



Department
for Transport

Mr S Ouditt
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Your Ref:

Our Ref: NATTRAN/E/CT/92

Date: 10 May 2017

Dear Mr Ouditt

**CYCLE TRACKS ACT 1984 AND CYCLE TRACKS REGULATIONS 1984
THE CAMBRIDGESHIRE COUNTY COUNCIL
PUBLIC FOOTPATH NO. 9 SAINT IVES AND PUBLIC FOOTPATH NO. 10 PARISH OF
HOUGHTON AND WYTON CYCLE TRACKS ORDER 2014**

SECRETARY OF STATE'S DECISION – ORDER NOT 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 Track Order (the Order) made by Cambridgeshire County Council (the Council) should not be confirmed.

CONSIDERATIONS FOR DECISION

2. The Order was referred to the Secretary of State for a decision as three objections remained outstanding. It was therefore decided that a local public inquiry should be held to hear those objections. This inquiry took place on 22 and 23 March 2017 at the Commemoration Hall, 39 High Street, Huntingdon PE29 3AQ before inspector Sue Arnott FIPROW. In response to notice of the public inquiry a further 44 objections were submitted.
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 disadvantages would outweigh the advantages which have been conferred by the Order. He agrees with the Inspector that there is no evidence of any impact analysis or risk assessment. The lack of information and evidence regarding current and anticipated use and users of the Order route and the uncertainty of the range of lawful user groups, means that the question of whether its width is adequate cannot be known at the present time.
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 and accepts, for the reasons given, the recommendation that the Order should not be confirmed.
7. In making this decision, 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. A copy of the sealed Order is enclosed, together with the plan to which it refers. It is requested that the Council publish and serve notice of this decision in the same manner in which the Order was first published.
9. A copy of this letter has been sent to the objectors and other interested parties who submitted representations. Please arrange for a copy of this letter, to be made available on request to any other person directly concerned.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dave Candlish', with a long horizontal stroke extending to the right.

DAVE CANDLISH

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