Highways Licensing Panel informing them of the decision.

2. Reason for Recommendation(s) and Options Considered

2.1 There has been a historic desire to complete the Thames Path National Trail along the river frontage of Ray Mead Road where currently there is a gap in the riverside footpath.

2.2 There is also a gap in the existing roadside footway between the Bridge View properties and Ray Mead Road, meaning that walkers must either walk along the road or cross and re-cross the road to use the footway on the opposite side. There are also current problems with parked cars overhanging the existing public footpath (FP 53). A site plan is submitted as Appendix A

2.3 The Council's Local Access Forum, the Ramblers, Maidenhead Civic Society, Natural England and the River Thames Society support the project to complete the link. The project has also been identified in the Council's Rights of Way Improvement Plan as a desired improvement to the network.

2.4 The project was discussed by the Rights of Way and Highway Licensing Panel on 4 March 2014, and the Panel resolved:

(a) "That the Panel requests that Cabinet delegate authority to the Leader, the Lead Members and Directors of Operations and Adult & Community Services to work together and with partner organisations to complete this project.

(b) That the Panel requests that Cabinet approves a budget of £350k to be provided in the 2014/15 capital programme for the funding of the project.

(C) That subject to Cabinet approval to items (a) and (b) above:

(1) the Panel hereby authorises the making of a Public Path Creation Agreement under section 25 of the Highways Act 1980 or the making of a Public Path Creation Order under section 26 of the 1980 Act by the Head of Legal Services and, in respect of an order made under section 26, to confirm the

order as an unopposed order in the event that no objections are received in respect thereof or any objections so received are subsequently withdrawn;

(2) The Panel hereby authorises the Development and Property Manager to pay such consequential compensation or equivalent payments as may arise as a consequence of the coming into operation of any agreement or order authorised under sub-section (1) above”.

Option	Comments	Estimated Cost
1. Riverside path (Appendix A)	<p>This option would complete the Thames Path in Maidenhead, providing a raised 30m footpath along the river frontage of the five Bridge View properties.</p> <p>However, this would be met with opposition from the property owners resulting in protracted legal issues and costs, due to the inability to reach an agreed settlement.</p>	£350k
2. Roadside path (Appendix B)	<p>This option would see a pedestrian path created along the roadside frontage of the five Bridge View properties.</p> <p>It would necessitate the creation of a private car park on public open space in Bridge Gardens to compensate the residences for this loss of amenity along their roadside frontage. A lease arrangement would be required to give security of tenure for the residents use of the car park.</p> <p>This option was suggested by the property owners and can be undertaken by agreement and without protracted negotiation.</p> <p>This is the recommended option</p>	£185k
3. River pontoon	<p>There would still be a significant loss of visual amenity for the owners of the Bridge View properties and their agreement to create the pontoon path would be unlikely.</p> <p>Permission would be required from the Environment Agency as the structures would impact significantly on navigation on the river. The cost of construction and ongoing maintenance would be considerably greater than the construction of a land based path due to the specialist</p>	£410k

	nature of construction in the river bed.	
	The Pontoon could be extended to Riverside Gardens main waterside entrance to provide an attractive and innovative addition to the riverside walk.	

3. Key Implications

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Riverside or roadside Footpath designed, constructed and opened	Footpath not opened by June 2015	Opened by May 2015	Opened by April 2015	Opened by March 2015	May 2015

4. Financial Details

a) Financial impact on the budget

Option 1 (Riverside footpath): if it is necessary to make a Public Path Creation Order compensation will be payable to affected landowners under section 28 of the Highways Act 1980. If the route is secured by way of a Public Path Creation Agreement, a negotiated compensation payment may be made to affected landowners. The budget for the project therefore includes a compensation element for the affected property owners and provision for limited legal expenses. The construction element plus fees is estimated at £100k.

The District Valuer's estimates of compensation is attached at Appendix C (Confidential).

Option 1

	Year1 (2014/15)	Year2 (2015/16)	Year3 (2016/17)
	Capital £000	Capital £000	Capital £000
Addition	350k	0	0
Reduction	0	0	0

	Year1 (2014/15)	Year2 (2015/16)	Year3 (2016/17)
	* Revenue £000	Revenue £000	Revenue £000
Addition	5k	0	0
Reduction	0	0	0

Option 2 (Roadside footpath): this plan would necessitate negotiations with affected land owners and a public path creation order or agreement. Compensation levels would be much lower due to the reduced impact of the footpath creation. Build costs of a public car park and the necessary pavement works are estimated at £55k, landscaping in the park to lessen the impact of the car park £20k and works to create frontage to the properties £30k (total £105k). Compensations are estimated in appendix C (Confidential)

Option 2

	Year1 (2014/15)	Year2 (2015/16)	Year3 (2016/17)
	Capital £000	Capital £000	Capital £000
Addition	185k	0	0
Reduction	0	0	0

	Year1 (2014/15)	Year2 (2015/16)	Year3 (2016/17)
	* Revenue £000	Revenue £000	Revenue £000
Addition	2k	0	0
Reduction	0	0	0

Option 3 (Floating pontoon): this plan would necessitate negotiations with affected land owners and a public path creation order or agreement. Compensation payments and legal fees would be very similar to option 1 as the impact of views from the property would be similar. The cost of a pontoon with concomitant river bed piles, river bank works are estimated at £160k for a 30m pontoon with pro-rata additions for a larger pontoon.

Option 3

	Year1 (2014/15)	Year2 (2015/16)	Year3 (2016/17)
	Capital £000	Capital £000	Capital £000
Addition	410k	0	0
Reduction	0	0	0

	Year1 (2014/15)	Year2 (2015/16)	Year3 (2016/17)
	* Revenue £000	Revenue £000	Revenue £000
Addition	15k	0	0
Reduction	0	0	0

The legal fees may be significantly less if the land is secured by way of a public path creation agreement with the landowners under section 25 of the 1980 Act because once agreement is reached as to the compensation amount a formal agreement will be drawn up by the Council's solicitor. The legal fees may be higher under the order process under section 26 of the Act because if objections are received in response to the public path creation order, it will be necessary that a public inquiry is held.

Dependent on which scheme is recommended there are funds in PROW s106 (£19k), Highway s106 (£25k), participatory budgets (£17k) and member contributions

(£2,250). The balance would be required from council capital or additional fund raising.

Officers will work with other funding agents i.e. Natural England and the Ramblers to seek to obtain further grants to help fund the project.

An annual revenue budget will be required to maintain the Thames Path along the Riverside route, requiring additional revenue funding of up to £15k per annum, reduced to £2k p.a for the road side route.

5. Legal Implications

5.1 For options 1 and 2, negotiations will need to be entered into with property owners with regard to securing the land over which the footpath will be situated. If the landowners are in agreement with the project, the land may be secured by way of a public path creation agreement. If the landowners are not in agreement with the project then it will be necessary for the Council to make a public path creation order. The necessary negotiations with affected landowners will be undertaken by officers in the Property Services team.

5.2 The landowners will be entitled to receive compensation for the diminution in value and for disturbance of land affected by the project if a public path creation order is made and a negotiated compensation payment may be made under a public path creation agreement. The District Valuer's compensation estimates annexed at Appendix C contains the relevant information.

5.3 If the landowners are unwilling to enter into a public path creation agreement the Council may make a public path creation order. The order is required to be consulted upon and if objections are received the Council is required to submit the order to the Secretary of State for the Environment for confirmation. The usual procedure is by consideration of the evidence for and against the confirmation of the order at a public inquiry.

5.4 In deciding whether or not to confirm the order, the Secretary of State will take into account the extent to which the new path would add to the convenient or enjoyment of a substantial section of the public or to the convenience of residents in the area and the effect which the creation of the path will have on the rights of persons interested in the land taking into account the legal provisions in respect of compensation.

5.5 Disputes as to compensation should preferably be settled by arbitration rather than by reference to the Upper Tribunal of the former Lands Chamber as the costs of the action may be disproportionate to the sums involved. It is therefore proposed that the Council will offer to settle disputes relating to compensation by arbitration.

5.6 If Option 2 is selected a lease arrangement for use of the private car park will be required and the loss of public open space will require public advertising.

6. Value For Money

The completion of the Thames Path will provide a safe continuance of the riverside pathway. The negotiations with property owners will be conducted as to ensure that best value is achieved. The tender for the contract(s) for design and

construction will be carried out using RBWM procurement processes to ensure value for money is achieved.

7. Sustainability Impact Appraisal

None

8. Risk Management

Risks	Uncontrolled Risk	Controls	Controlled Risk
Processes for the path creation delays the opening	Medium	Negotiations running alongside the FCO process should assist with the timeframes	Low
Weather conditions delay construction of the boardwalk style footpath and fencing	Medium	Planning of construction period and time built in for winter working will reduce risk	Low
Residents opposition to the selected scheme, increases legal costs and delays implementation	High	Negotiations with residents will be undertaken to achieve an agreed route forward.	Medium

9. Links to Strategic Objectives

If the recommended option is approved the links to our strategic objectives will be

- Encourage Healthy People and Lifestyles
- Improve the Environment, Economy and Transport
- Deliver Economic Services
- Deliver Effective Services
- Strengthen Partnerships

10. Equalities, Human Rights and Community Cohesion

If the project is approved the following principles of the Human Rights Act 1998 will be engaged:

- The First Protocol Article 1 (*Every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law*) The Highways Act 1980 provides the legal basis for controlling the use of property in accordance with the general interest. There must be a demonstrable "general interest" for an imposed public right of way creation such as for example a need identified in a ROWIP which is the case in relation to the project. It is intended that the authority will ensure that the interference will be no greater than necessary by way of extensive consultation with affected landowners about mitigation works.

