Cabinet
Tuesday 28 November 2023
Item No 5.7

Rosewell to Auchendinny NCN 196 Pathway Upgrade

Report by Derek Oliver, Chief Officer, Place

1 Recommendations

a) Cabinet notes and welcomes the significant numbers of responses to the public consultation;

b) Approves that the Rosewell to Auchendinny NCN 196 Pathway be upgraded using “Flexipave” materials at an approximate grant funded expenditure cost of up to £590,000 to provide a safer and more user accessible path at no additional cost to the Council.

2 Purpose of Report/Executive Summary

The purpose of this report is to identify options to deliver an upgrade to the Rosewell to Auchendinny NCN 196 Pathway, one of the key active travel and leisure routes in Midlothian. This report also describes the significant and welcome public feedback response to an online public consultation exercise. There were 752 responses.

The report recommends that Option 2 described at paragraph 4.16 b) be taken forward to install a “Flexipave” surface which would be markedly softer than asphalt/tarmac providing a surface suitable for the majority of users including cyclists, horses, joggers, wheelers and walkers.

Date: 8 November 2023
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3 Background

3.1 In recent years, the council has received numerous queries about the surface of NCN 196 between Rosewell and Auchendinny. Forming part of a route between Musselburgh (where it links with NCN 1, the primary North-South active travel corridor in the UK) and Penicuik. The section in question is currently the only portion that does not have a sealed surface, with the remainder of the route consisting of bituminous tarmac.

3.2 The unpaved section had been known for its muddy conditions and poor drainage, although there have been surface and drainage improvements in recent times. Nevertheless, there have still been many comments from path users that state the pathway surface is unsuitable for certain users – particularly road bikes, and for those with mobility issues. These issues are exacerbated in periods of poor weather.

3.3 A fully surfaced route will provide an accessible, quiet, off-road option for those travelling from Penicuik and Auchendinny to Rosewell, Bonnyrigg, Dalkeith, and beyond, avoiding the busy A701, steep gradients crossing the river North Esk through Roslin Glen, and busy/exposed roads around Auchendinny, Roslin and Howgate- particular concerns that have been raised in previous consultation feedback.

3.4 The Council has aspirations to connect this long-distance popular off-road path with the Shawfair to Roslin off-road path, as well as extending the route to Leadburn. Surfacing of this section of path will allow these options to be pursued to provide an extensive long-distance and well-connected option for off-road active travel throughout Midlothian and into neighbouring local authority areas."

3.5 In national transport policy, active travel has formed a key part of the Scottish Government's transport priorities. The Scottish Government Strategic Transport Projects Review 2 (STPR 2) identified the National Cycle Network to be key transportation infrastructure, with the proliferation of 'active freeways' being one of the major strategic aims.

3.6 The National Transport Strategy, STPR2, and the new National Planning Framework also place a spotlight on equalities issues, and the need to consider the needs of protected groups in design decisions. Access difficulties for certain user groups was a consideration in pursuing this project to provide a sealed surface for the path, as was ensuring consistency for users across the entire length of the path.

3.7 In summer 2022, initial discussions were held by officers on potential surface upgrades to NCN 196 between Rosewell and Auchendinny. Following an initial expression of interest to Sustrans, the Cycling, Walking, and Safer Routes programme (CWSR) fund was identified as a potential funding mechanism. CWSR is distributed to Councils from Transport Scotland to improve walking, cycling, and wheeling infrastructure for everyday journeys.

4 Main Report

4.1 Path Upgrade Options

Initial officer proposals (Option 1) suggested that the remaining section of path NCN 196 be asphalt in a similar fashion to the adjoining sections. The proposal would make use of a coarser aggregate to improve grip in wet or icy conditions. The total anticipated cost was £370,000, of which £50,000 would be made up of design costs.

4.2 The proposed works were to be funded through the Transport Scotland (TS) Cycling, Walking, and Safer Routes Fund (CWSR). The CWSR fund exists to enable Local Authorities to fulfil the desired Outcomes for Active Travel in their locality. These Outcomes are published in the Scottish Governments Active Travel Framework.
The Outcomes are:

a) Walking, cycling and wheeling is available to all.
b) Walking, cycling and wheeling is safer for all.
c) High quality walking, cycling and wheeling infrastructure is available for all.
d) Increase the number of people choosing walking, cycling and wheeling in Scotland

4.3 There was some opposition to these initial proposals, particularly from local equestrian users. In feedback equestrian users noted the NCN196 path is part of the Tyne Esk trails network, and horses prefer softer surfaces under hoof. Therefore, further options were explored by officers to help find a solution acceptable to all path users.

