

**From:** [redacted under s40]  
**Sent:** 07 January 2015 17:18  
**To:** [redacted under s40]  
**Cc:** [redacted under s40]  
**Subject:** TSRGD 2015

[redacted under s40],

I am now in a position to clarify some of the outstanding issues relating to the TSRGD 2015.

### **Schedule 7**

Part 4, item 1 – in column (4) of the table add a new permitted variant: “Pay on entry” or “Pay on exit” may be added above the time period.

Part 4, item 5 – in column (2) change diagram number from 679 to 894.

Part 4, item 6 – in column (2) change diagram number from 680 to 679.

### **Schedule 8**

Part 4, item 3 – in column (5) we think that para 2 of Part 8 in Schedule 8 (regulation 10(2) in the TSRGD 2002) might apply to this sign although we are not certain about this. Is there any way that this can be checked? It is a similar situation to the low bridge sign to diagram 629.2A.

Part 4, item 3 – in column (5) add “4” as para 4 in Part 8 applies to the tunnel sign.

Part 4, items 6 and 7 – contraflow cycle lanes require a traffic order. Direction 1 needs to be amended and “1” added to column (6) in Part 4 in respect of items 6 and 7.

Part 4, item 9 – a with-flow cycle lane does not require an order. Para 1 in Part 8 applies to the marking in Part 6, item 7 (diagram 1049B). There needs to be a direction that ensures that both Part 4, item 9 and Part 6, item 7 are always used in conjunction with each. Para 12 in Part 7 of Schedule 8 will need to be amended as it is currently written for contraflow cycle lanes, not with-flow. This will be covered separately, but it will need to refer to the time period indicated by diagram 959.1.

Part 4, item 12 – in column (4), entry 5, change “... the route number and background ...” to “... the route number, background and border ...”.

Part 6, item 7 – direction 1 needs to be qualified as a traffic order is not required where the marking forms the boundary of a mandatory with-flow cycle lane. The marking must be reflectorised when indicating the boundary of a mandatory cycle lane, otherwise it may be reflectorised. This will require a new provision in Part 8. The reference to para 12 in Part 8 in column (4) is incorrect and was probably meant to be para 10. This is now replaced by the new provision mentioned above. It might

be possible to include this in para 10 of Part 8. Note that some other references to Part 8 in Part 6 appear to be incorrect. These will be checked separately.

Part 6, item 9 – remove “and 11” from column (4). “11” appears to be an error and probably meant to be “10”. However, it has been decided that “must be reflectorised” should no longer be applied to this marking and that reflectorisation will be left to guidance

Part 6, item 25 – remove “8” from column (5) as direction 8 does not apply to this marking.

Part 6, item 26 – [redacted under s40] will be providing you with information with regard to this marking.

I will deal with other issues on Friday (although not one of my normal working days, I have decided to work from home on that day).

[redacted under s40]

**From:** [redacted under s40]  
**Sent:** 15 October 2014 15:48  
**To:** [redacted under s40]  
**Cc:** [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory Cycle Lanes

[redacted under s40],

Whatever is decided will probably require a change to the TSRGD. I have mentioned these issues in my comments on the SI.

[redacted under s40]

-----Original Message-----

From: [redacted under s40]  
Sent: 15 October 2014 15:46  
To: [redacted under s40]  
Cc: [redacted under s40]  
Subject: RE: TSRGD 2015 - Mandatory Cycle Lanes

[redacted under s40],

We are still awaiting Ministerial decision on this and other TRO issues. Will keep you posted.

[redacted under s40]

-----Original Message-----

From: [redacted under s40]  
Sent: 15 October 2014 14:45  
To: [redacted under s40]  
Cc: [redacted under s40]  
Subject: TSRGD 2015 - Mandatory Cycle Lanes

[redacted under s40],

Can you or someone clarify the position of a mandatory cycle lane without an order. The way Part 7 of Schedule 8 is currently drafted it appears that an order is still required for a with-flow lane. If this is the case then this needs to be clarified in Part 7 of Schedule 8 (it just states that the continuous line has to be on the off side of the vehicle – difficult for a with-flow lane!). Also the one-way road requires an order, so Part 7 of Schedule 8 would be relevant only where a contraflow cycle lane is added to an existing one-way road.