- Schedule 1 Part 1 Article 6 (*In the determination of his civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law*) The public path creation order process provides for any person with a valid objection to the order to be heard before an inspector at a hearing or a public inquiry.
- Schedule 1 Part 1 Article 8 (*everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is accordance with the law*) The Highways Act 1980 provides the legal basis for the interference with this right. It is intended that landowners will be fully consulted to ensure that the effect of the creation order on their privacy is minimised.

Section 17 of the Crime and Disorder Act 1998 confers a duty upon the Council to exercise its functions with due regard to the likely effect of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is intended that the design of the route will such that crime and disorder will be minimised by the installation of suitable screening and other security measures and that the affected landowners will be fully consulted in this respect.

11. Staffing/Workforce and Accommodation implications:

n/a

12. Property and Assets

This project will increase the Public Rights of Way network as an RBWM asset.

13. Any other implications:

Dependant on the selected option a planning application may be required .

14. Consultation

The Ramblers, Natural England, Maidenhead Civic Society, and the River Thames Society have been involved in requesting and progressing this project. Letters of support from the Ramblers, Civic Society, the Rotary Club of Maidenhead and the Open Spaces Society are attached at Appendix E

Discussions have been held with the landowners and residents who would potentially be affected by the creation of the new section of footpath, either along the river frontage or the road frontage. **(Details at Appendix E).**

P.R.O.W meeting on 4th March 2014 discussed the issue and received comments from the Ramblers, residents and other interested parties .

The recommendation from this report will go to the next PROW meeting on June 4th 2014.

Site photographs are attached at Appendix D.

15. Timetable for Implementation

Once the project and the expenditure are approved the legal process may be commenced. This is likely to take 2 years to complete, however officers believe that with negotiations taking place in the shadow of the FCO and in tandem with it a time reduction could be seen, with implementation in early 2015.

16. Appendices

Appendix A: Riverside footpath plan

Appendix B: Roadside footway drawing.

Appendix C: Compensation estimate from District Valuer (riverside footpath option)

Appendix D: Site photographs

Appendix E: Consultation responses

17. Background Information

In the Local Budget Consultation of 2013/14 there were 109 instances of the completion of the Thames Path stated when asked for other desired outcomes from the 1450 respondents, and in 2009 a 1000+ signature petition was received requesting that the Council pursue creation of the footpath, 60% of the petitioners were RBWM residents.

18. Consultation

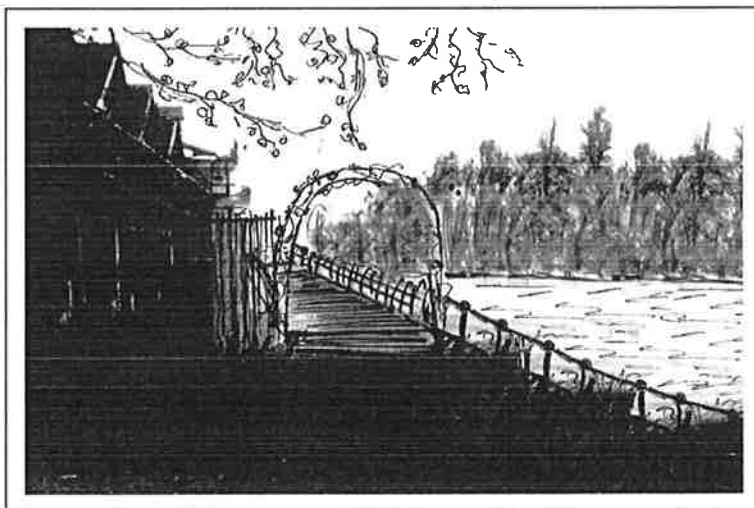
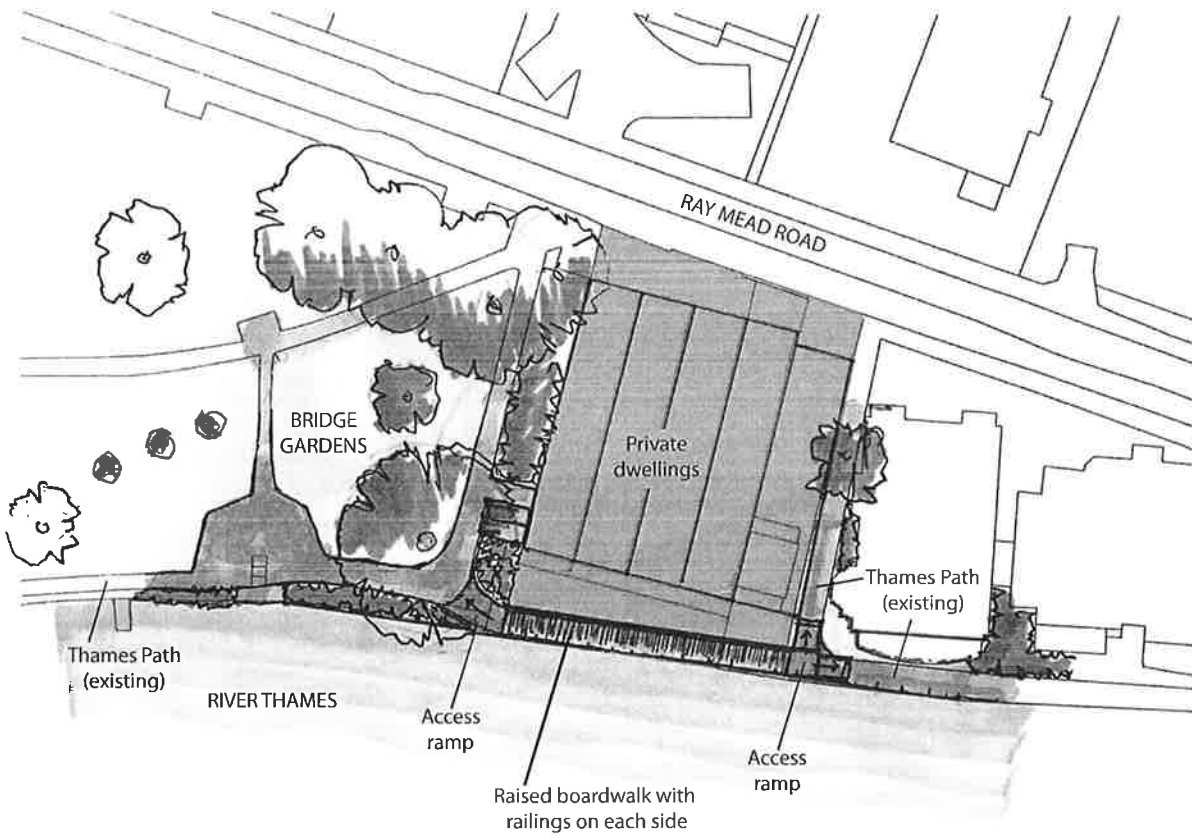
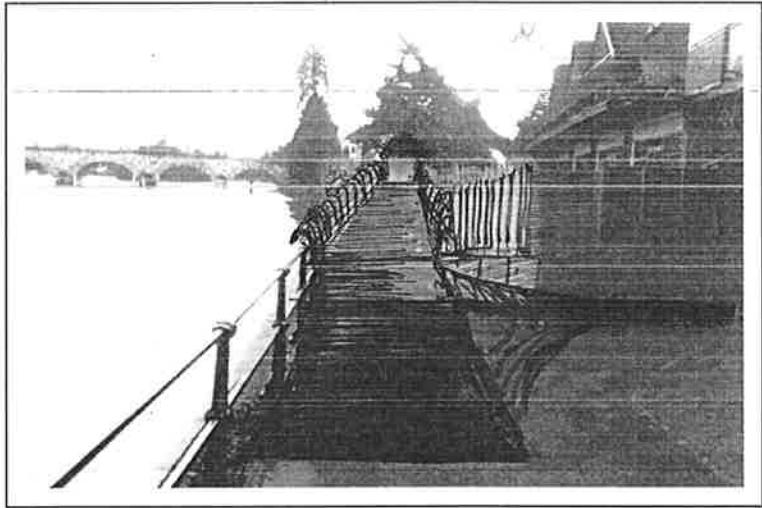
Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council		7/5/14	
Mike McGaughrin	Managing Director			
Maria Lucas / Catherine Woodward	Head of Legal Services / SLS			
Christabel Shawcross	Strategic Director of Adult & Community Services		15/05/14	
Allan Abrahamson	Finance partner			
Cllr Eileen Quick	Lead Member for Leisure & Libraries			
Cllr Geoffrey Hill	Lead Member for Highways & Transport			
Cllr John Stretton	Chairman of Rights of Way and Highway Licensing Panel			
External	various			

Report History

Decision type:	Urgency item?
Key decision	No

Full name of report author(s)	Job title	Full contact no:
Kevin Mist	Head of Leisure Services	01628 796443
Anthony Hurst	Principal Officer – Rights of Way	01628 796180