4.4 Option 2. Use a resin-bound surface such as Flexipave. This surface would be markedly softer than asphalt and would interfere less with root growth of neighbouring trees. As Flexipave is a porous surface, this would likely assist with drainage, and could potentially reduce the iciness of the pathway in winter.

However, Flexipave cannot be machine-laid, and will require a longer construction period of approximately 3 to 4 months instead of 6 weeks, and significantly higher costs due to the labour required. The cost for the flexible option would be approximate £505,000 plus an additional £50,000 in design costs and £35,000 as a contingency. At a cost of £590,000 this option would be £221,000 costlier than the originally proposed asphalt solution. The additional funding will be found by reprioritising other projects in the CWSR workstream.

4.5 Option 3. Install a 2-metre tarmac strip, with a 1-metre wide Flexipave surface. This would allow for a more cost-effective upgrade of the surface, while implementing a strip of resin-bound surface that would accommodate equestrian users and those with mobility difficulties. However, this option is not considered optimal by Transport Scotland (providers of the CWSR fund), or by Sustrans (custodians of the National Cycle Network and potential additional funder) due to potential territorialism from users, and differing installation and maintenance requirements.

4.6 Public Consultation

An online public consultation was launched on 8 August 2023 and closed on 5 September 2023. This was hosted on the council consultation portal.

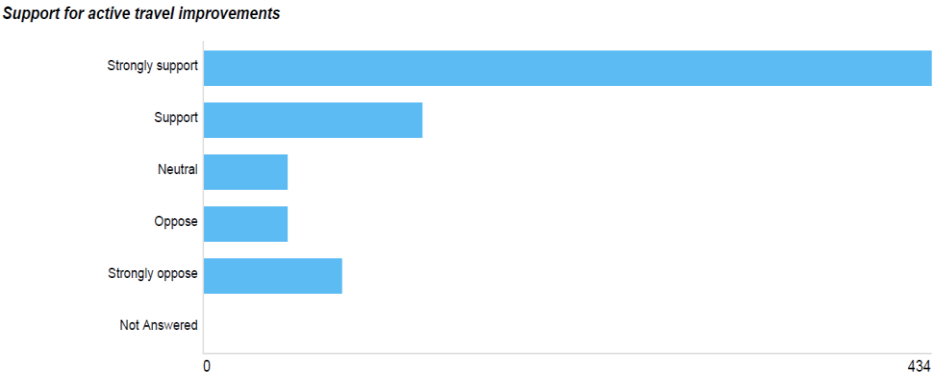
https://www.midlothian.gov.uk/directory_record/78600658/resurfacing_ncr196_between_rosewell_and_auchendinny/category/721/closed_consultations_2023

https://midlothiancouncil.citizenspace.com/communications/ncn196/

4.7 The consultation sought views on the three options outlined above at 4.1, 4.4 and 4.5 and alternative solution put forward by respondents which could include do nothing.

4.8 Survey Consultation Feedback

Survey results showed a strong level of support for active travel improvements generally. Those opposed to active travel improvements often listed the cost of active travel infrastructure, and the desire to prioritise road improvements and maintenance over active travel. Similarly, some who were supportive of active travel voiced opposition to this particular project.



