

**Meeting of the Council, Thursday, 5 December 2024**  
**Public Question Under Standing Order A24**

**Public Question 1**

**Margaret Forbes-Hamilton to the Cabinet Member for Tourism, Events & Culture and Corporate Services (Councillor Jackie Thomas)**

As the current pitch and putt site in front of Torre Abbey is part of the land listed as a Scheduled Ancient Monument, has Scheduled Monument Consent been applied for and granted by Historic England for the removal of the perimeter fencing and levelling of the ground, and does there need to be a watching brief for hidden archaeology during these works?

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**Public Question 2**

**Margaret Forbes-Hamilton to the Cabinet Member for Tourism, Events & Culture and Corporate Services (Councillor Jackie Thomas)**

What are the costs quoted for the removal of the fencing and levelling of the ground and the archaeological watch, which companies have given these quotes, and precisely where are the funds to carry out this work coming from?

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**Public Question 3**

**Bethan Huntley to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)**

The Paignton Seafront Flood Defence works planning permission was approved on 12th July this year.

Our concerns relate to the Eastern Esplanade which is the area surrounding Paignton Pier. We were pleased to see a 2-way cycle lane through the pedestrianised section of the plans, however, the layout on the two 'wings' remains in the same format to how they are currently. Something we are deeply concerned about the safety of.

There are 2 main areas of concern: cyclists have a painted lane in which to travel against the traffic flow. However, it is frequently our experience that vehicles regularly straddle this cycle lane and pay little attention to cyclists travelling towards them as they are looking the other way for car parking. This is so common that it is depicted on the current google image street view of the road.

Additionally, when travelling with the traffic flow vehicles drive forwards into parking spaces but reverse out of them, into the path of oncoming traffic. If they fail to see a vulnerable road user they can very easily reverse right over them. This is more likely to occur with larger vehicles which have poorer visibility such as vans, pickups,

camper vans or motorhomes. Equally, someone in a recumbent cycle or a younger cyclist would be less visible.

Imagine the feeling of travelling down that route - at any moment it is possible for a car, van or motorhome to reverse out into your path. Every cyclist I ever speak to who has cycled down there tells me they have concerns regarding the layout and have experienced near misses. We know that near misses eventually lead to incidents. In 2021 a cyclist was slightly injured here and on Saturday 13th June 2023 a 47 year old pedal cyclist was seriously injured by a vehicle. Both of these incidents were during the day in summer with good weather.

At the planning meeting the Head of Engineering for Torbay Council referenced the 'valid concerns' raised in the representation from Active Travel England regarding what they deemed to be a 'critical safety issue' in the design due to cyclists being offered no physical protection from reversing vehicles. As such it was our expectation that there would be a planning condition regarding this. However, when the decision notice was issued, there was no planning condition to resolve what Active Travel England perceived to be a critical safety issue.

Furthermore, I understand that following the meeting a diagram was produced showing how a vehicle can reverse out of a parking space without infringing on the cycling lane. I believe it has since been acknowledged by TC that this is 'idealistic' - it is also based on a car which is shorter than a great number of vehicles that use the area. Additionally, this is not our main concern - cyclists are also travelling unprotected within the carriageway.

We have been told that extensive consultation has been undertaken. However, no one should have to ask for safe highways design within a consultation - provision of this is a statutory obligation of the council. Similarly, I'm sure no one asked for litter bins either.

At a meeting of the Design Review Panel Torbay Council Head of Highways, responded to a question as to whether there were safety concerns and the view was that during the period since implementation the layout had a good safety record however, cyclists were not consulted regarding this and we know that incidents involving vulnerable road users are often under-reported.

If you have ever been hit by a vehicle whilst travelling in a painted cycle lane, you will know that paint is not protection.

One of the mitigations explained is that vehicles are travelling slowly in this area. However, as someone who broke bones and whose face still bears the scars from a collision with a vehicle at a slow speed, I do not agree with this argument.

This redesign was Torbay Council's Opportunity to engineer out these safety issues which could have been done easily at the pre-planning stage. The ideal would have been to create a fully segregated cycle lane. However, as a minimum, we would like to see a change in the direction of parking, so vehicles are required to reverse in. This would greatly reduce the danger to cyclists and pedestrians.

With this in mind, despite the approved planning permission, will Torbay Council redesign the Paignton Esplanade Road layout to prevent future tragedy?

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#### **Public Question 4**

#### **Bethan Huntley to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)**

It has been found that on-road dashed cycle lanes which pre-date the Local Transport Note 01-20 guidance actually kill 10% more people than having no cycle lane at all and not encourage uptake of cycling. (<https://fiets.uk/2024-09-19/the-shocking-and-deadly-statistic-behind-painted-cycle-lanes/>)

To someone who has never cycled in them, this may sound counter intuitive. However these 75cm wide lanes give an illusion of safety which cyclists fail to share.

The national cycle standards training actually teaches that it is often safer to ride outside of these lanes to maintain correct road positioning. Their rule of thumb is you should be at least an arm's distance from the curb when it is safe for a vehicle to pass but move further out, to the primary position, when required.

These lines make drivers see a person cycling as being in their own lane and so they don't need to consider their needs. This results in more frequent close passing - we frequently observe most vehicles fail to wait behind cyclists and cross into the other carriageway. In most road width situations this automatically means they are failing to leave an adequate gap of at least 1.5m around the cyclist. In the event the cyclist came off their bike or an obstruction in the cycle lane forced them out, they would be directly in the path of a vehicle and likely seriously hurt.

Paint is not protection and the danger from close passing vehicles increases the number of crashes that occur.

In my opinion we have these dangerous 'lanes' on a great number of roads in Torbay including the Riviera Way dual carriageway.

The best solution would be for all cycle lanes in Torbay to be re-designed to comply with current guidance. This has been proved to reduce cycle deaths by half and increase uptake of cycling by 20-60% compared with no infrastructure (Boardman, 2024). However, we understand that this long term aspiration will be expensive and time consuming.

In the meantime, what we are asking the council to do is an evidence based step to improve road safety.

Will Torbay Council reduce road danger for cyclists in Torbay by removing these dangerous road markings as a part of routine maintenance going forward?

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