Sketch view of boardwalk and ramp from Thames Path to the East

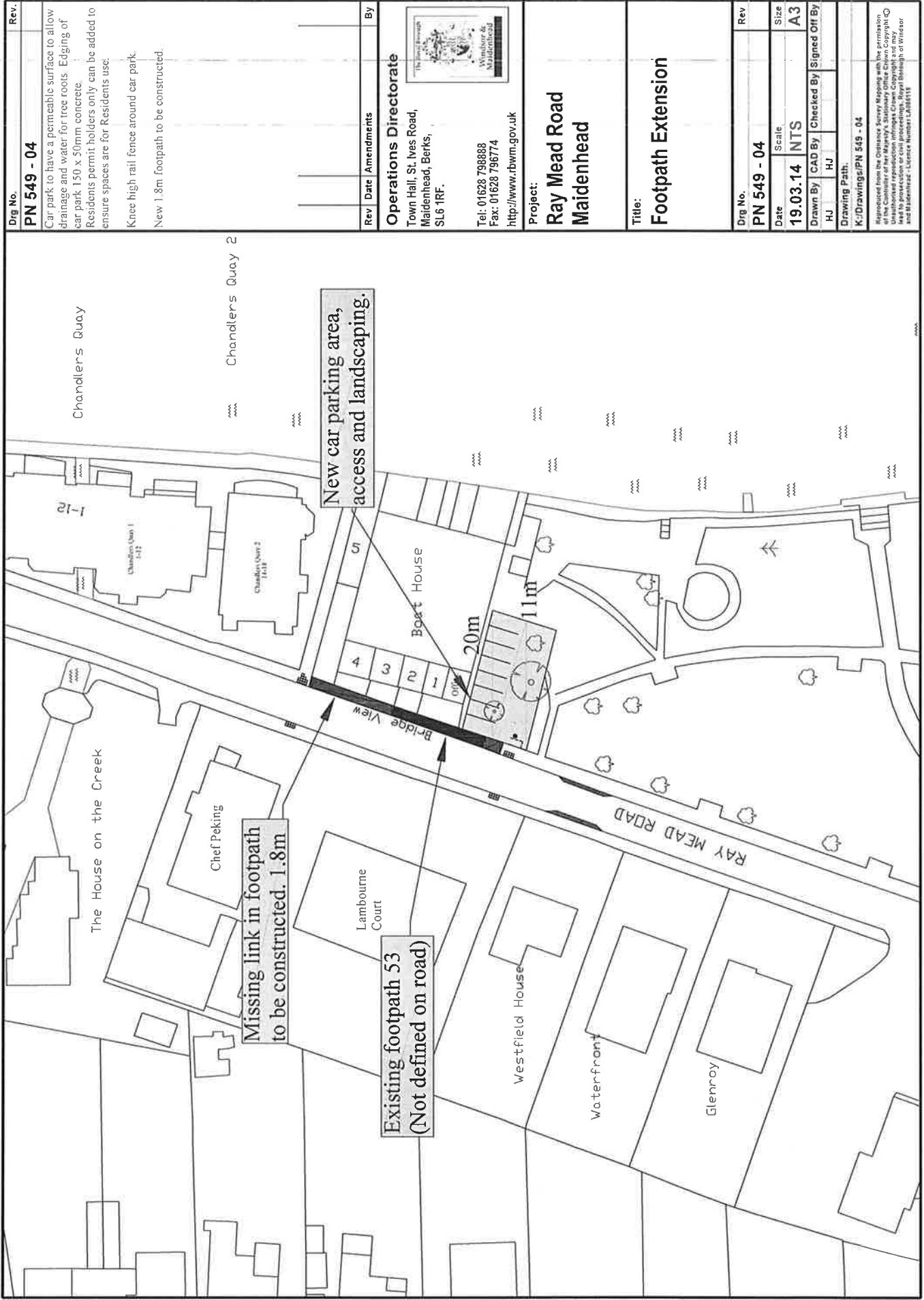


Sketch view of boardwalk and entrance from Bridge Gardens

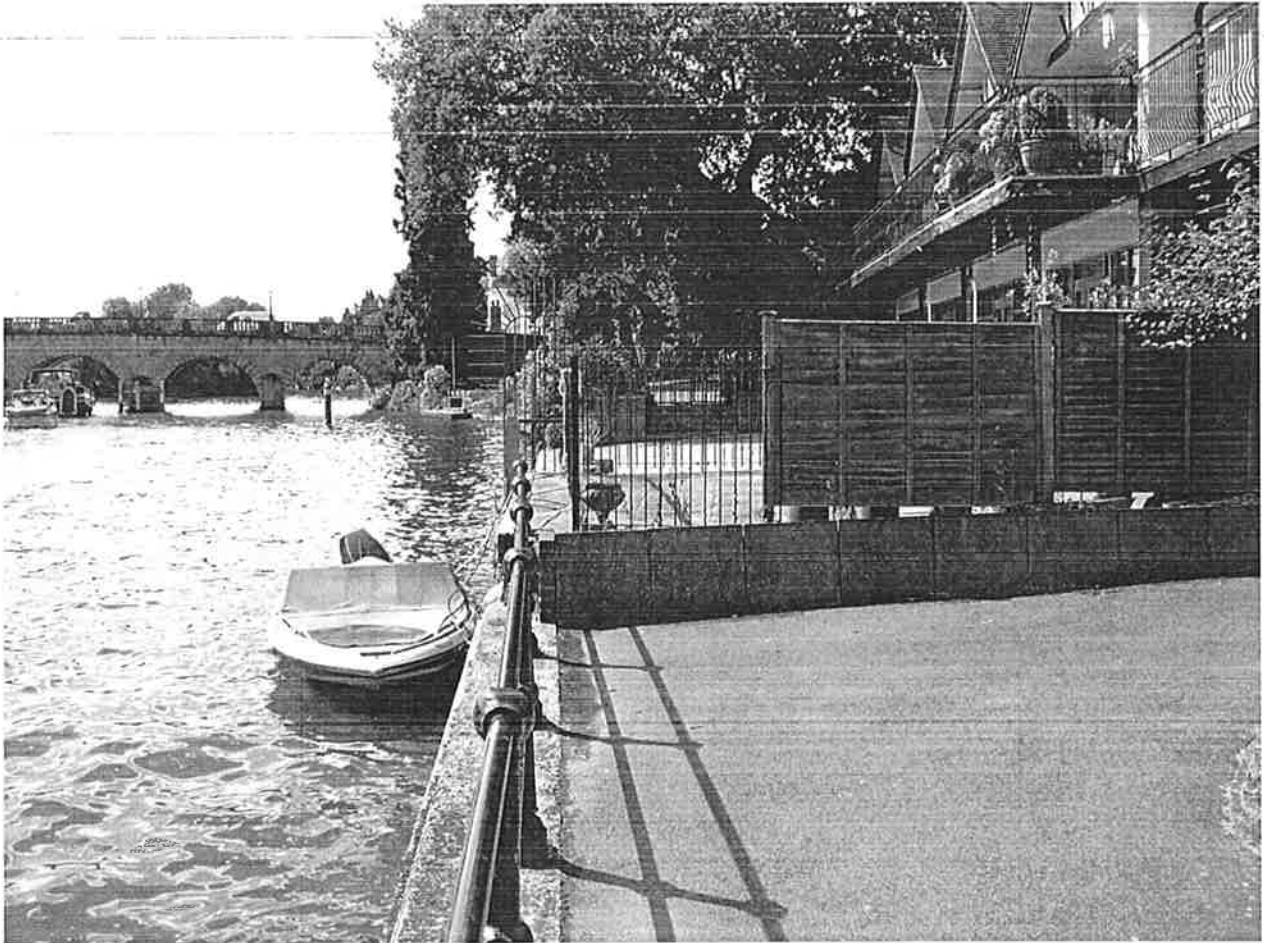
THAMES PATH
Footpath extension proposals
January 2014

RBWM LANDSCAPE

APPENDIX B



<p>Drwg No. PN 549 - 04</p> <p>Car park to have a permeable surface to allow drainage and water for tree roots. Edging of car park 150 x 50mm concrete. Residents permit holders only can be added to ensure spaces are for Residents use. Knee high rail fence around car park. New 1.8m footpath to be constructed.</p>	<p>Rev.</p>
<p>Rev Date Amendments By</p>	<p>Operations Directorate Town Hall, St. Ives Road, Maidenhead, Berks, SL6 1RF.</p> <p>Tel: 01628 798888 Fax: 01628 796774 http://www.rbwm.gov.uk</p> <p>Project: Ray Mead Road Maidenhead</p>
<p>Title: Footpath Extension</p>	
<p>Drwg No. PN 549 - 04</p>	<p>Rev</p>
<p>Date 19.03.14</p>	<p>Scale NTS</p>
<p>Drawn By HJ</p>	<p>Checked By HJ</p>
<p>Signed Off By</p>	<p>Size A3</p>
<p>Drawing Path. K:\Drawings\PN 549 - 04</p>	
<p><small>Reproduced from the Ordnance Survey Mapping with the permission of Ordnance Survey. All rights reserved. Ordnance Survey Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Royal Borough of Windsor and Maidenhead - Licence Number: 10001111</small></p>	







Chairman, Middle Thames, John Skuse, "Moorlands", Pinkneys Green, Berks, SL66QG 01628 624025

Mr Anthony Hurst,
Principal Public Rights of Way Officer,
RBWM,
Town Hall,
St. Ives Road,
Maidenhead
SL61RF

11th March 2014

Dear Mr Hurst,

Thames Path National Trail

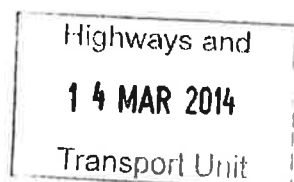
I regret previous correspondence has strayed but I would like to take the opportunity to express the wholehearted support of the River Thames Society for the completion of the "missing link" at Maidenhead.

