

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

Proposal for the conversion of existing footways on Bradford Road A3062, Combe Road and Mulberry Way, Combe Down, Bath to a cycle track for use by cyclists/scooters and pedestrians at the following locations:

- **on the northwest side of the roundabout on Mulberry Way at the junction of Bradford Road.**
- **on the northeast side of the roundabout between Mulberry Way and No 173 Bradford Road.**
- **on the south side of Bradford Road between 176 Bradford Road and the west side of the junction of Combe Road.**

(Ward division: **Combe Down**)

1. The Issue

- The proposal is to convert sections of the existing footway to enable cyclists/scooters to link between the Parallel crossing on Bradford Road, Mulberry Way and Combe Road. 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 widening, shared use 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

4.1. The proposed change is being promoted on a recently widened footway which was widened to 3m-3.61m as part of the Scholars Way works. This complies with LTN 1/20.

- The proposed conversion of the footway referred to above would allow more convenient travel by bicycle or scooter for several desired trip orientations. This will provide a link between Mulberry Park (and the wider area on Scholars Way from Frome Road) and Combe Down village.
- Climate Change

4.2. 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

5.1. Shared use path signs will be installed as part of the footway conversion to a cycle track.

- There is one vehicle entrance on Bradford Road next to the Parallel pedestrian/cycle crossing but this does not appear to be in use and there are no vehicular dropped kerbs.
 - There are houses along Bradford Road where their doorways exit on to the footway. Residents exiting properties facing onto this section of footway on Bradford Road must already exercise caution when stepping out on the footway as there is heavy footway traffic during peak periods with children using cycles/scooters.

- The proposed works will widen the footway to 3m, providing additional space for children cycling/scooting to school. Scholars Way is primarily aimed at families travelling to school and unconfident/new/slower cyclists who currently do not feel safe cycling on the busy road of Bradford Road. The design of the shared space and associated signage is aimed at these cyclists and will not prompt or encourage confident/fast cyclists already cycling on Bradford Road carriage way to board onto the shared footway for this limited stretch. For these cyclists, the shared footway would slow down journey speeds and not be an attractive alternative route. 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

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

8. Other options considered

- 8.1. The other option would be for cyclists to join the carriageway but this would not be LTN 1/20 compliant.

9. Consultation

- 9.1. The Scholars Way Consultation in Summer 2022 asked the following question: “I support the proposed shared use path and parallel crossing for pedestrians and cycles on the A3062 Bradford Road, east of Mulberry Way”. 52% of the 203 respondents to this question were supportive (Strongly agree [43.3%], agree [8.8%]), 29% opposed [5.4% disagree 24% disagree], and 18.6% neither agreed/disagreed.
- 9.2. A Traffic Regulation Order has been advertised for the Parallel crossing.
- 9.3. 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



Chris Major

Director of Place Management