

**Report for:** Head of Service for Highways and Parking

**Title:** Proposed conversion of segregated to unsegregated shared use footway/cycleway on Markfield Road, N15

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**Ward(s) affected:** South Tottenham

**Report for Key/  
Non-Key Decision:** Non-key decision

**1 Describe the issue under consideration**

- 1.1 To determine whether the proposed conversion of segregated to unsegregated shared use footway/cycleway on Markfield Road N15, should proceed to implementation, thereby allowing the installation of bollards to prevent vehicles mounting the footway.

**2 Cabinet Member Introduction**

- 2.1 N/A

**3 Recommendations**

The Head of Highways and Parking is asked to:

- 3.1 Approve the implementation of the proposed conversion of segregated to unsegregated shared use footway/cycleway on Markfield Road N15, as shown at Appendix A.
- 3.2 Agree that the Council shall exercise its discretion to not cause a public inquiry to be held for the reasons set out in paragraph 8.2 of this report.

**4 Reasons for decision**

- 4.1 The section of unsegregated shared use footway is required to facilitate the introduction of bollards to prevent vehicles mounting the footway which is currently a safety concern for cyclists and pedestrians.
- 4.2 The reason why this is a non-key decision is because it will not result in the award of a contract or expenditure of £500,000 or more nor any virements and because it only relates to one ward.

**5 Alternative options considered**

- 5.1 Do nothing: This option was rejected as safety for cyclists and pedestrians would be compromised.

## 6 Background Information

- 6.1 Local Ward Councillors and Council officers have received numerous complaints about vehicles overrunning the south-western footway on the section of Markfield Road south of its junction with Constable Crescent.
- 6.2 The area in question is commercial and use of heavy goods vehicles is significant. This therefore poses an increased risk of accidents leading to serious injuries.
- 6.3 In order to prevent vehicles overrunning the footway, Officers have designed a proposal to install robust bollards on the edge of footway. Due to the required lateral clearance for the bollards and the available footway width, there is insufficient space to maintain the existing segregated cycle track/footway arrangement and would not be in accordance with the latest Government guidance and recommendations.
- 6.4 The proposal therefore includes amending this section of footway to unsegregated shared use.
- 6.5 The total cost of the amendments is £33K, which **will be fully met from the Council's** approved General Fund capital programme.
- 6.6 In accordance with the section 122 duty under the Road Traffic Regulation Act 1984, officers have considered factors relevant to securing the expeditious, convenient, and safe movement of traffic, including pedestrians and cyclists, and provision of suitable and adequate parking facilities having considered securing accessibility to premises, regulating and restricting the use of roads by heavy commercial vehicles, air quality objectives and facilitating the passage of public service vehicles. Officers consider that maintaining the safe and convenient movement of pedestrians and cyclists along Markfield Road are important factors that the proposal to convert the segregated shared use area to unsegregated shared use on Markfield Road will achieve.
- 6.7 The scheme has been designed in accordance with LTN/120, which is the guidance provided by Department for Transport (DfT) for local authorities on delivering high quality cycle infrastructure.
- 6.8 The network management duty places a statutory duty on Local Authorities to secure **the “expeditious movement of traffic” on the road network; this includes pedestrians** and cyclists as well as traffic. The Council also has a statutory duty to improve road safety, and the measures proposed support both. It is the view of officers that these changes are essential to ensure the expeditious and safe movement of traffic.
- 6.9 The proposal will not impact on residents' human rights, such as Article 1 of the First Protocol (the right to peaceful enjoyment of possessions) and Article 8 (the right to respect for private and family life, home, and correspondence), as residents will continue to be able to use their possessions, including motor vehicles and cycles and there are no homes in the vicinity.

## 7 Consultation

- 7.1 The public consultation document was sent to the Ward Councillors on 07 May 2025.
- 7.2 Public notices were placed on-street and in the local newspaper and London Gazette on 14<sup>th</sup> May 2025 A copy of the public notice is attached as Appendix B which gave parties 21 days to make representations regarding the proposals. A copy of the legal

notice together with the statement of reasons explaining why the Council is proposing to undertake works to implement the proposals was made available at its offices. The proposals include the unsegregated shared use on the south-western footway of Markfield Road, N17 between Constable Crescent and its south-eastern extremity.

