

CYCLE TRACKS ACT 1984 CONVERSION OF PARTS OF A PUBLIC FOOTPATH
TO SHARED FOOTPATH/CYCLE TRACK AT HALFWAY, SHEFFIELD.

1.0 PURPOSE

- 1.1 To seek authority to process the Cycle Track Order required for converting a public footpath to a shared footpath/cycle track linking Rotherham Road, Middle Ox Gardens and the proposed Taylor Wimpey development at Oxclose Park/Deepwell Drive in the Halfway area of Sheffield, on the sections shown as a solid black line on the plan attached as Appendix A.

2.0 BACKGROUND

- 2.1 As a pre-commencement condition of outline planning permission (13/01674/OUT) granted on 26th June 2015, the developer of land south of Arnold Laver on Oxclose Park Road North (shown outlined blue on the plan included as Appendix B) is required to provide a dedicated pedestrian/cycle route from Rotherham Road to the new housing development.
- 2.2 The affected footpath is part of a network of publicly maintained paths that serve the Oxclose Park and Deepwell Avenue housing estates at Halfway.

3.0 PROPOSALS

- 3.1 To convert the public footpath, linking Rotherham Road, Middle Ox Gardens and the new housing development south of Oxclose Park Road North, to a shared footpath/ cycle track, as shown as a solid black line on the plans in both Appendices to this report.
- 3.2 The current footpath is 1.8 metres wide and will be widened via dedication to 3.0 metres prior to its conversion to a shared footpath/cycle track.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal and Governance has been consulted and has advised that it would be appropriate to process an Order under the Cycle Tracks Act 1984 to convert the footpath linking Rotherham Road, Middle Ox Gardens and the new housing development south of Oxclose Park Road North, to a shared footpath/cycle track.

- 4.2 A local highway authority may in the case of any footpath for which they are the highway authority, by order made by them and confirmed by them as an unopposed order, designate a footpath, or any part of it, as a cycle track. This order may be confirmed by the authority as an unopposed order only in the form in which it was made.
- 4.3 In the event that objections are received that cannot be resolved and therefore the order cannot be confirmed as an unopposed order, the local highway authority will re-evaluate whether the order should be confirmed. Should the decision be made to proceed, approval will be sought via a subsequent Committee report making clear the difference in approach – namely the local highway authority shall ask that the order be confirmed by the Secretary of State either in the form in which it was made or subject to such modifications as he thinks fit.
- 4.4 Once the order has been confirmed, the footpaths to which the order relates shall continue to be highway but shall become highways over which the public have a right of way on pedal cycles (other than pedal cycles which are motor vehicles) as well as on foot.

5.0 HIGHWAY IMPLICATIONS

- 5.1 The new shared footpath/cycle track will provide a safe off road route for cyclists from Rotherham Road to the new housing development.
- 5.2 Once widened to 3m, the conversion of the footpath to a shared footpath/cycle track on the basis described above should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

6.0 CONSULTATIONS

- 6.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies. Ward Councillors have also been informed.
- 6.2 Not all the consultees had responded at the time of writing this report. Of those that have responded no objections have been received.
- 6.3 If any negative comments relating to this application are received before the Planning and Highways Committee meeting, they will be reported verbally.

7.0 EQUAL OPPORTUNITY IMPLICATIONS

- 7.1 There are no specific equal opportunity implications.

8.0 ENVIRONMENTAL IMPLICATIONS

- 8.1 There are no specific environmental implications. The provision of additional traffic free routes for cyclists is part of the Council's strategy to encourage the use of cycling as an alternative to motorised transport.

9.0 FINANCIAL IMPLICATIONS

- 9.1 The conversion and creation of this route will be funded solely by the developer.

10.0 CONCLUSION

- 10.1 Creation of the shared footpath/cycle track should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

11.0 RECOMMENDATIONS

- 11.1 Raise no objections to the proposal to convert the public footpath, as shown as a solid black line on the plan, to a shared footpath/cycle track. This would be subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.
- 11.2 Authority be given to the Director of Legal and Governance to
- a. take all necessary action to convert the footpath to a shared footpath/cycle track under the powers contained within Section 3 of the Cycle Tracks Act 1984.
 - b. confirm the Order as an unopposed Order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the Order being confirmed.

Philip Beecroft
Head of Highway Maintenance

27th November 2018

This page is intentionally left blank