

Overview & Scrutiny Review: Equestrian Access on Pedestrian & Cycle Paths

**A review by the Planning, Transportation, Economy & Sustainability (PTES)
Overview & Scrutiny Panel**

18 February 2005

Summary Findings & Recommendations

1.0 Introduction

In November 2004, Bath & North East Somerset Council's Horse Riding Strategy was referred to the Planning, Transportation, Economy and Sustainability (PTES) Overview and Scrutiny Panel for review prior to decision being made.

The strategy, which included a proposal to open up equestrian access on sections of the area's pedestrian and cycle paths, was due for a decision in November but more than 80 comments were received.

Many of these writers complained of a lack of consultation and, as a result, Cllr Sir Elgar Jenkins, Executive Member for Transportation and Highways, referred the matter to the Overview and Scrutiny Panel for further consideration, detailed analysis and consultation

The Panel considered its approach to this issue and agreed a specific purpose of the O&S review **to investigate and report on the issue of shared access by horse riders to cycle/pedestrian routes**. Terms of Reference for their review were defined (Appendix A).

The Panel undertook this review as a matter of urgency, concluding in a public meeting on 10th January. This report summarises the review process and documents the Panel's recommendations and key findings, which have been unanimously agreed.

2.0 Review Process

In approaching this review, the Panel has undertaken wide ranging consultation, taking views from the public and various stakeholder organisations by the following methods:

- Public correspondence on the matter, invited via a press release. A postal address and website with information about the review was publicised. In excess of 35 letters and e-mails were received, representing a range of views.
- Targeted correspondence, inviting interested individuals known to the Council, to either write to the Panel with their views or come and speak to the Panel at the public meeting.
- All known organisations with an interest were invited to attend the public meeting, or write, representing their views to the Panel.

- An open public meeting to hear comments and contributions from the public and other relevant organisations was held on 10th January at the Guildhall, Bath. Specific timeslots were assigned throughout the day, allowing for presentations and discussion on the issue. Question & answer sessions with contributors clarified the issues raised. The 'Meeting Structure and Timings' document (appendix B) lists the schedule of contributors that attended the public meeting.

In considering all the information provided by the review, the panel has developed a set of recommendations within a set of core themes that have emerged as a result of the Scrutiny process.

The evidence submitted during the course of the investigation is recorded and available for inspection as follows:

- Papers and notes of the public review meeting (10th January 2005)
- Full contributor statements
- Public correspondence

Hard copies can be obtained from the Democratic Services Team, Riverside, Keynsham, Tel. (01225) 394411.

3.0 Panel Recommendations

It is the unanimous opinion of the Panel that:

1. A 12-month trial period on the routes identified by the Executive Paper of November 2004 should go ahead.

Shared access on multi-use paths is a fundamental goal for the Council to work towards. It is in line with the government's guidance to Local Authorities for transport planning. The Council has a duty to open up facilities wherever possible for all relevant modes of transport and consider that the objections raised do not provide sufficient rationale compared with the benefits that may be achieved by inclusive access.

2. Prior to the implementation of the 12 month trial period, the Executive Member is recommended to ensure that:
 - Further consultation is conducted with Executive Members from our neighbouring Authorities, particularly where trial routes run over borders, and take notice of any concerns raised.
 - A code of conduct, user guidelines and signage (including emergency procedures) for use during the trial period are developed. This must be done in conjunction with representatives from the consulted groups identified in the course of the Panel's investigation.
 - A robust monitoring regime in consultation with the primary user groups is put in place to provide a range of data that will enable the trial to be effectively evaluated.

- Upon conclusion, the findings reported be brought back to the Panel for consideration and comment to the Executive Member.
3. All of the proposed routes are again independently risk assessed in terms of safety for all of the potential user groups.

The Panel believes the assessments should be less risk averse and need to take account of probability – a dimension missing from the initial assessments. Factors such as what is a reasonable path width within the context of local circumstances and how routes are managed to achieve effective maintenance are to be taken into consideration. Results of these fresh assessments and actual experiences during the trial period should be used to define whether specific, generic, or indeed any risk assessments are required in the longer term.

4. A designated officer should be appointed to manage the trial period.
5. In future, any new route builds should be designed and constructed to support multi-use.
6. The panel was again very seriously concerned that the quality of public consultation had not been sufficiently comprehensive or robust. In the Panel's December 2003 Call-In report for Wellsway it asked the Executive to:

“consider that there are lessons to be learnt for Bath & North East Somerset Council as a whole on handling consultation on significant Ward issues and involving Ward Councillors at the earliest opportunity and on giving suitable feedback. The Panel recommend that the Council Executive should examine this matter further.”

The Panel asks again that this matter is now given a high priority by the Executive.