7.2 The following statutory bodies were also notified:

- AA
- London Transport
- Police (local)
- Fire Brigade
- London Ambulance Service
- Freight Transport Association
- Road Haulage Association
- RAC
- Metropolitan Police (traffic)
- London Travel Watch
- Haringey Cycling Campaign

## 8 Responses to Consultation

8.1 No responses or representations were received during the public notification period.

## 9 Contribution to the Corporate Delivery Plan 2024-2026 themes

9.1 The provision of bollards to prevent vehicle overrun and the amendment of the footway to unsegregated shared use supports the following themes contained within the Corporate Delivery Plan:

- Resident experience and enabling success
- Children and young people
- Safer Haringey

## 10 Carbon and Climate Change

10.1 The scheme will help contribute positively to carbon emission reduction and mitigate climate change in the following way:

10.2 Improving road safety: Improving road safety eliminating overrun of the footway by vehicles.

### **Statutory Officers' comments**

## 11 Comments of the Chief Financial Officer

11.1 This report seeks the approval for the implementation of the proposed unsegregated shared use footway/cycleway on Markfield Road, N17 (south-western footway between Constable Crescent and its south-eastern extremity) for a total cost of £33K. The full cost of this proposal will be fully met from the Council's approved General Fund capital programme.

## 12 Comments of the Director of Legal and Governance

- 12.1 A local authority may create, alter or remove **a cycle track “in or by the side of a highway” under section 65(1) of the Highways Act 1980** and pillars, rails, etc., under section 66 of the Act as they think necessary for the purpose of safeguarding persons using the highway.
- 12.4 The creation or alteration of a cycle track is an improvement under Part V of the Highways Act 1980 and so planning permission is not required for the same, because the carrying out on land within the boundaries of a road by a highway authority of any works required for the maintenance or improvement of the road does not constitute development which requires planning permission.
- 12.5 No representations have been received in response to the consultation on the proposals in Appendix A attached to this report and so no judgment needs to be exercised as to how much weight each representation should carry and whether or not to approve any of the measures in the proposals in light of the representations.
- 12.6 Section 122 of the RTRA requires the Council to have regard to factors pointing in favour of imposing a restriction on the movement of traffic and those pointing in favour of securing the convenient and safe movement of such traffic, balancing the various considerations and concluding that the restrictions represent an appropriate outcome.
- 12.7 The factors which have pointed in favour of converting the segregated to unsegregated shared use footway/cycleway are set out in paragraph 6.6 of this report and how the **expeditious movement of traffic on the Council’s road network will be achieved is set out in paragraph 6.8 of this report.**
- 12.7 The decision to convert the segregated to unsegregated shared use footway/cycleway will not **impact on persons’ human rights as set out in paragraph 6.9 of this report** and therefore lawful.
- 12.8 The decision to approve the proposals in Appendix A attached to this report is an executive decision that can be exercised by the Head of Highways and Parking in **accordance with the Council’s Constitution and delegation given by the Director of Environment and Residence Experience in his e-mail dated 21<sup>st</sup> July 2025.**

## 13 Equality Comments

- 13.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
  - Advance equality of opportunity between people who share protected characteristics and people who do not
  - Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 13.2 The decision outlined under point 4 of this report is to approve the implementation of the proposed unsegregated shared use on Markfield Road, N17 (south-western footway between Constable Crescent and its south-eastern extremity – approximately 80m in length)
- 13.3 A public notification period of 21 days commenced to allow for interested parties to make representations regarding the proposal. Legal notices were placed on-street and in the local newspaper and London Gazette (see Appendix B). No responses were received during the statutory notification period, enabling the Council to proceed with the proposal without holding an inquiry.
- 13.4 Due consideration has been given to the impacts the decision will have on groups with protected characteristics. Whilst disabled people and older people can be affected by shared use routes, the available footway width of over 3m is considered adequate to negate any potential issues in this regard and is in accordance with the latest guidance/recommendations. The section of unsegregated shared use footway will also be signed accordingly.
- 14 **Use of Appendices**
- Appendix A – Scheme proposal
  - Appendix B – Public Notice
- 15 **Background Papers**
- None