

DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
13th May 2014

PROPOSED CONVERSION OF PUBLIC FOOTPATH LINKING WATERSMEET ROAD TO THORESBY ROAD, WALKLEY, INTO SHARED USE FOOTPATH / CYCLE TRACK

1.0 PURPOSE

- 1.1 To seek authority to refer the Cycle Track Order to the Secretary of State for Transport with a request to Confirm the Order with a modified path width.

2.0 BACKGROUND

- 2.1 On 27 March 2012, the West and North Planning and Highways Committee gave authority to process a cycle track order required to convert the footpath between Watersmeet Road and Thoresby Road, Walkley, into a shared footpath / cycle track. (This scheme is part of a wider package of Highway works required to fulfil a planning condition to make improved links to the new Forge Valley Community School).
- 2.2 On 25 October 2012, the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 ("the Cycle Track Order") was made, and was duly advertised and placed 'on deposit' for public inspection, as per the Cycle Tracks Regulations 1984. A copy of the Order is attached as Appendix A to this report. Appendix B shows the general location of the proposal.
- 2.3 In response to this, two objections were received. One has subsequently been withdrawn, but the other remains. Thus, the Council does not have the power to Confirm the Order as unopposed, necessitating that the matter be referred to the Secretary of State in order to be progressed.

3.0 CONSIDERATION OF OBJECTIONS

- 3.1 The first objection was from a nearby resident of Thoresby Road who was concerned that the proposal might encourage cyclists to illegally cycle on the footway outside his house. However, after detailed discussions on site with the relevant Officer from the Council's Traffic Management team, the resident was satisfied that the layout of the proposal would actually make this less likely than it is at present, and so wrote in to withdraw his objection.
- 3.2 The second objection was from the Byways and Bridleways Trust, a national organisation which is a statutory consultee for such Orders. The objection was on the grounds that the width of the footpath was insufficient to have cyclists on it whilst retaining pedestrian safety.

- 3.3 After some further discussion with them, it became apparent that, unfortunately, due to an error, the Schedule to the Order had been published stating the *current* width of the path (“a varying width from point A to B between 1.5 metres to 2 metres”) instead of the *proposed* new width of 3 metres on that section.
- 3.4 In subsequent informal discussions explaining the situation, the objector has indicated that, if the Order were to be modified to quote the correct proposed width, then he would be happy to accept and agree to the proposal.
- 3.5 However, once an Order of this type has been made, the Council does not have the power to modify it in any way. Any modification required to address concerns raised in an objection must be made by the Secretary of State, after referral of the matter to him by the Council.

4.0 LEGAL IMPLICATIONS

- 4.1 In view of all the above, the Director of Legal & Governance has advised that it would be appropriate to refer the Order and the objection to the Secretary of State for Transport with the request that he modify the Schedule to the Order with the words:

“The above length of footpath is, by this Order, designated a ‘shared facility’ cycle track which shall have a width of 3 metres from point A to B and a width of 2 metres from point B to C on the Order map”.

- 4.2 In the event of Committee not approving this report’s proposal to refer the Order for modification, that would be considered to be a formal resolution to cancel the Order and not proceed with the scheme as a whole.

5.0 HIGHWAY IMPLICATIONS

- 5.1 It has always been the intention to widen the path to 3 metres on the section from point A to B on the Order map (i.e. the majority of the length of the path). This report does not seek to change that, only authority to seek modification of the Order to correctly reflect that intention.
- 5.2 All other matters remain unchanged from the earlier (approved) Committee report.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 Clearly, the concept of opening up a footpath to cycle use does have implications for pedestrian users of the path and, in particular, disabled people. Width is a key issue.

6.2 It is acknowledged that a short section of the route (from point B to C on the Order map) is currently less than 3m wide, and will have to remain so due to the presence of existing buildings. The Department for Transport guidance on shared use facilities does allow for this, for short lengths at pinch points. So, as was established and approved in the previous report, our view is that the path, as proposed, conforms to the advice given Department for Transport Local Transport Note 2/04.

7.0 ENVIRONMENTAL IMPLICATIONS

7.1 Converting this path to allow its use by cyclists has the potential to encourage more students to choose cycling as an environmentally friendly form of transport to and from Forge Valley School. By opening up a 'missing link' to all cyclists, it may also encourage other journeys to be made by bike, for example, a cycling route between Lower Walkley, Rivelin Valley, and the rural areas beyond, which avoids the tram lines on the heavily-trafficked Holme Lane.

8.0 FINANCIAL IMPLICATIONS

8.1 All the costs associated with this scheme, forming part of the Planning Conditions imposed on the new school, and including the costs of the Cycle Track Order process, are being fully funded by Children, Young People and Families as part of the Forge Valley School project.

9.0 CONCLUSION

9.1 Based on the above information, the scheme, as previously approved by Committee, is unchanged and still supported by Officers. Therefore, the Cycle Track Order should be referred to the Secretary of State to be modified and confirmed, in order to allow the scheme to go ahead as approved.

10.0 RECOMMENDATIONS

10.1 The Director of Legal & Governance submits the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 to the Secretary of State for Transport for modification and confirmation.

Steve Robinson
Head of Highway Maintenance

13th May 2014

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