So my questions are:

- (1) Is an order still required for a with-flow mandatory cycle lane?
- (2) Is an order required for a contraflow cycle lane added to an existing one-way road?
- (3) Is an order required when a two-way road is converted to a one-way road with a contraflow cycle lane.

I trust the answer to question 3 is “yes”. Questions 2 and 3 apply also to contraflow cycles where a mandatory lane (with a continuous line) is not provided.

[redacted under s40]

**From:** [redacted under s40]  
**Sent:** 23 January 2015 14:41  
**To:** [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40],

I agree with this assessment – but think you meant to say cycle lanes in the first line, not bus lanes.

Thanks

**[redacted under s40]**

[redacted under s40] Traffic Engineering Policy | Department for Transport |  
3/27 Great Minster House | 33 Horseferry Road | London | SW1P 4DR |

Travelling to GMH? Why not make use of our [Directions](#) tool.

**From:** [redacted under s40]  
**Sent:** 23 January 2015 14:35  
**To:** [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40],

The answer is that we want to be able to introduce mandatory with flow bus lanes without the need for an order.

If an authority needs to introduce waiting and loading restrictions then they will need a TRO for those restrictions. TSRGD 2002 does not introduce any waiting/loading restriction in a cycle lane and Chapter 3 is not regulation it is guidance so it cannot introduce waiting/loading restrictions without an order, it needs to be revised in due course as will Cycle Infrastructure Design

Don't forget that many roads where authorities might want to introduce cycle lanes are likely to already have waiting/loading restrictions.

**[redacted under s40]**

[redacted under s40] | Department for Transport | 3/27 Great Minster House | 33  
Horseferry Road | London | SW1P 4DR | [redacted under s40] | [redacted under s40]

**From:** [redacted under s40]  
**Sent:** 23 January 2015 14:02  
**To:** [redacted under s40]  
**Subject:** TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40],

Have any decisions been raised yet with regard to the above, so that I can send instruction to [redacted under s40]?

The current para 12 in Part 7 of Schedule 8 refers to contraflow lanes and needs to be changed to with-flow lanes. I had raised the issue of a loading ban. Chapter 3 recommends that such a ban is included unless there are special circumstances. Therefore, para 12 in Part 7 needs to exempt loading. I need confirmation of this. Also should waiting be exempted. In Chapter 3 it implies that all mandatory cycle lanes should prohibit waiting and that the “no waiting” lines are not required, unless the restriction applies outside the operational period of the cycle lane. The same applies to the upright signs. However, I now understand that waiting restrictions should be fully signed and marked within a mandatory cycle lane. If this is the case, are these signs and markings subject to a separate TRO?

As separate TROs are likely to be required to cover waiting and loading restrictions, the only advantage of prescribing with-flow cycle lanes without an order would be to permit them to be provided where there are existing waiting and loading restrictions, otherwise a TRO will still be needed and there is no reason why this cannot include the cycle lane. So is there any real advantage in permitting cycle lanes without an order? If so, Daniel will need to include all situations where a vehicle may cross the continuous line. This would need to allow for loading and would be in conflict with any existing loading ban, so do we have to say “notwithstanding any existing provisions etc. applying to the road etc.”?

There is also the problem that there might be cycle lanes that have been provided in accordance with Chapter 3 and do not include “no waiting” lines and other cycle lanes that do (this would now include cycle lanes provided without an order where there are existing waiting restrictions). Are we asking traffic authorities to provide signs and markings along existing cycle lanes that have been signed in accordance with Chapter 3?

I should be pleased to receive your guidance on these matters.

[redacted under s40]

**From:** [redacted under s40]

**Sent:** 11 February 2015 12:10

**To:** [redacted under s40]

**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40],

Thanks. That's all I wanted to know. I am currently going through my list of outstanding TSRGD issues.