The RTS has brought up this subject in the past; indeed we have had substantial correspondence with Theresa May and the Council and thus we are very pleased that the completion of this part of the Thames Path has become a possibility.

Yours sincerely

John Skuse, Middle Thames Chairman, RTS

Cc Margaret Bowdery M.B.E. East Berks Ramblers



President: Sir Anthony Durant

Charity No. 288380
Company Limited by Guarantee No. 1747301
Registered Office: 28 Beaumont Road, Windsor, Berks. SL4 1JP

a member of the



Mr A Hurst
Principal Rights of Way Officer
Royal Borough of Windsor & Maidenhead
Town Hall
St. Ives Road
Maidenhead SL6 1RF

17 February 2014

Dear Mr Hurst

Thames Path National Trail – Missing Link

Thank you for your consultation letter of 5 February and we welcome this fresh initiative to complete the important riverside link in the Thames Path National Trail and our historic Maidenhead Boundary Walk.

It was in 1950 that the Council proposed infilling the landing steps beside the Thames Hotel to improve the existing riverside path to Bridge Gardens. Since then, the Thames Path has been created as well as The Maidenhead Boundary Walk. Both these routes deserve the highest possible standard of amenity and safety.

To achieve the recommended quality standards for the Thames Path National Trail, we recommend that Maidenhead FP.53, (obstructed by parked cars since 1991) should be relocated to the riverside. If this is agreed, we have no objection to the occupants of Bridge View being allowed the continued use of the paved frontage for parking. This will leave approximately 17m of additional new footpath to be provided along the riverside.

If the riverside route is agreed, our Group is willing to contribute £14,000 towards path construction costs. Furthermore, we are willing to review this donation once the final costs of the riverside footpath are known.

Since 1989 occupants and new tenants of Bridge View have been aware that the Council planned to route the Thames Path along the former boatyard slipway. We therefore hope that the Path Agreement negotiations of 2007 will now be progressed to a satisfactory conclusion for all parties. If a Path Agreement is not possible within a reasonable timescale, a Creation Order should be made as recommended by the Local Access Forum.

Yours sincerely

Margaret Bowdery
Life President



Maidenhead Civic Society

Bryher
Islet Road
Maidenhead
SL6 8HT

Anthony Hurst
Principal Rights of Way Officer
Royal Borough of Windsor and Maidenhead
Town Hall
St Ives Road
Maidenhead SL6 1RF

8 February 2014

Re: Thames Path “missing link”

Dear Anthony,

I was encouraged by the news that there is to be a community engagement about the practicalities of creating a riverside route between Chandlers Quay and Bridge Gardens.

The Civic Society has long been a supporter of the Ramblers' quest for the completion of this “missing link” in the Thames Path.

It's astonishing to us that the route was ever lost in the first place and the alternative is unattractive, inadequate and dangerous.

It's a known fact that 59% of visitors to Maidenhead come because of the Thames. We have a civic duty to make those visitors feel welcome. What better way than by restoring a key segment of a national trail within sight of the town's most historic gateway, Maidenhead Bridge?

Restoring the riverside route is the preferred solution, historically, aesthetically and practically. Moreover, with plans being laid for the redevelopment of the former mill site on the Bucks bank and the installation of a footbridge at Boulters, it sends a timely message that the Borough recognises the importance of this stretch of the Thames as a valuable asset.

Yours sincerely

Bob Dulson, Chairman

*Maidenhead Civic Society is registered with the Civic Trust
Registered Charity No. 272102*

TO

Anthony Hurst, Rights of Way Officer RBWM

17th Feb 2014

FROM

Graham Brunsten, Chairman Maidenhead Boundary Walk Committee.

THAMES PATH 'MISSING LINK'

Dear Anthony

On behalf of **The Rotary Club of Maidenhead** I would like you to convey the following submission, to the meeting of The Rights of Way panel on March 4th, in support of The Council completing this path.

During our annual event 'The Maidenhead Boundary Walk' approximately 500 people use this path and have to cross the main road twice because of the missing link. Despite the assistance of marshals we consider this to be one of the most dangerous parts of the whole 13 mile route for pedestrians.

Also as a Riverside resident I think that if the Thames Path National Trail was complete in this section it would be a worthwhile improvement to local amenities.

Unfortunately I am unable to attend the meeting on March 4th, but I hope a representative of Rotary will be there.

Yours sincerely

Graham Brunsten

Rotary Club of Maidenhead

73, Ray Park Avenue MAIDENHEAD SL68EG

Anthony Hurst

From: Kate Ashbrook >
Sent: 25 February 2014 11:47
To: Anthony Hurst
Subject: Thames Path National Trail

Dear Mr Hurst

Margaret Bowdery has passed to me a copy of your letter of 5 February. You may have sent one to OSS and it has been mislaid; I apologise for responding late.

We are delighted to hear that a report is to be submitted to the council's Rights of Way and Highway Licensing Panel on 4 March to consider the Thames path 'missing link' to the north of Bridge Gardens.

The Open Spaces Society strongly supports the creation of a public path here as part of the Thames Path National Trail, to avoid the dangerous road which puts walkers at considerable risk. This path is of international and national as well as local significance and it would make a massive difference to people's enjoyment and safety to be able to walk by the river rather than on the narrow road.

We urge councillors to resolve to make a public path creation agreement or creation order for this stretch of path.

Yours sincerely

*Kate Ashbrook
General Secretary
The Open Spaces Society
25a Bell Street
Henley-on-Thames RG9 2BA*

email

website www.oss.org.uk

The Open Spaces Society is a registered charity (no 1144840) and a company limited by guarantee, registered in England & Wales (no 7846516).

Robert Hunter Centenary

Support our appeal and make his legacy live



Read my blog at <http://campaignerkate.wordpress.com/>

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This message has been scanned for viruses and dangerous content by Lushsoft Email Security Scanner, and is believed to be clean.

17th March 2014

Dear Cllr Burbage,

on behalf of the residents of Bridge View, I would like to propose an alternative scheme to your proposal of the Thames "Missing Link" footpath.

Your current proposal extends the path along the river side of these properties for approximately 30 metres, of which you have allocated a budget of £350K.

This is in response to a campaign by Rambler's, with a petition of a thousand names, and local people who responded to a council scheme to make known what improvements the Council could make. Although, the response is clearly driven by the rambles due to the disproportionate amount of votes received for this particular scheme, and their willingness to put £14,000 into the kitty. I also understand a misleading letter, stating, the owners knew of this plan was sent by a campaigner, yet four individual solicitors turned up nothing, in their searches.

The main reason given for this course of action is there is no pavement and that people would have to cross the road twice, stating it was dangerous, although not one accident has taken place.

The other point that everyone seems to be missing, is that if the council is going to go ahead with this project on the basis of road safety, almost everyone that uses the Thames path has to cross the road twice, either Ray Mead Road or the A4, (A) to get onto the path and (B) to leave it.

Even if you build the 'missing link footpath' the majority of people still have to cross the road twice.

If the council thinks that it is dangerous for ramblers to cross the road twice, at this section, then it is dangerous for everyone, and you should immediately increase your total budget to include pedestrian crossings here. To date there has never been an accident on this section of road. However, if there ever was one, with the concerns the council is voicing, and some of the council documents stating this, you are opening yourselves up for a massive law suit.

In addition, it was also marketed as the Thames footpath "Missing Link" almost suggesting it was the only one, where there are in fact hundreds if not thousands along the river. So in reality it is 30 metres of Thames path. . In fact just after Boulter's Lock you cannot walk along the river or after Maidenhead Bridge.

So rather than the somewhat dramatic " Missing Link" we just mean 30 metres of riverside path.

Current Council Proposal

Advantages of this proposal are:-

1. The road safety issue is covered as there are no roads to cross, except getting to, and leaving the path, two in total

Disadvantages of this proposal are :-

1. A totally unrealistic budget.
2. Higher build costs
3. Higher maintenance costs due to railings , safety, etc
4. Massive compensation payments
5. A reduction in council tax payments
6. Loss of moorings
7. Compensation for moorings
8. Compromising the security of Bridge View properties
9. Compensation for compromising the security of bridge view properties
10. Altering part of Maidenheads heritage by changing the only example of a boathouse on this stretch of the river.
11. Distress caused to Bridge View residents
12. Unable to use path 365 days a year due to flooding
13. Unsympathetic time for such a riverside project due to the recent flooding

Our Suggestion is as follows, negotiate with the Bridge View homeowners, that means talking to us, to take the path in front of our buildings in return for a small piece of the park where cars can be parked.

We believe that this will satisfy the ramblers and increase their walk by some 60 paces. There is NO point of the Thames that cannot be seen by taking this route as everything is visible from both side points.

Bridge View Owners Proposal

Advantages of our Proposal are :-

1. The road safety issue is covered as there are no roads to cross, except getting to, and leaving the path, two in total
2. A solution that could suit everybody.
3. A defined much cheaper budget
3. Less distress to existing homeowner.
4. Much lower compensation payments.
5. Lower build costs
6. Lower maintenance costs
7. No reduction in council tax payments
8. No loss of moorings
9. No mooring compensation
10. No compromise to existing security
11. No compensation budget for compromising the security of Bridge View residents.
12. No change to Maidenheads heritage
13. A path that can be used 365 days of the year.