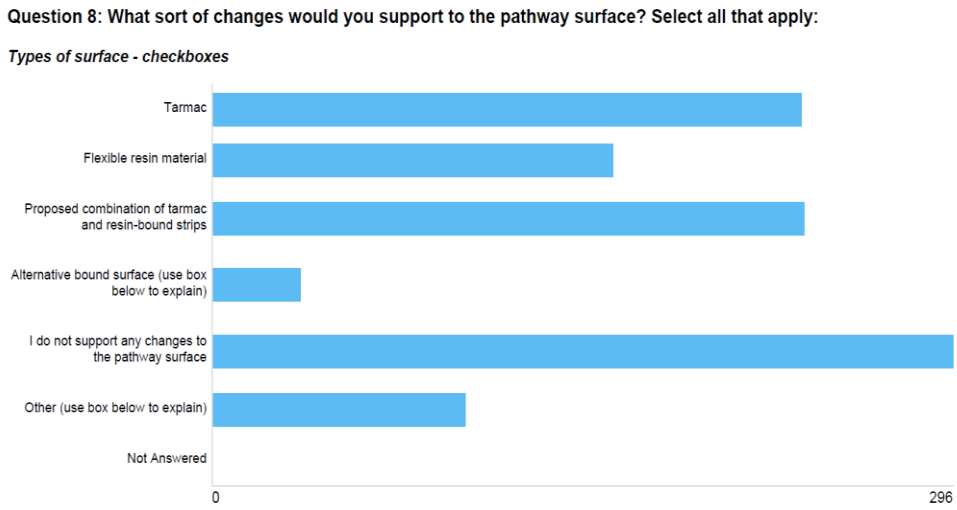
Respondents to the survey described themselves mostly as pedestrians/runners or cyclists, with a sizeable group of respondents being equestrian users.

Option	Total	Percent
Walk/Run	583	78.15%
Cycle	494	66.22%
Wheelchair/Powerchair	11	1.47%
Alternative Cycle (recumbent bike, tricycle, etc)	8	1.07%
On horseback	101	13.54%
Skateboard	2	0.27%
Scooter	16	2.14%
Pram	76	10.19%
Other (use box below to explain)	58	7.77%
Not Answered	0	0.00%

4.9 Many of those in support commented on the pathway's important role for recreation and countryside access, as well as its key role in connecting communities. It was held up as one of the few examples in Midlothian of pathways separate from vehicular traffic. High levels of traffic, and dangerous conditions for pedestrians, cyclists, and horse riders on roadways were listed as key concerns for many respondents.

4.10 Responses were much more split when determining a course of action for this section of pathway. A plurality of respondents (39.7%) did not support any changes to the pathway surface, while 31.5% of respondents would prefer the surface be upgraded to a tarmac surface.

Overall, the response total adds up to more than 100% as respondents were permitted to choose as many surface types as they would be comfortable with. 31.6% of respondents would be comfortable with alternative bound surfaces, and 21.4% of respondents supported the proposed resin bound surface. Other responses supported a range of surface types – largely with various unbound surfaces, or better maintenance of the existing pathway.



4.11 The majority of the respondents used the pathway for recreational or social purposes, although there is a sizeable minority of users who use the section for utility journeys such as commuting, shopping, or accessing key services. This demographic was the most likely to indicate that they would use the pathway for a broader range of journeys should the surface be improved.

4.12 Common themes present in the consultation responses were the poor surface quality of this section – particularly the muddy surface in rainy conditions, and general difficulty in winter. There were a number of respondents who claimed that they avoid the unpaved section of the pathway due to difficulties with the surface. Many of these respondents are less mobile users who experience difficulty with the occasionally muddy conditions and uneven surfaces. Many cyclists have noted that they cannot take their road bikes along the route, and that they often experience tyre punctures along this section.

4.13 Among those who were not supportive of changes preferred softer surfaces as a preference for horses, and an easier surface for jogging on. Many of those who opposed surface changes also pointed to poor path etiquette with excessive speeds from cyclists, and claims that a harder surface would encourage this behaviour. The desire to maintain a natural feel to the pathway was also commonly articulated, as there was a feeling that the countryside is increasingly becoming urbanised, and the pathway is seen as an important recreational amenity.

4.14 Winter conditions with paved surfaces were also a common comment. The location is particularly prone to frost and ice, and a common complaint is that the paved sections of NCN 196 are often icy and slippery. This is a concern that is shared almost universally, including by those who are supportive of resurfacing. Many have indicated that they would be supportive of a bound surface on the condition that the route be gritted and receive proper seasonal maintenance.

4.15 Many respondents have also commented that this pathway is one of the few that can accommodate active travel journeys, and that a lengthy closure period would have a significant impact on them, as there are few safe alternative routes. The pathway's important role as an equestrian route should also be considered when discussing any closures and diversions that may take place.