[redacted under s40]

**From:** [redacted under s40]

**Sent:** 11 February 2015 12:09

**To:** [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40],

[redacted under s42]. Any decisions will have to wait until we have more information.  
Thanks

[redacted under s40]

**[redacted under s40]**

[redacted under s40] Traffic Engineering Policy | Department for Transport |  
3/27 Great Minster House | 33 Horseferry Road | London | SW1P 4DR |  
[redacted under s40]

Travelling to GMH? Why not make use of our [Directions](#) tool.

**From:** [redacted under s40]  
**Sent:** 11 February 2015 12:01  
**To:** [redacted under s40]  
**Subject:** FW: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40], [redacted under s40],

What is the latest position regarding mandatory with-flow cycle lanes/ You will recall that I was asking what the exemptions should be. [\[redacted under s42\]](#)

[redacted under s40]

**From:** [redacted under s40]  
**Sent:** 23 January 2015 15:35  
**To:** [redacted under s40]; [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40],

I think that the main problem is that you have to commit an offence by crossing or straddling the line (driving along the cycle lane) in order to park or load. As loading is permitted in some cases, it needs to be lawful to cross the line, but we can't make that a general exemption because loading might be prohibited, which is why I said "vehicles may cross the line where loading is not prohibited".

[\[redacted under s42\]](#)

Sometimes new ideas for the TSRGD can be good, but difficult to implement. This is why previous versions of the TSRGD have taken so long to draft and finalise.

[redacted under s40]

**From:** [redacted under s40]  
**Sent:** 23 January 2015 15:23  
**To:** [redacted under s40]; [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40]  
Our comments below, but

[redacted under s40]

[redacted under s42]

**[redacted under s40]**

[redacted under s40] | Department for Transport | 3/27 Great Minster House | 33  
Horseferry Road | London | SW1P 4DR | [redacted under s40] | [redacted under s40]

*Travelling to GMH? Why not make use of our [Directions](#) tool.*

**From:** [redacted under s40]  
**Sent:** 23 January 2015 15:04  
**To:** [redacted under s40]; [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40]

My comments in red below.

[redacted under s40]

**From:** [redacted under s40]  
**Sent:** 23 January 2015 14:35  
**To:** [redacted under s40]; [redacted under s40]  
**Subject:** RE: TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40]

The answer is that we want to be able to introduce mandatory with flow bus lanes without the need for an order. **Presume you mean cycle lane ! Yes**

If an authority needs to introduce waiting and loading restrictions then they will need a TRO for those restrictions. TSRGD 2002 does not introduce any waiting/loading restriction in a cycle lane and Chapter 3 is not regulation it is guidance so it cannot introduce waiting/loading restrictions without an order, it needs to be revised in due course as will Cycle Infrastructure Design **The main point here is that we don't know whether there are any loading prohibitions so para 12 in Part 7 of Schedule 8 will have to say that vehicles may cross the line where loading is not prohibited. We disagree** **The Highway Code states that you must not drive or park in a mandatory**

cycle lane in which case a separate TRO to prohibit waiting is not be required We do not see how the Highway Code can say this if there isn't a waiting/loading restriction applied by TSRGD (it doesn't) or a TRO. The offence would be **driving** in a mandatory cycle lane. The law quoted is RTRA sections 5 & 8 which relate to contravening an order., hence the current guidance in Chapter 3 that signs and markings are not required for waiting restrictions, only for loading prohibitions. I need to know what the exemptions are that permit a driver to cross (or straddle) the line. I presume you will not be able to stop by the kerb to pick up or set down passengers. If there isn't a waiting/loading restriction you will. Drivers will need to cross the line at private accesses (vehicle cross-overs) or is there a break in the marking to allow this? [redacted under s40] is going to look out the standard exemptions drafted by [redacted under s40] some time ago.

Don't forget that many roads where authorities might want to introduce cycle lanes are likely to already have waiting/loading restrictions. **Not necessarily, they might choose a road where waiting is not prohibited, but where drivers do not park because there is no demand.** Yes so no problem here then.