Disadvantages of our proposal are :-

1. Unsympathetic time for such a riverside project due to the recent flooding.

I hope this demonstrates a willingness to talk and negotiate by the Homeowners, which if you are honest is more than the council has done.

We request that this information be included in your Cabinet Report

Yours sincerely

Mike Cahill

Owner of 5 Bridge View

1

Anthony Hurst

Subject: FW: Path Creation Issues

From: Michael Landers [
Sent: 26 February 2014 09:34
To: Anthony Hurst
Subject: Path Creation Issues

Dear Councillor Hurst,

Like Philippa I am a resident at Bridge View and I share her concerns about the proposed possible creation of a path.

I'd like to share my situation with you and get your views.

I have lived in Maidenhead since 1997 originally in Boyn Hill Close and then between 1999 and 2007 in Cannon Lane. Whilst living in Maidenhead I was employed in the Video and Audio Conferencing Industry and was obliged to visit Bridge View House several times during 1998/9 to conduct business with a Company called First Virtual. Frankly I was blown away by the uninterrupted riverside views that Bridge View offered and asked the business owner Bruce Withington to let me know if any of the flats above First Virtual came up for sale.

A number of other properties in the same area came up for sale during the decade between 1998 and 2007 and I viewed many of them. Chandlers Quay opened during that period and I viewed all the flats available there before deciding against buying any of them despite their riverside views, secure parking and luxurious fittings. The reason was very simple, Chandlers Quay did not enjoy the additional security and privacy that Bridge View enjoyed because Chandlers Quay had open access to the front, a public pathway. I waited another 5 years until a property at Bridge View became available and bought it in 2007 specifically because it didn't have public access between the property and the river.

I wouldn't want to create an impression that I'm 'anti rambler', I'm not. I'm a rambler too. I spend a week or two each summer walking in the Lake District, enjoy the breathtaking scenery and the challenge of Catbells and Sharp Edge. However having been burgled years ago it's an experience I'm not keen to repeat. My view is very clear, I wouldn't have purchased this property had there been the possibility of public access being granted between the property and the river. Can you offer me your thoughts on the following please:

How would you feel if the Council elected to represent you decided to effectively place you in a property that you had deliberately avoided purchasing?

How much monetary compensation would you seek if you found yourself living in a property that you would not chosen to purchase?

I look forward to hearing from you.

Kind Regards

Mike Landers
2 Bridge View

Anthony Hurst

From: Carol Farmiloe <c
Sent: 26 February 2014 13:20
To: Anthony Hurst
Subject: Riverside path creation issues

Dear Mr. Hurst,

Further to our meeting on 25 February I felt that I should write to let you know my thoughts regarding the Council's proposal to extend the riverside path across my river frontage and the adjoining frontage at Bridgeview.

Firstly, I would say that there has never been public access to the river across my river frontage or that of Bridgeview at any time. I have lived in Maidenhead for more than 40 years, most of that time in Ray Mead Road, and my late husband was member of the Andrews family who operated their boatyard in Ray Mead Road since the mid 1800s, so I have extensive knowledge of the history of the area. I have lived at 4 Bridgeview since 1991 and own the adjacent strip of land where 5 Bridgeview is situated. I have direct access to the river, where I moor my small boat in the summer. One pays a premium to own property with direct access to the river and this proposal seeks to devalue my property considerably. I am also particularly concerned with the loss of security and privacy that the construction of a riverside path would bring.

I understand that the Council is keen to provide a riverside path for ramblers and walkers and to this end they have already provided dropped kerbs and signs to help walkers cross Ray Mead Road safely at this point. However, I feel that the expense of creating a path to join the path in front of Chandler's Quay with Bridge Gardens would be extremely costly in view of construction costs and compensation to landowners. It seems to me that the money would be better spent by the Council in continuing to improve flood relief schemes in the borough, which are obviously needed in view of the recent disastrous floods in the Datchet and Wraysbury areas. Furthermore, there are a lot of potholes in the roads from damage over the last few harsh winters which have never been repaired.

One further point that I would like to add. There are other areas along the Thames Path where it does not follow the riverbank, but is directed away from the river and around riverside properties without any problem, so I cannot understand why it is considered necessary for the path to follow the riverbank at this location, when provisions are already in place to bypass these properties. I would, therefore, ask the Council to consider seriously whether the creation of this path is the best way to spend the borough's money.

Best regards,

Carol Farmiloe

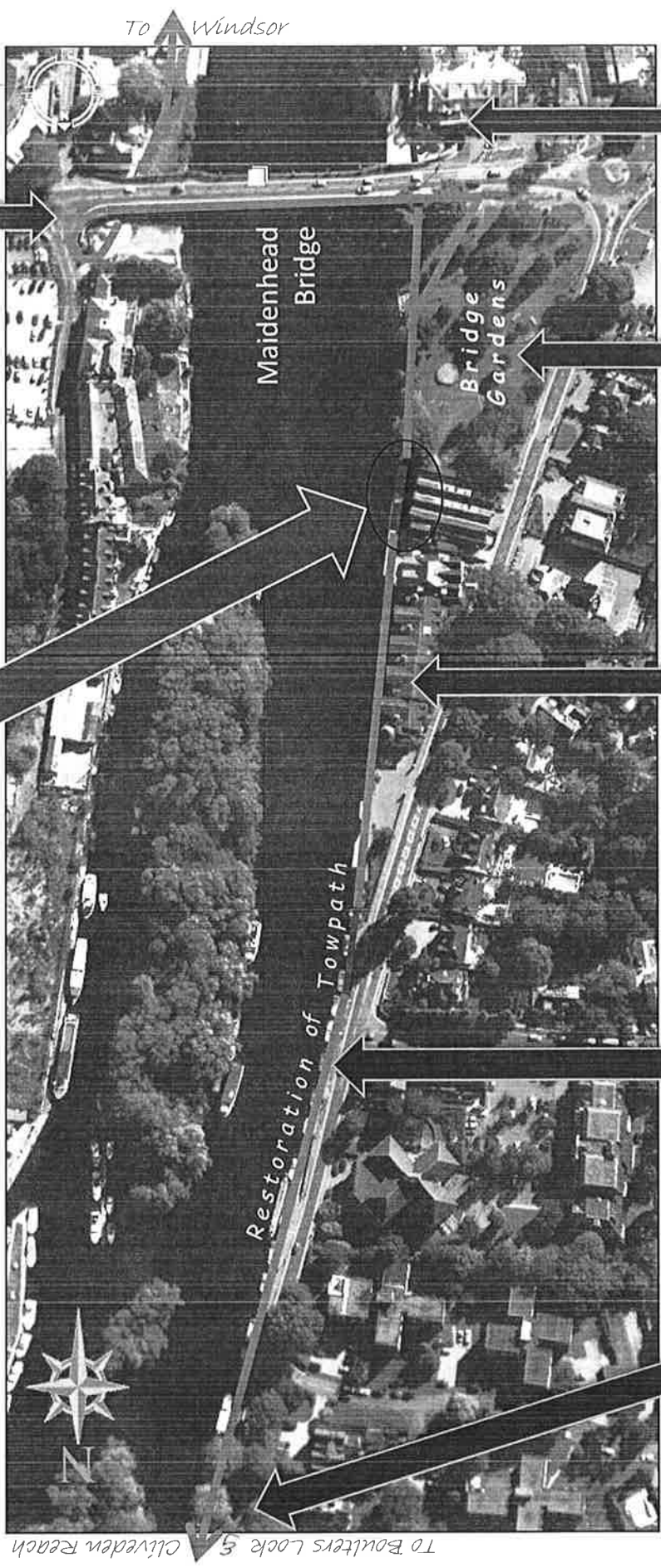
The Thames Path Missing-Link

A continuous Riverside Promenade from Thames Hotel to Bridge Gardens
Agreed by the Maidenhead Borough in 1950

Prepared by the Ramblers with support from -
The Maidenhead Civic Society,
River Thames Society,
Maidenhead Rotary Club,
Open Spaces Society, and others
Incl. The Right Honourable Theresa May MP

- ✓ Supported by the Countryside Commission 1990
 - ✓ Supported by Berkshire County Council 1990
 - ✓ Adopted as Corporate Policy of Council 1995
 - ✓ Supported by Local Plan Policy 1999
 - ✓ Included in the Rights of Way Improvement Plan 2005
- May 2014

