



Department for Transport

Mr Christian Muncey
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By email only

National Transport Casework Team

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Your Ref:

Our Ref: NATTRAN/L/CT/94

Date: 15 March 2018

Dear Mr Muncey

CYCLE TRACKS ACT 1984 AND CYCLE TRACKS REGULATIONS 1984

THE LONDON BOROUGH OF WALTHAM FOREST (CYCLE TRACKS) (NO.1) ORDER 2016

SECRETARY OF STATE'S DECISION – ORDER TO BE CONFIRMED

1. In accordance with the Cycle Tracks Act 1984 and the Cycle Tracks Regulations 1984, the Secretary of State for Transport (the Secretary of State) has decided, following a local Public Inquiry, that the above Cycle Tracks Order (the Order) made by Waltham Forest Council (the Council) should be confirmed without modifications.

CONSIDERATIONS FOR DECISION

2. The Order was referred to the Secretary of State for a decision as two objections remained outstanding. It was therefore decided that a local Public Inquiry should be held to hear those objections. This Inquiry took place on 6 February 2018 at Low Hall, Argall Avenue, Leyton, London E10 7AS before Inspector Mr Martin Whitehead LLB BSc(Hons) CEng MICE.
3. The Inspector considered the objections and representations to the Order and has submitted a report to the Secretary of State, a copy of which is enclosed with this letter.
4. Section 3 of the Cycle Tracks Act 1984 does not identify any statutory tests to apply when deciding whether or not to confirm Orders to convert footpaths into cycle tracks.

However, there are a number of relevant issues which the Secretary of State has considered in reaching his decision on this Order, namely:

- That all statutory procedures have been carried out by the council;
- What effect the Order would have on those who use the highway;
- Whether there is a need for the designation of the footpath as a cycle track;
- How the highway would be altered by the introduction of a cycle track in place of a footpath;
- Whether any disadvantages arising as a result of the Order outweigh the advantages of making the Order;

CONCLUSION

5. Overall, the Secretary of State is satisfied that the advantages of turning part of the footpath between Aubrey Road and Howard Road into a cycle track, conferred by the Order, would outweigh the disadvantages which have been put forward by the objectors. Some notable advantages would be improved permeability and accessibility for all users and providing a safer and more attractive route for cyclists.
6. The Secretary of State has carefully considered all of the representations and evidence provided by the parties and has noted the Inspector's conclusions. He accepts the recommendation that the Order be confirmed without modifications, to authorise The London Borough of Waltham Forest (Cycle Tracks) (No.1) Order 2016 to convert part of the footpath between Aubrey Road and Howard Road into a cycle track.
7. In making this Order, the Secretary of State has relied on the information that the parties have provided, as contained in the Order and related plans, diagrams, statements and correspondence, as being factually correct.
8. The Secretary of State notes that paragraphs 4.1 and 4.2 of the Order refer to the placing of traffic signs and associated works. He would expect such works to include the additional safety measures recommended at paragraph 7.16 of the Inspector's Report.
9. A copy of the confirmed Order is enclosed, together with the plan to which it refers. Your attention is drawn to Regulation 10 of the Cycle Tracks Regulations 1984, regarding the publication and service of notice, now the Order has been confirmed. You are requested to inform the Secretary of State of the date on which notice of the confirmed Order is first published in the press.
10. A copy of this letter and Inspector's report has been sent to the objectors and other interested parties who submitted representations. Please arrange for a copy of the Inspector's report and this letter, to be made available on request to any other person directly concerned.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Dave Candlish', with a long horizontal flourish extending to the right.

DAVE CANDLISH

Authorised by the Secretary of State for Transport
to sign in that behalf