**[redacted under s40]**

[redacted under s40] | Department for Transport | 3/27 Great Minster House | 33 Horseferry Road | London | SW1P 4DR | [redacted under s40] | [redacted under s40]

*Travelling to GMH? Why not make use of our [Directions](#) tool.*

**From:** [redacted under s40]

**Sent:** 23 January 2015 14:02

**To:** [redacted under s40]; [redacted under s40]

**Subject:** TSRGD 2015 - Mandatory With-Flow Cycle Lanes

[redacted under s40], [redacted under s40]

Have any decisions been raised yet with regard to the above, so that I can send instruction to [redacted under s40]?

The current para 12 in Part 7 of Schedule 8 refers to contraflow lanes and needs to be changed to with-flow lanes. I had raised the issue of a loading ban. Chapter 3 recommends that such a ban is included unless there are special circumstances. Therefore, para 12 in Part 7 needs to exempt loading. I need confirmation of this. Also should waiting be exempted. In Chapter 3 it implies that all mandatory cycle lanes should prohibit waiting and that the "no waiting" lines are not required, unless the restriction applies outside the operational period of the cycle lane. The same applies to the upright signs. However, I now understand that waiting restrictions should be fully signed and marked within a mandatory cycle lane. If this is the case, are these signs and markings subject to a separate TRO?

As separate TROs are likely to be required to cover waiting and loading restrictions, the only advantage of prescribing with-flow cycle lanes without and order would be to



permit them to be provided where there are existing waiting and loading restrictions, otherwise a TRO will still be need and there is no reason why this cannot include the cycle lane. So is there any real advantage in permitting cycle lanes without an order? If so, Daniel will need to include all situations where vehicle may cross the continuous line. This would need to allow for loading and would be in conflict with any existing loading ban, so do we have to say “notwithstanding any existing provisions etc. applying to the road etc.”?

There is also the problem that there might be cycle lanes that have been provided in accordance with Chapter 3 and do not include “no waiting” lines and other cycle lanes that do (this would now include cycle lanes provided without an order where there are existing waiting restrictions). Are we asking traffic authorities to provide signs and markings along existing cycle lanes that have been signed in accordance with Chapter 3?

I should be pleased to receive your guidance on these matters.

[redacted under s40]

**From:** [redacted under s40]

**Sent:** 27 January 2015 10:12

**To:** [redacted under s40]

**Cc:** [redacted under s40] [redacted under s40]; [redacted under s40]; [redacted under s40] [redacted under s40] >

**Subject:** TSRGD issues log spreadsheet

[redacted under s40],

Just to let you know I have added my comments on schedule 13 to the issues log. Hopefully they are self-explanatory but if you have any questions please let me know.

[redacted under s42]

Thanks

[redacted under s40]

**[redacted under s40]**

[redacted under s40] Department for Transport |  
3/27 Great Minster House | 33 Horseferry Road | London | SW1P 4DR |  
[redacted under s40]

Travelling to GMH? Why not make use of our [Directions](#) tool.

-----Original Message-----

From: [redacted under s40]

Sent: 27 February 2015 12:13

To: [redacted under s40]; [redacted under s40]; [redacted under s40] [redacted under s40] [redacted under s40] [redacted under s40]

Subject: RE: TSRGD - Definition of a Cycle Lane

[redacted under s40] [redacted under s40]

Just to show how complicated this issue of a cycle lane can get. As we have broken the link between upright signs and the road markings, the definitions in column (2) for items 2 and 3 in Part 4 of Schedule 10 are incorrect because they refer to the marking being used with an upright sign. The definition for item 2 will have to be changed from

"and when the line is used in conjunction with the sign shown in the diagram in column (3) of the table in Part 4 in respect of item 36 in column (1) of that table or the diagram in column (3) of the table in Part 2 in respect of item 44 in column (1) of that table, motor vehicles should not enter a cycle lane unless that lane is clear of pedal cycles"

to

"and when the line is used to indicate a cycle lane, motor vehicles should not enter that lane unless it is clear of pedal cycles "

And similar for item 3.

We need to check that they are not any other definitions in any Schedule that refers to a link between signs that will no longer exist.

This never ends.

[redacted under s40]

-----Original Message-----

From: [redacted under s40]

Sent: 27 February 2015 10:52

To: [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]

Subject: RE: TSRGD - Definition of a Cycle Lane

[redacted under s40]

That seems to work.