THE THAMES PATH ACHIEVEMENTS TO DATE
 &
Location of the outstanding issue



RA/RBWM
 1991
 Avoids road crossing

RBWM
 Avoids road crossing
 2006

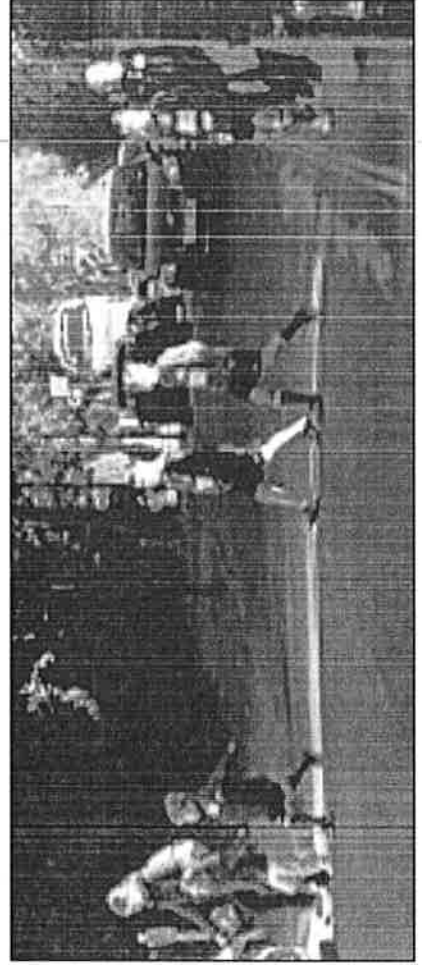
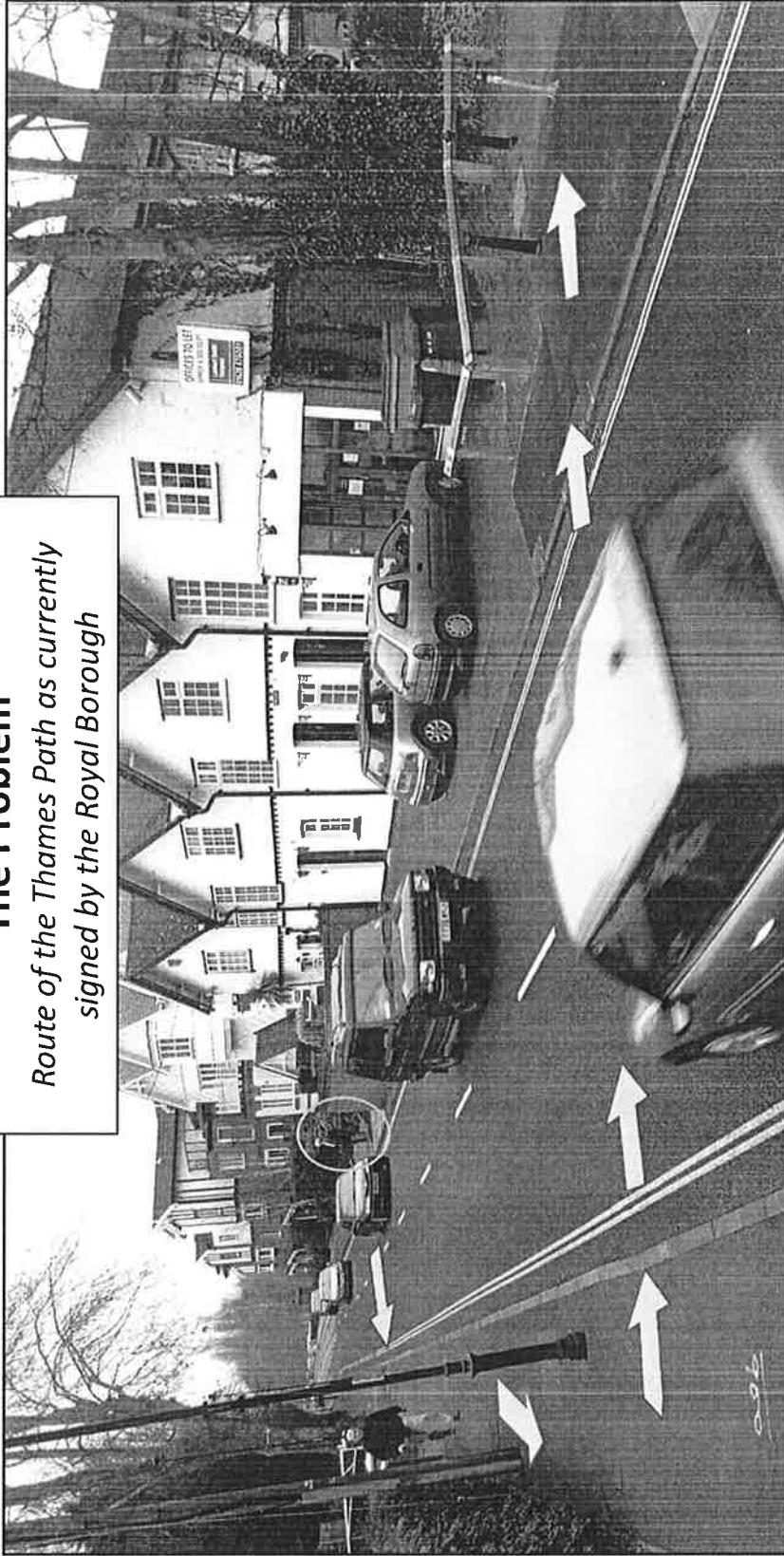
RBWM
 Compulsory Purchase Order
 1946

SHANLY DEVELOPMENT
 Avoids roadside walking
 1998

RA/RBWM
 Avoids 3 road crossings
 2007

RBWM
 Zebra crossing opposite Jenner's Cafe
 2011

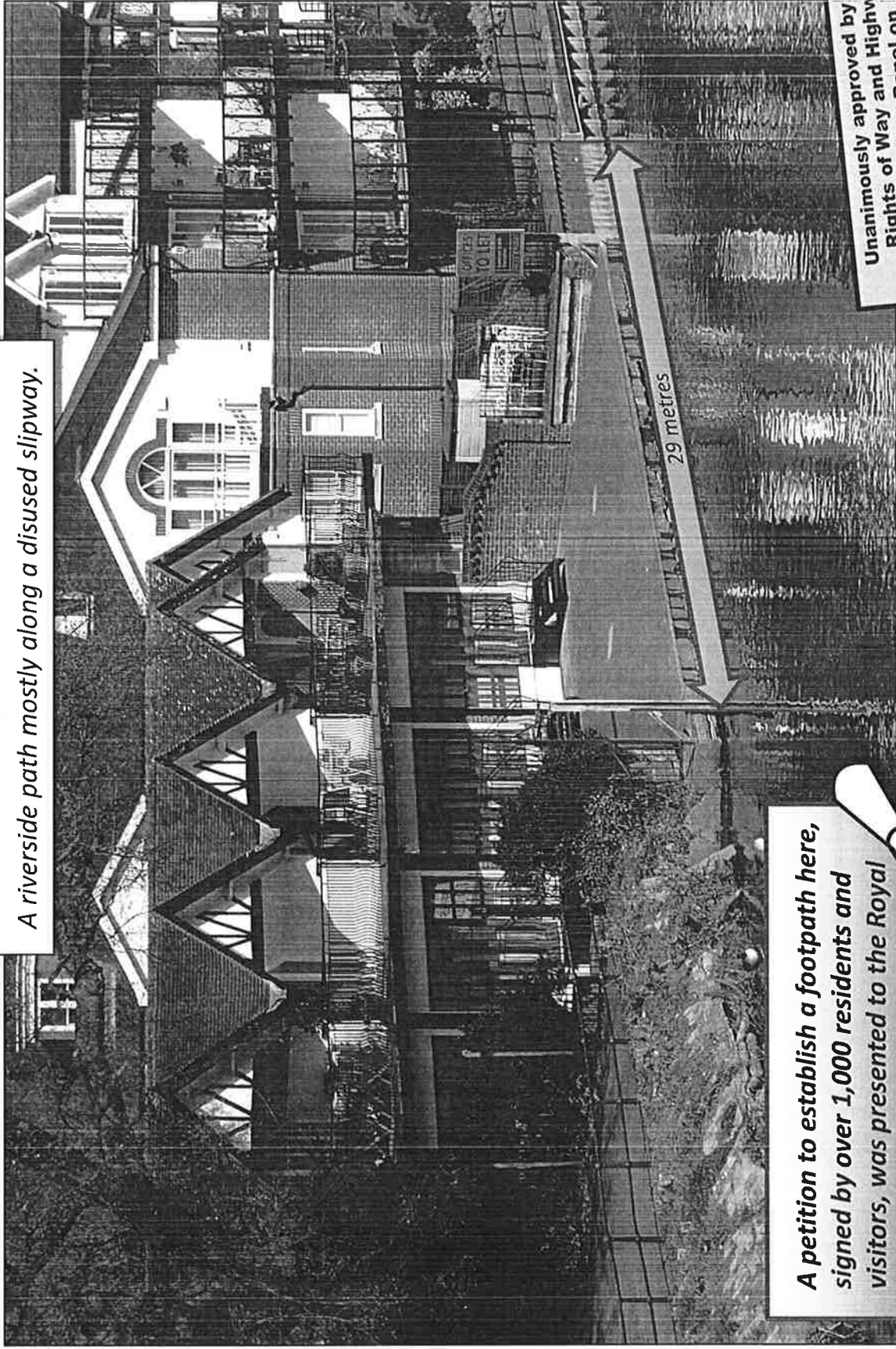
THE THAMES PATH MISSING LINK
The Problem
Route of the Thames Path as currently signed by the Royal Borough



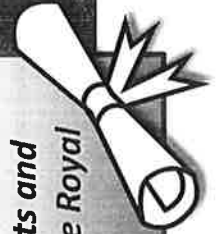
THE THAMES PATH MISSING LINK

The Solution

A riverside path mostly along a disused slipway.

