

CABINET MEMBER FOR TRANSPORT – 16 FEBRUARY 2012

OXFORD, HIGHFIELD AND OLD ROAD TRANSPORT IMPROVEMENTS – MINOR AMENDMENT TO SCHEME TO RELOCATE PROPOSED CYCLE BY-PASS BETWEEN GIPSY LANE AND OLD ROAD

Report by Deputy Director for Environment & Economy (Highways & Transport)

Introduction

1. This report seeks approval from the Cabinet Member for Transport to relocate the previously approved cycle by-pass running from Gipsy Lane to Old Road, via Grays Road.
2. In March 2011, the Cabinet Member for Transport agreed the implementation of the Highfield and Old Road Transport Improvements, which included the cycle by-pass, from Gipsy Lane to Old Road, via Grays Road. However, shallow-lying traffic signals and utilities cables mean that it is not possible to construct the cycle by-pass in the location originally proposed.
3. Many elements of the approved Highfield and Old Road scheme are now complete. All elements of the scheme are due to be constructed by mid-February 2012, including the minor physical works for the relocated cycle by-pass as shown at Annex 1.
4. Approval is not required for the physical work itself but is required to allow the legal use of part of the footway by cyclists. If approval is not given to convert the footway to cycle track the minor works that will be completed in February will provide a widened footway for use by pedestrians only. No signage or road markings will be installed stating that cyclists are permitted to use this part of the footway.

Legal implications and risks

5. In order to legalise the use of the cycle by-pass in a part of the highway which is currently designated as footway the highway authority must change the status of the route under powers set out in the Highways Act 1980.
6. A decision is therefore required by the Cabinet Member for Transport to authorise the change of the legal status of a length of footway, along the proposed route of the cycle by-pass, under the powers in Section 66(4) of the Highways Act 1980 and construction of a cycle track under Section 65(1).
7. Pedestrians are legally allowed to use a cycle track and, therefore, the cycle by-pass will effectively be a shared use path.

8. Consultation was carried out in connection with wider Highfield and Old Road improvement scheme prior to the March 2011 CMD meeting. There was no consensus on the cycle by-passes. There were mixed views on the cycle paths, although people were generally opposed to the shared use path along the entire length of Old Road east-bound from Gipsy Lane to Windmill Road. The shared use path along the entire length of Old Road was therefore removed from the initial scheme, but cycle by-passes at the end of Old Road, from Gipsy Lane and to Windmill Road were retained as part of the scheme.
9. Further consultation has not been carried out in connection with the proposed relocation of the cycle by-pass. There is no legal requirement to consult stakeholders or members of the public when converting footway to cycle track. In this case, consultation is not considered necessary because the proposed change is very minor. No frontage properties will be directly affected by the cycle by-pass (the by-pass is in fact moving further away from properties). The proposed feature is also very similar to that previously approved and also to the one approved and already constructed at the other end of Old Road at its junction with Windmill Road.
10. Given the constraints encountered to date in the vicinity of this junction, there is a small risk that further difficulties may arise with the construction of the proposed cycle by-pass and it may not be possible to implement the scheme exactly as proposed. It is therefore recommended that the Cabinet Member authorise the Deputy Director Environment & Economy – Highways & Transport, to make a final decision on the precise location of the footway to be converted to cycle track in the event that the proposed location is not feasible.

Equality and inclusion

11. The shared use cycle tracks on the footway may have the potential to affect people differently according to their age and disability. Annex 7 of the Highfield and Old Road Transport Improvements report (Cabinet Member for Transport Delegated Decisions March 2011) provides more detail on this and shows that officers have considered equality issues carefully before reaching conclusions about the scheme.

Financial and staffing implications

12. The proposed changes can be carried out within the original scheme budget and there are no staffing implications.

Conclusions

13. The cycle by-pass will allow cyclists to continue the left-hand turn from Gipsy Lane to Old Road avoiding the traffic signals. It will assist in providing a more continuous cycle network in the area and contribute to the county council's transport objectives and strategy.

RECOMMENDATION

14. The Cabinet Member for Transport is **RECOMMENDED** to:
- (a) **authorise that the status of lengths of footway highlighted in orange in Annex 1 to this report be changed under the powers in Section 66(4) of the Highways Act 1980 and a cycle track constructed under Section 65(1) in place of the lengths of footway authorised for conversion to cycle track on 31 March 2011 shown in blue in Annex 1 to this report.**
 - (b) **authorise the Deputy Director for Environment & Economy – Highways & Transport, in consultation with the Cabinet Member for Transport, to make a final decision on the precise location of the footway to be converted to cycle track, should further construction difficulties arise with the proposed location.**

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Background papers: Report to Cabinet Member for Transport, 24 March 2011

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