[redacted under s40]

-----Original Message-----

From: [redacted under s40]

Sent: 27 February 2015 09:17

To: [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]

Subject: RE: TSRGD - Definition of a Cycle Lane

[redacted under s40], [redacted under s40]

It depends on whether it is considered that an advisory lane is "reserved" for pedal cycles. The current definition makes a clear distinction between a mandatory lane and an advisory lane. As we are breaking the links between upright signs and road markings, this distinction might be more important. Then again, without the link, what makes diagram 1004 a cycle lane and differentiates it from any other use for this marking? My proposed guidance in Chapter 3 will be that a cycle lane, in addition to the longitudinal line, should have the cycle road marking symbol (diagram 1057), an upright sign or both.

Just removing para (a) from the existing definition, as I have suggested, could result in ambiguity in respect of para (b)(ii) as this could now apply to any traffic lane where diagram 1004 or 1004.1 is used. If para (b) is to be retained, I would suggest that the opening sentence to the definition is changed to:

"cycle lane" means a lane or part of a carriageway of a road reserved for pedal cycles which-

[redacted under s40]

-----Original Message-----

From: [redacted under s40]

Sent: 26 February 2015 09:00

To: [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]

Subject: RE: TSRGD - Definition of a Cycle Lane

[redacted under s40]

This nails it.

[redacted under s40] | [redacted under s40] | Traffic Division | Department for Transport | 3rd Floor, Great Minster House | 33 Horseferry Road | London SW1P 4DR | [redacted under s40] | [redacted under s40]

Travelling to GMH? Why not make use of our Directions <<http://is.gd/dftgmh>> tool.

-----Original Message-----

From: [redacted under s40]

Sent: 25 February 2015 19:02

To: [redacted under s40] [redacted under s40]; [redacted under s40]; [redacted under s40] [redacted under s40]; [redacted under s40]

Subject: RE: TSRGD - Definition of a Cycle Lane

Perhaps we should consider moving away from a marking dependent definition altogether, what do others think?

Something like “Cycle lane” means a lane or part of the carriageway reserved for pedals cycles.

[redacted under s40]

From: [redacted under s40]

Sent: 25 February 2015 15:57

To: [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]; [redacted under s40]

Subject: TSRGD - Definition of a Cycle Lane

All

I’m not sure that the definition of a cycle lane is correct in the TSRGD 2002 (and copied to the draft TSRGD 2015) as it states that the lane start with diagram 1009, but this may not be the case. What about contraflow cycle lanes? There may be other situations where 1009 might not be used. There I am adding to the Central Issues Log that para (a) in the definition is to be removed.

An entry in the log for the definition of “cycle lane” is needed in any case because the reference to item 8 in Part 6 of Schedule 8 in para (b)(i) is incorrect – it should be item 7.

[redacted under s40]

**From:** [redacted under s40]

**Sent:** 10 May 2016 13:05

**To:** [redacted under s40] [redacted under s40] [redacted under s40] [redacted under s40]; [redacted under s40]

**Subject:** FW: Mandatory cycle lanes

All

I think we agreed that yellow lines are required for waiting restrictions even though the advice in Chapters 3 and 5 is that such lines are not required unless the no waiting order covers a period when the cycle lane is not operational. I'm not sure where the original guidance came from. It might have something to do with the caption for the bus lane upright sign (TSRGD 2002) which implies that the marking indicates "no waiting" but not "no loading". The guidance does state that an order is required and no doubt this would have been part of the cycle lane order.

[redacted under s40]

[redacted under s40], Traffic Division, Department for Transport  
3/27 GMH | [redacted under s40]

**From:** [redacted under s40]

**Sent:** 10 May 2016 14:56

**To:** [redacted under s40] [redacted under s40] [redacted under s40]; [redacted under s40]; [redacted under s40]

**Subject:** Mandatory Cycle Lanes

All

Thinking more about this issue as it affect the TSM Chapters I will be working on, new mandatory cycle lanes are likely to be in areas where there is already a waiting restriction in place, hence the provision on a new lane without the need to make any order (just a consultation exercise). Introducing a cycle lane where there is currently roadside parking will be much more than a cycle facility, it will affect residents parking etc. In such a situation I would have thought other arrangements might be considered, including advisory cycle lanes (see figure 16-3 in Chapter 5) or shared cycle footway. I think the arguments arising from the TSRGD 2016 are:

(1) Although you can provide a mandatory with-flow cycle lane, you still have to go through the order making process to prohibit waiting. As pointed out above, such lanes might be provided where waiting restrictions already exist, hence no need for an order. However, it might be necessary to impose a loading ban if one doesn't already exist and this could be more of a problem. If a new cycle scheme is being introduced then the issue of on-street and off-street waiting and loading prohibitions need to be given careful thought, as does any cycle facility alternative to a cycle lane.

(2) The need to provide yellow lines – there needs to be something to indicate any waiting restrictions, otherwise how does a driver know whether or not a waiting restriction exists. The TSRGD 2016 does permit upright signs without yellow lines as there is no direction linking the two, but would upright signs alone be sufficient (using the cycle lane marking as a substitute yellow line)? I think the guidance in the TSM should be updated to say that yellow lines should be provided (we can't say "must").

[redacted under s40]

[redacted under s40] | [redacted under s40] Traffic Division, Department for Transport  
3/27 GMH | [redacted under s40]

**From:** [redacted under s40]  
**Sent:** 11 May 2016 09:16  
**To:** [redacted under s40]; [redacted under s40] [redacted under s40] [redacted under s40] [redacted under s40]  
**Subject:** RE: Mandatory cycle lanes

All

This discussion leads me to concluded that a mandatory cycle lane placed without a traffic order (for the many and varied exemptions) is about as useful as a chocolate fire guard!

Is the best solution to tackle the root of the issue through a future TSRGD amendment, that adds a waiting loading prohibition with exemptions for the purposes mentioned?

[redacted under s40]

[redacted under s40], Department for Transport  
3/27 | [redacted under s40] |

**From:** [redacted under s40]  
**Sent:** 10 May 2016 17:02  
**To:** [redacted under s40] [redacted under s40] [redacted under s40]; [redacted under s40]; [redacted under s40]  
**Subject:** FW: Mandatory cycle lanes

All

[redacted under s40] raises some interesting points. I don't think bus lanes automatically impose a waiting restriction now that we have removed the note about loading from the description of the sign. In any case the bus lane order must surely include a restriction on waiting. The original caption and note more or less told traffic authorities to include a probation of waiting in their bus lane order.

What does concern me is the fact that the guidance in TSM implies that you can wait or load in a cycle lane unless this is prohibited. Any stopping in a cycle lane involves driving in it, so this would affect deliveries, refuse collection, maintenance of street furniture, works being carried out on the footway or verge (e.g. utility works that do not involve the main carriageway but require a vehicle to be parked) etc. Then there is the point that Simon mentions about road sweeping.

If a road already has waiting restrictions with exemptions for deliveries etc., how is this affected if a cycle lane is introduced. I think the reasons we gave up on double yellow lines without an order was because of the problem of exemptions. Each local authority would have their own exemptions – these would not be signed, but the people exempted would know who they were.

What needs to be done with regard to cycle lanes is that there should be an exemption for maintenance vehicles and for other vehicles where the waiting or loading by such vehicles is not prohibited.



Finally, para 17.4 of Chapter 3 states that any loading ban should always be signed, even if it applies only during the hours of operation of the cycle lane, whereas para 16.7 in Chapter 5 states that the loading signs and markings are not necessary. This was sorted out in the revised Chapter 5 resulting from the Amendment TSRGD 2011 by replicating Chapter 3, but this revised Chapter was never published.