4.0 Findings – Core Themes

The Panel makes the following comments as key findings of the review.

4.1 Shared Access

- The principle of shared access is important. This ties in with the government's inclusive society and quality of life agendas and the related guidelines.
- Surprisingly, there is a 50/50 split between walkers and cyclists using cycle paths. The Bristol – Bath route was sampled by Sustrans and this measure conforms to the national average.
- User groups go beyond cyclists, pedestrian and horse riders. This issue can also be considered to encompass dog owners, families with children, the elderly, disabled, farmers, carriage drivers and, on some specific routes (byways open to all traffic) 4x4 off-road vehicles and motorcyclists.
- Carriage drivers stand out as a minority group deserving special attention. Generally, they use a two-wheeled two seat trap approx 4Ft wide, their pace is a walk or trot, and only use ponies and horses of the right temperament. Disabled people are encouraged to take part as a therapy. The horses generate a great deal of public interest and affection.

4.2 Consultation

- Both horse riding and cyclist organisations told us they had not been adequately consulted by the time the strategy was initially proposed for an Executive decision last November.
- This is a severe failing of the consultation process and clearly not a desirable outcome. However, we consider that this fact has at least put all sides at equal disadvantage to engage with the council over the issue. Therefore, we do not consider that any individual user group has been more unfairly treated than another.
- We believe that our review has now given all parties an equal voice on the matter, albeit that we recognise our review was itself conducted over a short timeframe.
- Clearly, there are lessons to learn on the Council's consultation processes. This issue has raised a lot of animosity, which could have been tempered with proper consultation. We are concerned that, time and again this Panel has to deal with issues on which there have been problems with consultation. We are not happy and believe the Council needs to address the effectiveness of its existing consultation process and bring it up to date to meet the genuine aspirations of the community.

4.3 Equality of Opportunity

- We heard that there are many facilities for pedestrians and cyclists in the authority but not so much for horse riders. Of the approx. 820 km of public rights of way outside of Bath only 90km is available for horse riding.
- Considered against national figures, our local provision for horse riders is poor (90km represents 11% of the local network vs. 22% across the whole of England. This is further exacerbated by poor connectivity between routes
- The Council has a role to overcome such inequalities and develop opportunities that promote inclusiveness. We believe the Horse Riding Strategy is a welcome move towards this.

4.4 Safety, Path Width and User Conflict

- A common theme raised by most speakers and correspondents was safety in relation to path widths, speed and user attitudes.
- We were presented with contradictory statements and confusion about the appropriate width of multi-use paths. Suggestions of up 4 or 5 metres or dual-lane paths to segregate users seem outlandish and would degenerate the very rural essence that users seek. Such designs would outsize existing rural lanes, roads and many highways! In the final analysis officers confirmed that somewhere in the region of 2-3 metres is probably adequate and we think that it may be useful to define a minimum width for these routes. Appropriate maintenance of overgrowth and track surfaces will ultimately affect the usable path width 'on the ground'.
- Regardless of what is an appropriate width, other factors such as speed and personal attitude will be the main contribution to reducing conflict and maintaining safety; qualities which are appropriately applied and abundantly evident in the vast majority of responsible users.

- Of course, there will always be a minority in all user groups that can cause some manner of conflict, whether between walkers, cyclists, horse riders, dog owners or 4X4 off-road vehicles. No group is exemplary in the eyes of others. The potential for similar issues have existed for years on Byways Open to All Traffic (BOAT's) and (since 1969) bridleways but the incidence is negligible.

4.5 Good Practice

- There are good practice models of shared access around the UK which could provide useful insight to developing good practice.
- The Camel Trail in Cornwall was suggested as an excellent example of a popular and heavily used shared access route.
- Another suggestion was a trail in the Derbyshire Peak District

4.6 Code of Conduct

- A Code of Conduct for all users (Walkers, cyclists, dog owners, parents with children, horse riders, carriage drivers, etc) will be required.
- It was again suggested that the Camel Trail has a Code of Conduct which may provide a useful example for our needs.
- A contributor told us The Rights of Way Act 2000 has details about behaviour codes.

4.7 Monitoring a trial

- Monitoring should be related to clear criteria defined and agreed before the trial commences.

5.0 Review Structure & Organisation

O&S Panel:	Planning Transportation, Economy & Sustainability
Chair:	Peter Metcalfe
Panel Members	Chris Cray Peter Edwards Ruth Griffiths Stephen Wilcox
Project Manager:	David Langman, O&S Projects Team
Project support:	Sheila Johnson, O&S Projects Team
Panel Administration:	Michaela Gay, Democratic Services Jack Latkovic, Democratic Services

Copies of appendices and all public papers relating to this review are available from the Democratic Services Team, Riverside, Keynsham, Tel. (01225) 394411.