

**ENVIRONMENT, PLANNING & TRANSPORT CABINET PANEL  
MONDAY 5 FEBRUARY 2018 at 10:00 AM**

**REPORT ON THE PETITION FOR THE DISUSED LOWER BENGEO  
RAILWAY LAND IN HERTFORD**

Report of the Chief Executive & Director of Environment

Author: - Trevor Brennan, Strategy & Programme Manager,  
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Executive Member: - Derrick Ashley, Environment, Planning & Transport

Local Member: - Andrew Stevenson, Hertford All Saints

**1. Purpose of report**

- 1.1 To enable the Panel to consider a petition calling for “The council to open up the Lower Bengo railway land, making it a footpath and cycle track to provide a safe and traffic free route through Lower Bengo from Port Hill to Beane Road. In so doing we can retain the trees and green embankments and a corridor for wildlife too.”

**2. Summary**

- 2.1 A petition has been lodged with the Hertfordshire County Council (HCC), a summary of which reads:

*“The railway land in Lower Bengo is under increasing threat of development. A general view is that residents value this land as it provides an open and green space in what is a densely populated area. The space is inhabited by a variety of wildlife and includes a wide range of trees and plant life, which all add to the environment and the landscape of Lower Bengo. Concern about the impact on our area if this space was lost to the community, has driven a number of residents to explore how they can secure the area, leaving it as an open space available for the wider community to enjoy.*

*As part of this plan HCC has identified Hertford as one of 9 sustainable transport towns. These towns will focus on improvements in walking, cycling and passenger transport, combined with activity to encourage more sustainable travel behaviour. Two further policies in the plan also emphasise and seek to promote improved walking and cycling. The transport plan and outline policies are encouraging and we feel there is*

*a need to demonstrate the strength of feeling in the community for the railway land to be an open, green, accessible space. This would fit well with the new plan for Hertford to be a sustainable town.”*

- 2.2 Members are asked to consider the petition in light of the information presented in this report.

### **3. Recommendations**

- 3.1 The Panel is requested to note the petition and recommend that officers explore the potential of securing funding to undertake a feasibility study of the proposals as outlined in the petition.

### **4. Background**

- 4.1 **Appendix 1**, attached shows the location of the dismantled railway line.
- 4.2 Hertfordshire County Council sets out within the draft Local Transport Plan 4 its vision for how transport can contribute towards a positive future for Hertfordshire. The plan recognises the importance of modal shift (moving from the private car for short journeys to other forms including public transport, walking and cycling) to address potentially significant traffic growth.
- 4.3 Hertfordshire County Council working through its Countryside and Rights of Way team is already demonstrating good practice in this area improving routes and public open spaces within Hertfordshire to enable active travel. The team works closely with many of Hertfordshire's district and borough councils who are most likely to be the owners of accessible green space.
- 4.4 In this way Hertfordshire's publicly owned green space is already providing opportunities for people to undertake short journeys on foot and by bicycle. This includes plans for enhancements to existing rights of way and public owned green space around Hertford.
- 4.5 In addition and recently the Council's Integrated Transport Project Team undertook some informal consultation regarding various proposals to enhance pedestrian and cycling facilities in Hertford. In particular on North Road, Beane Road, Hertford North Station surrounds and Port Hill and Hartham Common.
- 4.6 There are existing on-road advisory cycle lanes and shared use paths within the study area and these schemes have the potential to enhance connectivity to Hertford town centre, Hertford North Station and Hartham Common. The primary aim of the scheme is to provide accessibility for both cyclists and pedestrians. This will improve safety for vulnerable road users and promote sustainable travel.

- 4.7 Although not originally in the scope or part of the informal consultation for the North/Beane Road schemes, there were comments and support from some stakeholders who responded for the proposal as outlined in the petition to be included as part any North/Beane Road schemes taken forward.
- 4.8 As such, an additional recommendation for officers to secure funding to undertake a feasibility study for the opening up of Lower Bengo railway has been included as part of the above consultation outcomes report.
- 4.9 The petition proposal does accord with the principles set out in the draft Local Transport Plan 4 and as such it is to be welcomed. The land concerned is not in public ownership and some investigation and planning work would be required to assess the feasibility and affordability of such a scheme and how it may contribute to sustainable travel and wider objectives of biodiversity and recreation. This work would require support and funding.

## **5 Financial implications**

- 5.1 If further studies are commissioned, funding will be sought from the Highways Locality Budget or Section 106 contributions (where appropriate) to cover the costs of a feasibility study.
- 5.2 If funding for a feasibility study were to be secured the study itself should provide a basis and range of costings for the project but would not in itself lead automatically to any securing of implementation funding.