[redacted under s40]

[redacted under s40] | [redacted under s40], Traffic Division, Department for Transport  
3/27 GMH | [redacted under s40] |

From: [redacted under s40]  
Sent: 10 January 2019 09:53  
To: [redacted under s40]; [redacted under s40]  
Subject: RE: Parking in mandatory cycle lanes

[redacted under s40],

Just to say, I agree with John's comments,

Thanks  
[redacted under s40]

[redacted under s40] | [redacted under s40], Department for Transport  
3/27 GMH | [redacted under s40] |

Please note I no longer have a landline number

From: [redacted under s40]  
Sent: 10 January 2019 09:26  
To: [redacted under s40]; [redacted under s40]  
Subject: RE: Parking in mandatory cycle lanes

[redacted under s40]

After we spoke yesterday, I realised that I should have scanned the whole reply, not just the highlighted section. See what you think of the following suggestions:

- Para. 1 - I thought camera use to enforce parking had been stopped by Eric Pickles?
- Para. 2 – change ‘...Code is unclear’ to ‘Rule 140 of the Highway code could be clearer’
- Para. 2 – alter final sentence to ‘We’re also updating the Traffic Signs Manual on the restrictions associated with mandatory cycle lanes as well’.
- Para. 3 – add ‘with-flow’ before each mention of mandatory cycle lane

All the best

[redacted under s40]

[redacted under s40] | [redacted under s40], Department for Transport  
3/27 | [redacted under s40] |

From: [redacted under s40]  
Sent: 09 January 2019 17:02  
To: [redacted under s40]; [redacted under s40]  
Subject: RE: Parking in mandatory cycle lanes

[redacted under s40]

There is no difference between the TSRGD 2002 and 2016 with regard to parking in mandatory cycles. Neither prevented parking in a mandatory lane; for that a separate waiting/loading restriction is required by TRO.

One change that came into force with TSRGD 2016 was the removal of the need for mandatory with-flow cycle lanes to be underpinned by a traffic order.

All this is a long way of agreeing with your response although you will want to edit "... have not changed" to take account of the removal of the TRO.

[redacted under s40]

[redacted under s40] [redacted under s40] Department for Transport  
3/27 | [redacted under s40] |

From: [redacted under s40]

Sent: 09 January 2019 15:47

To: [redacted under s40] [redacted under s40] Subject: RE: Parking in mandatory cycle lanes

Hi [redacted under s40] and [redacted under s40],

[redacted under s40] believes that TSRGD 2002 and TSRGD 2016 differ on the traffic restrictions associated with mandatory cycle lanes.

[redacted under s40] thinks that TSRGD 2002 made it an offence to park or drive in a mandatory cycle lane, whereas TSRGD 2016 only refers to 'driving' in a mandatory cycle lane.

I assume that we don't agree with his interpretation, and that it wasn't our intention that TSRGD 2016 would change the restrictions associated with mandatory cycle lane markings.

Do you agree with my draft response highlighted in yellow below? His point is also highlighted in yellow.

Thanks,

[redacted under s40]

Dear [redacted under s40],

To clarify, local authorities will be able to use cameras to enforce against parking in mandatory cycle lanes, but the separate offence of driving in mandatory cycle lanes will remain with the police as a criminal offence.

Rule 140 of the Highway Code is unclear, and we are considering whether it should be revised as part of the review of the Highway Code. We're also aware that the Traffic Signs Manual may be unclear on the restrictions associated with mandatory cycle lanes as well.

You are correct in that TSRGD 2016 did effectively abolish the need for a Traffic Regulation Order to give effect to a new mandatory cycle lane. In other words, legally-enforceable mandatory cycle lanes can be introduced without TROs, as the markings alone now constitute the legal restriction. This change was made before I joined the Department, but I understand that the purpose of this was to make it quicker and easier for local authorities to introduce mandatory cycle lanes. It also eliminates an incentive for local authorities to introduce merely

advisory cycle lanes simply to avoid the cost and bureaucracy that were associated with making TROs for mandatory cycle lanes.

With regards to TSRGD 2002, the Department's view is that 'used' meant driven and that 'encroached' meant the active movement of a vehicle into the restricted lane; and that the restrictions associated with mandatory cycle lanes have not changed.

The Department has no current plans to amend TSRGD 2016 (with respect to cycle lanes) or to commence the provisions in the Traffic Management Act 2004 that would enable local authorities to undertake civil enforcement of moving traffic offences.

Kind regards,  
[redacted under s40]

[redacted under s40] | [redacted under s40], Department for Transport  
Zone 3/27 [redacted under s40]