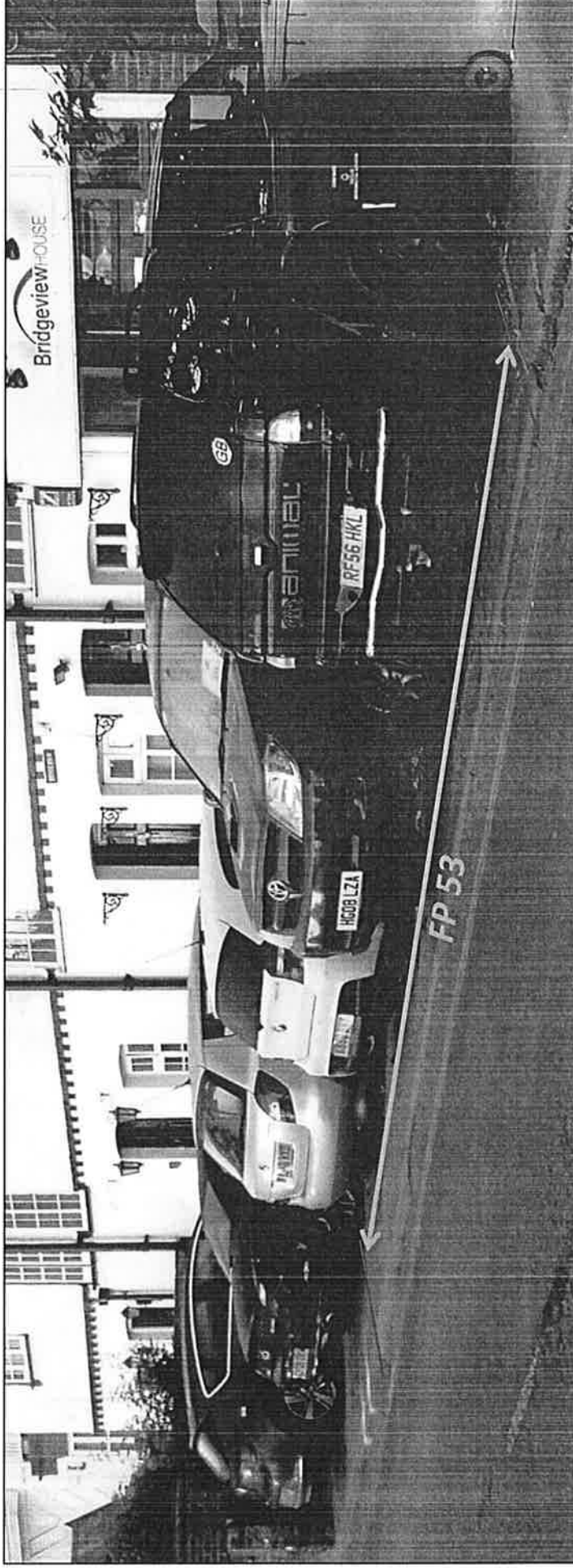


A petition to establish a footpath here, signed by over 1,000 residents and visitors, was presented to the Royal Borough in February 2009



Unanimously approved by the Rights of Way and Highway Licensing Panel on 4th March 2014

THE THAMES PATH MISSING LINK
Safeguards residents' car-parking
Maintained & legitimised



Relocation of FP 53 to the riverside will enable occupants to have continued use of the frontage for parking

THE THAMES PATH MISSING LINK
Safeguarding residents' privacy
Lowering the path-level past the patio

