

SECTION 66(4) AND 65(1) of the HIGHWAYS ACT 1980

Proposal for the conversion of existing footways on Midford Road B3110, Odd Down, Bath to cycle tracks for use by cyclists/scooters and pedestrians at the following locations and as shown on the attached plan:

- **on the northeast side of Midford Road for a distance of 4.5m between No 87 and 89 Midford Road.**
- **on the northeast side of Midford Road in a north westerly direction for a distance of 18.7m between the boundary of No 75 Midford Road and the vehicle access of Cross Manufacturing.**
- **On the southwest side of Midford Road side in a south easterly direction for a distance of 40m from the junction of Clara Cross Lane.**

(Ward division: **Odd Down**)

1. The Issue

- The proposal is to convert sections of the existing footways to enable cyclists/scooters to link between Hansford Close and Clara Cross Lane using the Parallel crossing. This will be an unsegregated cycle track for shared use by cyclists/scooters and pedestrians.

1. Recommendation

1.1. The footways referred above as shown coloured green on the attached plan are converted to an unsegregated cycle track for use by cyclists/scooters/pedestrians and appropriate shared use and directional signage installed.

2. Financial implications

2.1. The footway resurfacing, installation of tactile paving and directional signage will be constructed as part of the Scholars Way scheme.

2.2. There will be minimal additional future maintenance costs.

3. Legal background

- In order to convert a footway to cycle track, the footway must be removed under Section 66(4) of the Highways Act 1980 and a cycle track 'constructed' under Section 65(1) of the Act. No physical construction is necessary here, however there needs to be clear evidence that the power has been exercised. This evidence will come from the recording of the decision making process.

4. Background information

- The proposed change is being promoted on existing footways which are between 3m-3.31m wide as part of the Scholars Way works. This complies with LTN 1/20.
- The proposed conversion of the footways referred to above would allow more convenient travel by walking, wheeling or cycling for several desired trip orientations. This will provide a link between Combe Down village and Frome Road (including St Martins Garden primary school).
- Climate Change

4.1. A Climate Emergency was declared in March 2019 along with an Ecological Emergency in July 2019. In response to this B&NES has pledged to achieve carbon neutrality by 2030. Active Travel (walking, wheeling and cycling) routes are part of a package of measures to mitigate the climate crisis through the adoption of more sustainable and healthy transport options.

- Transport currently accounts for 29% of carbon emissions in the B&NES area. Schools are one of the most productive areas for encouraging sustainable travel, with children particularly aware of environmental challenges and eager to walk or cycle.
- The Scholars Way proposals will contribute to achieving the Council's commitment including enabling healthier, safer and greener ways to travel to and from schools.
- The scheme is in accordance with the WoE Climate Emergency Action Plan as it will enable an increase in the uptake of active travel in Bath. This will help achieve the goal to create a net carbon zero region by 2030.
- Active travel is the cleanest form of travel. High-quality infrastructure, in combination with other low-carbon transport modes, can provide competitive journey times to private vehicle use and lead to a step change reduction in transport carbon emissions.

5. Risk management

- Shared use path signs and tactile paving are installed as part of the footway conversion to a cycle track.
- Monitoring will be put in place following construction to monitor usage and review safety through a Road Safety Audit 3.

6. Human rights

6.1. The Human Rights Act 1998 incorporates the rights and freedoms set out in the European Convention on Human Rights (“the Convention”) into UK law. So far as it is possible all legislation must be interpreted so as to be compatible with the Convention.

7. Rationale

- The rationale of this scheme is to encourage more people to walk, wheel or cycle rather than use cars particularly those travelling to and from school. It will provide improved connectivity and more convenient route between the Combe Down village and Frome Road.

8. Other options considered

- An alternative option would be for cyclists to join the carriageway to cross the road but this would not be LTN 1/20 compliant.
- An alternative would be for a zebra crossing for pedestrians, but this would not be LTN 1/20 compliant.

9. Consultation

The Scholars Way Consultation in Summer 2022 asked the following questions:

- “I support the proposed shared use path and toucan crossing on Midford Road”. 54% of 205 respondents support (strongly agree [41%] or agree [13.2%]) the proposal. 30% of respondents did not support the proposals (disagree [5.4%] or strongly disagree [24.4%]) and 16.1% neither agreed/disagreed.

Note that the proposed controlled crossing is now a parallel crossing for cyclist and pedestrians and not a toucan crossing.

- A Traffic Regulation Order has been advertised for the parallel crossing.

9.1. The local Councillors and Cabinet Member for or Sustainable Transport Delivery have been consulted.

10. Issues to consider in reaching the decision

10.1. Customer Focus; Sustainability; Health & Safety; Other Legal Considerations

AUTHORISATION

Under the delegated authority granted to the Director of Place Management to convert a footway to a cycle track (sections 66(4) and 65(1) of the Highways Act

1980) I authorise the conversion of the area of footway shown in green on the accompanying drawing to cycle track.

Signed

Dated.....12/02/2026

A handwritten signature in black ink, appearing to read 'Chris Major', with a stylized flourish at the end.

Chris Major

Director of Place Management