



**Traffic Regulation Order**  
**THE BOROUGH OF STEVENAGE (DANESTRETE, STEVENAGE) (PEDESTRIAN ZONE**  
**AND PROHIBITION OF WAITING) AND (REVOCATION) ORDER 2022**

**Cycling UK objections**

**The proposed order**

Stevenage Borough Council (SBC) gave notice on 16 September 2022 that it proposed to make a Traffic Regulation Order (TRO) pursuant to the relevant sections of the Road Traffic Regulation Act 1984 (RTA). The proposed order involves the introduction of a pedestrian zone in part of Stevenage, with proposals involving:

- A Pedestrian Zone with Prohibition of Waiting affecting Danestrete, Stevenage, prohibiting motor vehicles and pedal cycles being ridden and waiting, loading and unloading at all times except permit holders
- Revocation in part of The Borough of Stevenage (Town Centre) (Prohibition and Restriction of Waiting) (Prohibition of Loading and Unloading) (Bus Stop Clearway) (Mandatory Movements) (Restriction of Use) and (One Way Traffic) Order 2003.

Anyone seeking to make representations or object to the order has until 9 October to do so in writing. This submission sets out Cycling UK's objections to the order.

Cycling UK is the national cycling charity, with over 70,000 members nationally including members and member groups throughout Stevenage.

This response is being submitted by and on behalf of Cycling UK's national office, however, a separate response dated 5 October setting out objections to this TRO has already been submitted by one of Cycling UK member groups, Cycling UK Stevenage.

To avoid repetition within this response, Cycling UK nationally adopts, supports and repeats the submissions and objections set out within Cycling UK Stevenage's response.

In addition to those submissions, Cycling UK would make the following additional points and objections, focussing mainly on SBC's failure to have regard to national guidance.

**Network Management Duty Guidance**

On 1 April 2022, the Secretary of State for Transport updated the additional network management duty (NMD) statutory guidance issued and applicable to highway authorities (HAs) pursuant to section 18 of the Traffic Management Act 2004 (TMA) (<https://www.legislation.gov.uk/ukpga/2004/18/contents>). HAs must have regard to the

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NMD guidance to deliver their NMD duty under the act. The NMD guidance specifically references, inter alia, to:

1. Gear Change  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf)), the Government's 2020 vision document for cycling and walking, which "made clear the expectations on local authorities and others to provide genuinely game-changing infrastructure", stating further that "reallocating space to walking and cycling, in the ways suggested here [within the 2022 NMD guidance], is imperative to ensure the objectives in Gear Change and elsewhere are met".
2. The Government's 2021 Transport Decarbonisation Plan  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1009448/decarbonising-transport-a-better-greener-britain.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1009448/decarbonising-transport-a-better-greener-britain.pdf)), which "sets out how enabling more active travel will contribute to addressing the challenges of climate change".
3. The forthcoming revision of the 'Manual for Streets', which "will highlight the continuing need to design streets with people walking, cycling and taking public transport as the priority".
4. Local transport note 1/20: cycle infrastructure design (LTN 1/20)  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf)), stating that "any measures for cycling should be designed to meet the requirements set out in LTN 1/20".

The NMD guidance also makes it clear that:

5. HAs should continue to make significant changes to their road layouts to give more space to cyclists and pedestrians.
6. As set out in 'Gear Change', HAs are expected to take measures to reallocate road space to people walking and cycling.
7. The measures HAs can take include introducing pedestrian and cycle zones: restricting access for motor vehicles at certain times (or at all times) to specific streets, or networks of streets, particularly town centres and high streets to enable active travel.

### **Road Traffic Regulation Act 1984 (RTRA)**

When considering whether to make a TRO, SBC has a statutory duty to consider the matters detailed at section 122 RTRA, "to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)". This duty extends to and includes the expeditious, convenient and safe movement of cyclists, not just along the road over which the proposed order would apply, but on and along adjacent roads affected by the proposed order over which people might travel, cycling or otherwise, as a consequence of any restrictions imposed pursuant to the TRO.

SBC's statement of reasons for the order

<https://www.stevenage.gov.uk/documents/parking/danestrete/statement-of-reasons-pedestrian-zone-and-prohibition-of-waiting.pdf> indicates that the order is proposed for the following reasons:

“Following the relocation of the Bus Station located in Stevenage Town Centre the vacant area is being redeveloped to create a multi-use space for the local community. The proposed Pedestrian Zone with a Prohibition of Waiting, Loading or unloading, will ensure pedestrians can safely use these new facilities and will improve the amenity for local residents and preserve the character of the area.

As part of this scheme, revocation of certain existing Restriction of Use and One Way traffic provisions first introduced in 2003 will be necessary, to ensure a suitable alternative route is available for general vehicular traffic.

Exemptions will apply as set out within the Order in respect of Permit Holders, Emergency Service vehicles, Postal Deliveries, Market Traders vehicles being used on Market Days, Street Traders Vehicles being used in connection with events authorised by the Borough Council, and a Vehicle being used by a Statutory Authority in the course of fulfilling a statutory duty.

Therefore, having also considered the duty imposed under Section 122 Road Traffic Regulation Act 1984, it appears to Borough Council that is necessary and expedient to make these Orders in the interests of avoiding danger to persons or other traffic using these roads or for preventing the likelihood of any such danger arising, for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property and for preserving or improving the amenities of the area through which the roads run.”

SBC's statutory obligation under S.122 RTRA mirrors its NMD under section 16 TMA, pursuant to which it has a duty to manage its road network to secure “the expeditious movement of traffic on the authority's road network”. Having regard to the stated reasons for the order, it is submitted that SBC must have regard to the NMD guidance when considering whether to make the order. It is further submitted that it has manifestly failed to do so when considering this order.