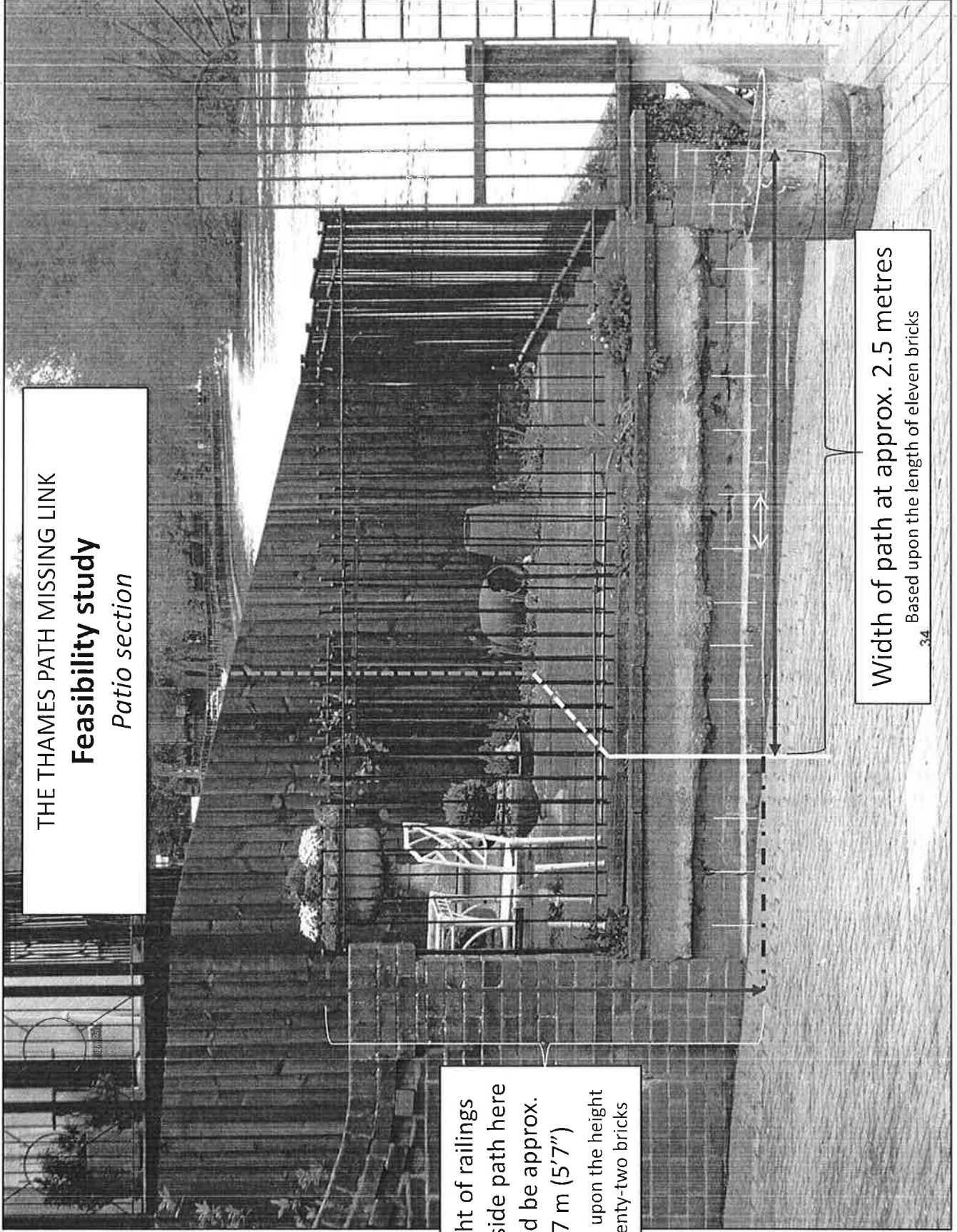


*Screen planting added to railings
around the raised patio*

THE THAMES PATH MISSING LINK

Feasibility study

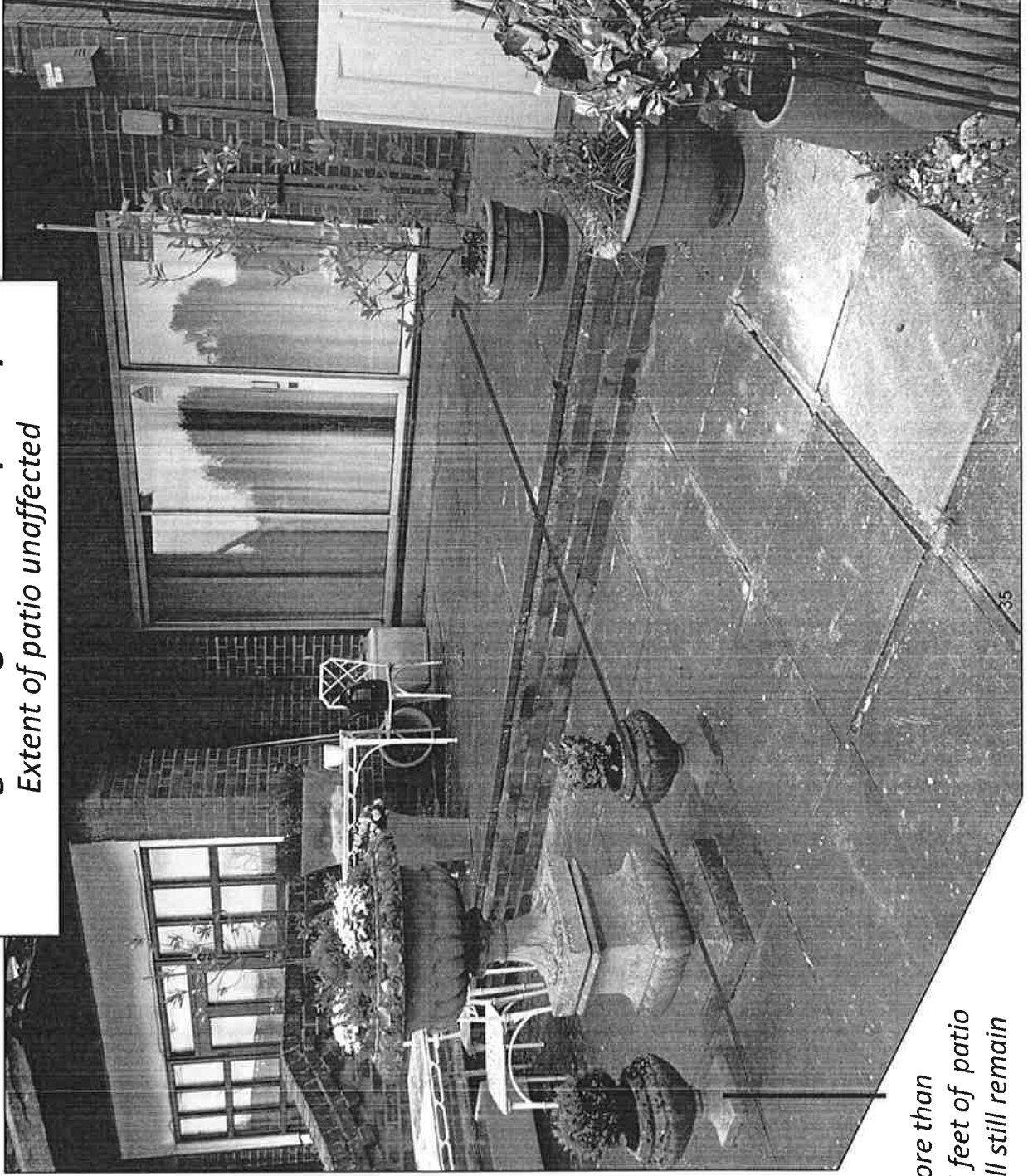
Patio section



Height of railings
alongside path here
would be approx.
1.7 m (5'7")
Based upon the height
of twenty-two bricks

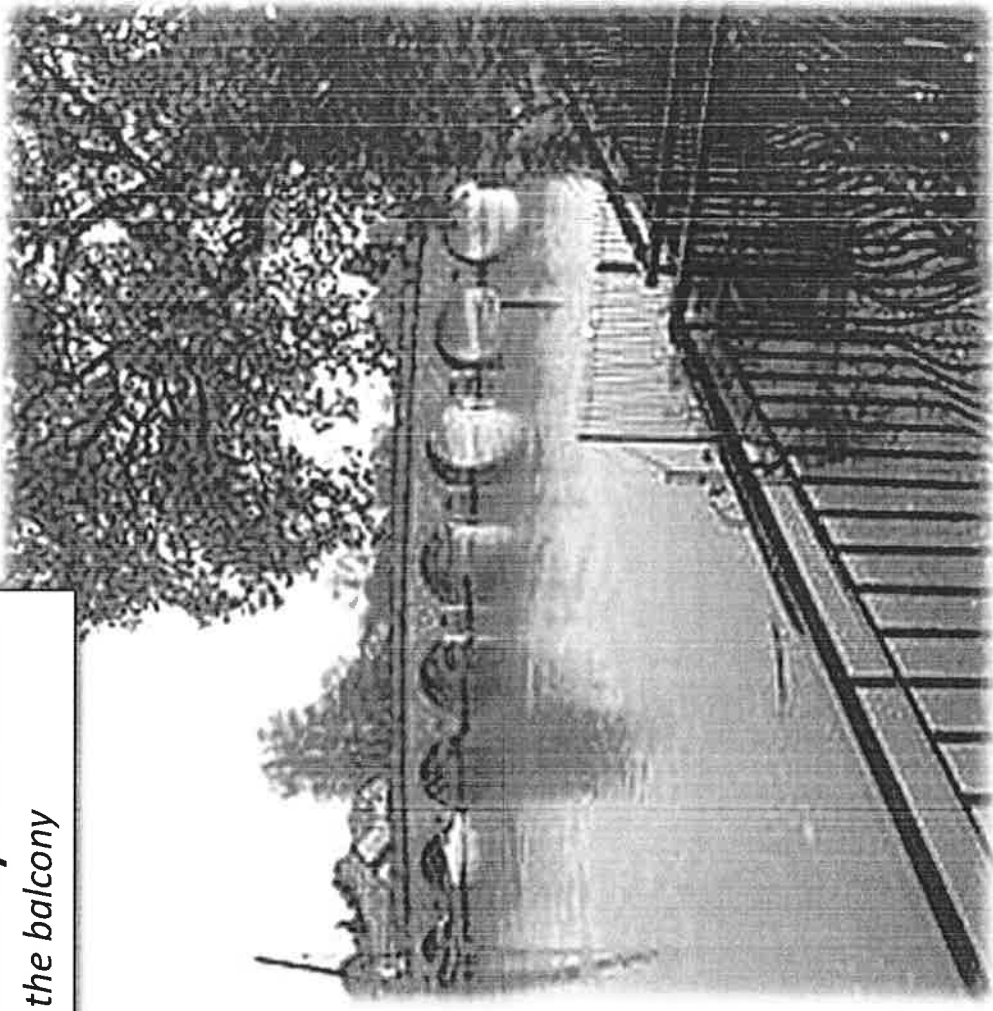
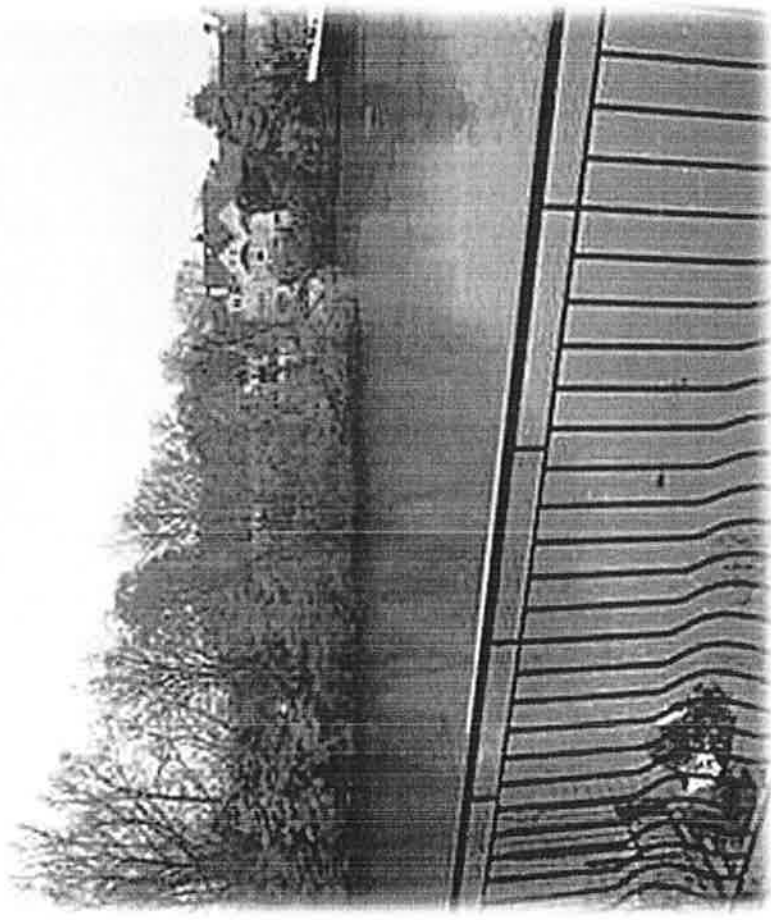
Width of path at approx. 2.5 metres
Based upon the length of eleven bricks

THE THAMES PATH MISSING LINK
Safeguarding residents' privacy
Extent of patio unaffected



*More than
15 feet of patio
will still remain*

THE THAMES PATH MISSING LINK
Residents' privacy & security maintained
A view from the balcony



Residents' riverside views would be uninterrupted by establishment of the new path below.

THE THAMES PATH MISSING LINK

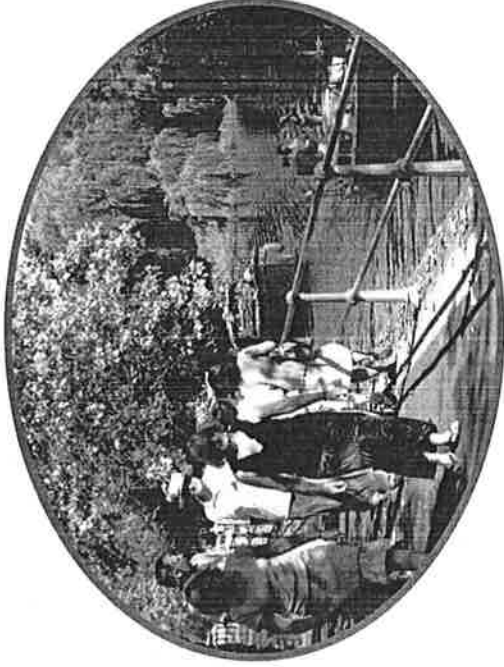
Maidenhead needs a riverside to be proud of!

The Council only has to show that the Creation Order is made in the Public Interest and provisions made for compensation *

10

ARTIST'S IMPRESSION

* See overleaf for more detail



Making a public path creation order.

The main issues are whether or not, on the balance of probabilities, there is a need for the proposed path and that it is expedient to make the Order, having regard to

- (a) the extent to which it would add to the convenience or enjoyment of a substantial section of the public or to the convenience of local residents and
- (b) the effect which creation of the footpath would have on the rights of persons interested in the land affected, account being taken of the provisions for compensation.