## **6 Equalities implications**

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 6.2 Rigorous consideration will ensure the proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 6.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

and

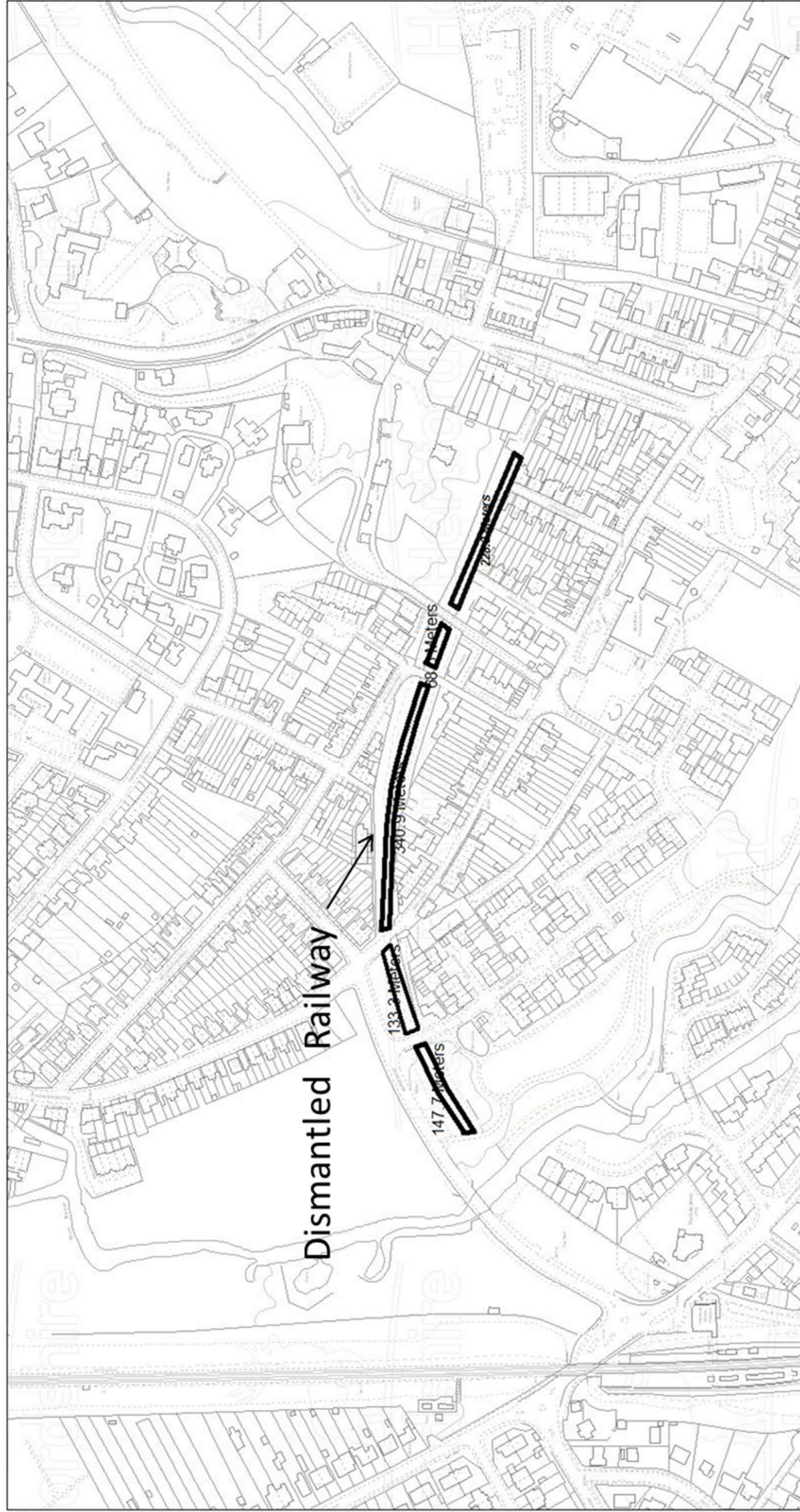
- (c) foster good relations between persons who share a relevant, protected characteristic and persons who do not share it.

The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

- 6.4 There are no equalities implications arising because of this report and an Equality Impact Assessment (EqIA) has not been undertaken.

**Appendix 1: Location of the dismantled railway line**

# Appendix 1: Location of the dismantled railway line



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