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Our Ref: NATTRAN/WM/CT/107

Date: 28 April 2026

Dear Ms Jacques

CYCLE TRACKS ACT 1984 AND CYCLE TRACKS REGULATIONS 1984

THE WARWICKSHIRE COUNTY COUNCIL (FOOTPATH ADJACENT TO HARBURY LANE, WARWICK) CYCLE TRACK ORDER 2024

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 Track Order (the Order) made by Warwickshire County Council (the Council) should be confirmed without modification.

CONSIDERATIONS FOR DECISION

2. The Order was referred to the Secretary of State by Warwickshire County Council for a decision as three non-statutory objections remained outstanding. It was decided that a local public inquiry should be held to hear those objections. This inquiry took place on 18 November 2025 at Shire Hall, Market Place, Warwick, CV34 4RL before Inspector J Ayres, BA Hons (the Inspector).
3. The Inspector considered the objections and supporting representations to the Order and has submitted a report to the Secretary of State, a copy of which is enclosed with this letter. References to the report within this letter are prefixed 'IR'.
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, 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
- Whether any disadvantages arising as a result of the Order outweigh the advantages of making the Order

DECISION MAKING

5. The Secretary of State is satisfied that all statutory procedures in respect of the making of a Cycle Tracks Order have been carried out by the Council, as set out in the Cycle Track Regulations 1984.
6. Overall, the Secretary of State is satisfied that the advantages of the creation of the cycle track, conferred by the Order, would outweigh the disadvantages which have been put forward by the objectors.
7. The Secretary of State notes that the design of the Order scheme meets the core principles of LTN 1/20, providing a safer, more comfortable and desirable alternative to using the busier main roads and would form part of a larger network of cycle track routes. It would allow the provision of a facility that would significantly encourage cycling along a route that cyclists already informally use (IR.41).
8. The Secretary of State notes concerns raised regarding a potential increase in littering (IR.26). However, she notes that the Inspector has no reason to consider that the provision of a cycle track would result in any significant increase in littering and understands that bins were installed along the footpath in 2025, and no complaints regarding the issue have been put before the Inspector (IR.35).
9. With regards to the comments regarding anti-social and criminal activity, the Secretary of State notes from the Inspector at IR.35 and IR.36 that Warwickshire Police were consulted and raised no objections to the proposal and that no incidents have been referred by local residents. Furthermore, the proposed cycle track will be lit and attract greater public use by cyclists and walkers, resulting in greater natural surveillance of the route and less likelihood of anti-social behaviour occurring.
10. The Secretary of State notes comments from objectors referred to at IR.27 that there is no need for an additional access point at Achilles Close and that it will provide no evident benefit. However, she agrees with the Inspectors report at IR.37 that, whilst historically this may have been the case, it is clear that the area has seen considerable development in recent years and the paths around Harbury Lane now connect to a wider network of paths and crossing points. An increase in demand and use requires the provision of works to allow increased accessibility and interconnectivity. She also agrees that an increase in access, to include points at Shylock Grove, Trinculo Grove, Laertes Grove and Achilles Close would ensure that the footpath and cycleway is genuinely an accessible and alternative route for residents (IR.38).
11. She notes comments at IR.28 and IR.29 that a section of Achilles Close has always been considered private and that removing the private drive status and creating a communal access point can lead to property devaluation. However, she understands that the Inspector is satisfied that Achilles Close is a public highway up to and

including the footway and carriageway turning head adjacent to the footpath, and that the access would connect directly to the highway and public footpath (IR.40).

12. The Secretary of State is aware of issues regarding the impact of previous path construction works (IR.30). However, she notes the Inspectors comments at IR.39 that concerns are related to a gully on a private driveway. She is satisfied that concerns were discussed between the objector and Council officers and addressed by the Council.
13. The Secretary of State, in considering the Order, has taken into consideration the Public Sector Equality Duty introduced by the Equality Act 2010. The Secretary of State has considered whether the Order would harm the interests of persons with a protected characteristic or have an adverse effect on the relationships between such persons and any persons who do not have a protected characteristic and has concluded that it would not. The Secretary of State is satisfied that the Public Sector Equality Duty is discharged.

CONCLUSION

14. 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 be confirmed without modifications to authorise the Warwickshire County Council (Footpath Adjacent To Harbury Lane, Warwick) Cycle Track Order 2024 to convert a length of footpath into a Cycle Track.
15. 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.
16. 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.
17. A copy of this letter and inspector's report has been sent to the objectors and other interested parties who submitted representations. Warwickshire County Council should 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



Tim Brimelow

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