4.16 Next Step Options

Based on feedback from the public consultation and constraints from installation or funders, there are six potential courses of action:

a) Proceed with Option1 which proposed asphalt/tarmac surface, ensuring that works can be carried out in a period that would minimise both environmental impact, and impact on users. Should this be the chosen option, it is highly recommended that the council commit to winter maintenance along the pathway to ensure usability for everyday journeys year-round.

b) Proceed with the Flexipave solution (Option 2). Additional funding would need to be secured above that already agreed via the CWSR grant. There are three potential sources for the top up funding 1) an additional CWSR grant in 2024-25 2) Sustrans have indicated that they would likely be able to bridge the funding gap and 3) top up funding may also be available via the City Deal and Regional Prosperity Framework UKSPF fund. Planning for these works will need to be conducted more carefully as there is a shorter season in which this surface can be laid. Furthermore, it would require diversions to be identified and alternative routes outlined.

c) Proceed with the proposed 2:1 solution (tarmac and resin-bound strips (Option 3). This option is seen less favourably by funders and could potentially compromise the shared nature of the pathway. This option would also cause uncertainty in terms of construction phasing, as the materials have differing limitations in their construction timeframes. There are further uncertainties around the long-term maintenance requirements of the two materials when used in tandem.

d) Option 2 variation. Wait for machine laying solutions to become available for Flexipave surfaces. Work is ongoing to identify methods of machine-laying flexible rubber surfacing. This would significantly reduce the costs and closure periods associated with the surfaces and would deliver a higher quality end product as machine laying tools would not result in the surface imperfections characteristic of hand laying. However, this option would delay the works by a number of years until the technology is ready.

e) Provide localised surface and drainage improvements. The Council does not have its own funds to deliver this project. It is likely it would not attract the funding required to carry out, as it falls short of the equalities requirements and year-round accessibility required for active travel improvements. However, this would improve some of the problem spots in wet and icy conditions.

f) Do nothing. This option received the highest number of responses in favour during the consultation period but would result in no improvements to usability.

4.17 Taking account of the feedback from the public consultation, views from governmental stakeholders with a mandate to improve active travel and equal access to a usable path network officers are of the opinion and recommend that council should proceed with next step b) to implement Flexipave option 2. The project delivery will require to straddle two funding years and at a cost of £590,000 will be £221k costlier than the original proposal (Option 1)

5 Report Implications (Resource, Digital and Risk)

5.1 Resource

The capital cost of the project is £550,000 with CWSR grant funding of £369k allocated to the project of which £8k has been spent on design. Additional top up funding of £221k will be required in 2024-25 from either CWSR, Sustrans or UKSPF. If the £369k fund is not spent in the current financial year it must be returned to transport Scotland CWSR fund

5.2 Digital

There are no Digital Services issues associated with any aspect of this project.

5.3 Risk

If the project does not go ahead or is delayed the £369k CWSR grant will be lost and returned to Transport Scotland. There may be accident claims against the council for failure to maintain a pathway.

6 Ensuring Equalities (if required a separate IIA must be completed)

The project aims to address equality-related comments from the public relating to poor access quality of the existing infrastructure. The pathway is a key connector for various user groups, including many users from protected user groups.

7 Additional Report Implications

Appendix A – Report implication

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

The path promotes active travel which supports delivery of heath inequality outcomes and achieving net zero by 2030.

A.2 Key Drivers for Change

Key drivers addressed in this report:

☒ Holistic Working
☐ Hub and Spoke
☐ Modern
☒ Sustainable
☐ Transformational
☒ Preventative
☒ Asset-based
☒ Continuous Improvement
☒ One size fits one
☐ None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:
☒ One Council Working with you, for you
☒ Preventative and Sustainable
☐ Efficient and Modern
☒ Innovative and Ambitious
☐ None of the above

A.4 Delivering Best Value

The recommended solution is not the cheapest but is the best value option that allows access to and use of the path by the widest group of users.

A.5 Involving Communities and Other Stakeholders

The path is well used by the community for various purposes such as walking, running, cycling, horse riding etc. There were 752 responses to the online consultation which indicates a significant community interest in the path.

A.6 Impact on Performance and Outcomes

Installing an improved path surface will encourage more active travel and leisure activity which will benefit health and wellbeing outcomes.

A.7 Adopting a Preventative Approach

Installing an improved path surface will encourage more active travel and leisure activity which will benefit health and wellbeing.

A.8 Supporting Sustainable Development

The proposed pathway is constructed from materials that will allow water drainage to tree roots. Provides an accessible route to allow movement between communities with use of a vehicle.