There is nothing within the stated reasons which indicates that the movement of people cycling, either on the directly affected highway or the wider network (which people cycling would be displaced to), has been considered.

## **LTN 1/20**

SBC has failed to understand or apply LTN 1/20 correctly. Para 1.3.1 of LTN 1/20 makes it clear that the guidance should be applied to all changes associated with highway improvements, new highway construction and new or improved cycle facilities.

Currently, people can cycle along a section of road after 6.00pm, which they would be banned from cycling along if the order is made. Consequently, the order proposes a change to the highway which affects cyclists, who would have to use a different less direct and less safe route as an alternative. The order thus negatively impacts on cycle safety and provision across the surrounding area and network, so the fact that the order does not introduce a cycling measure on the road directly affected does not mean that LTN 1/20 is not applicable.

It would appear that SBC has incorrectly concluded that LTN 1/20 does not apply, and has also misdirected itself concerning its NMD requirements, as the NMD guidance also requires it to comply with LTN 1/20.

Furthermore, there is specific guidance within LTN 1/20 regarding Vehicle Restricted Areas (VRAs), which ESCC has failed to consider. Para 7.4.3 of LTN 1/20 indicates that “there should always be a preference for allowing cyclists to access VRAs unless there is good evidence that this would cause significant safety problems - Where cycling is permitted, most cyclists will usually dismount when pedestrian numbers are greatest”. There is no evidence that allowing cyclists within the pedestrianised area would cause any, let alone significant, safety problems. This is merely speculation. SBCs plans directly contravene the guidance.

7.4.4 of LTN 1/20 also specifically refers to the potential for experimental TROs to be used to permit cycling on a temporary basis (usually 6 to 12 months) in VRAs, and for monitoring. The temporary order can be reviewed at the end of the period prior to the decision to make it permanent or not. SBC has failed to consider whether any concerns it may have regarding cycling within the VRA proposed by the order could be assessed within a trial, as specifically suggested within the guidance, specifically confirming by email dated 8 September 2022, in response to an enquiry by Cycling UK, that no experimental order had been considered.

### **Contrary to national policy**

As Cycling UK Stevenage outline in their response, there is only one other north-south cycling route within the Town Centre dual carriageway ring, and that includes the new section of shared use path alongside the new interchange. This section is shared by people cycling, walking, and using mobility equipment using the interchange as well as those travelling past it. This area will become even busier if this becomes the only north-south route that people cycling are permitted to use. The order therefore proposes a ban on cycling on what is currently the most safe and direct north-south route, in direct contradiction of national policy on active travel, ignoring the NMD guidance and in contravention of LTN 1/20.

Removing a permitted route which is coherent, direct, safe, comfortable, and attractive for cyclists will actively discourage cycling trips within Stevenage, at a time when national policy (Gear Change Plan, Cycling and Walking Investment Strategy 2) sets out ambitious targets to increase the percentage of short journeys in towns and cities that are walked or cycled to 46% by 2025, and 50% by 2030. Accelerating modal shift to

walking and cycling is also identified as a key objective in the government's Transport Decarbonisation Plan and the Net Zero Strategy.

### **Irrational misunderstanding of highway code changes, and a supposed 'highway hierarchy'**

SBC has indicated in writing to Cycling UK Stevenage that the “decision to proceed forward to formal consultation without allowing cycling through the proposed pedestrian zone has been taken by prioritising pedestrians over other road users including cyclists which is in line with the Highway hierarchy.”

Cycling UK assume that reference to the 'highway hierarchy' is meant to relate to the new 'hierarchy of user' rule within the highway code, as amended in January. If that was not SBC's intention or meaning, Cycling UK would welcome clarification on what SBC believes the 'highway hierarchy' to mean.

If SBC was intending to refer to the hierarchy of user, that is a concept and rule which concerns the responsibility of different road users, it does not mean that road infrastructure is subject to a hierarchy within the highway code, rather than users. SBC should have had due regard to its Network Management Duty, the statutory guidance, and LTN 1/ 20. To the extent that its decision making has been influenced by a misunderstanding of the highway code rules, its reasoning and decision making are fundamentally flawed.

### **Contrary to local policy**

At a local level, the planned TRO does not comply with SBC Local Plan IT4, to support and encourage increasing mobility by sustainable and inclusive modes, and IT5 making safe, direct, and convenient routes within developments for cyclists.

Para 7.5.2 of the planning application states that the Highway Authority considers the proposed use of the space is easily accessible for trips by sustainable modes. The decision to remove cycle access along the spine means this is no longer the case – yellow brick road is the only access route avoiding the pedestrian only Town Square. Pushing a cycle, especially if loaded with shopping, or with a child in a child seat is difficult and potentially hazardous. Some people who can cycle quite efficiently find it difficult to walk any distance; others use adapted cycles and are unable to dismount. Banning people from cycling at a prestigious new public realm facility in the Town Centre appears to be completely at odds with Stevenage's status as a Sustainable Transport Town.

### **Conclusion**

When the NMD guidance stresses the importance of reallocating road space to people cycling, SBC is proposing to remove road space for cycling.

When the cycling design guidance makes it clear that in VRAs the preference should be to allow access to cyclists, SBC is assuming this will cause problems when there is no evidence to support that assumption.

When national and local policy all point towards taking steps to enable more people to cycle, SBC is moving in the other direction.

This proposal does not secure the expeditious, convenient and safe movement of traffic, particularly cyclists.

The reasons given for making this order are inadequate, and are not based on evidence or proper analysis.

SBC has fundamentally misunderstood or misled itself regarding the implications of the NMD guidance, LTN 1/20, and various national and local policies.

Furthermore, the proposed order is irrational, and not one any reasonable HA could make.

Duncan Dollimore, head of campaigns Cycling UK

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