

SAFETY AND BEHAVIOUR ON SHARED ROUTES

Leicestershire Local Access Forum Review

The forum is to look further into this issue and first must identify whether there is a problem and if so the nature and extent of it.

People walk on private land

Speeding cyclists are a danger to others

Horses churn up the surface of paths

Cyclists ride where they are not allowed to

Roads are becoming too dangerous for non motorised users

Mobility scooters can be a nuisance or worse to the users of paths.



All these statements are true to an extent but do not tell the whole story. There have been a number of reports, especially about cycling, which will help our considerations.

Beyond that we must determine how much of this and associated issues fall within our remit. Whilst all roads are rights of way, traffic as such and public transport are only within our brief in as far as they interfere with walkers and riders or impact on peoples abilities to get out to enjoy the wider network of rights of way and public open spaces.

Members in initial discussions provided numerous examples of where problems have been seen, many on the road itself and that is not really within our scope. Riders two abreast and in large formations are perceived as a nuisance to other traffic. People using bikes to zip about in city centres have been seen ignore red lights and to collide with pedestrians but more often than not they are probably more of a risk to themselves than anybody else.

As with all such perceived problems the reputations of the great majority of riders and walkers are tarnished by the memorable nuisance and bad behaviour of a few.

There is wanton disobedience of rules but also a lot of ignorance as to what people are allowed to do where.

Particular areas of concern flagged up in early consideration are cycle hire centres providing bikes to complete novices without any instructions and people riding bikes on footpaths.

We must then consider what we can in effect do about it.

We feel the lack of education is a major factor but enforcemt or the lack of it is also a problem

Can signage be improved or added to?

Can we suggest how people can be educated and trained so that they know what and were they can go and how to behave when they are there?

Can we design any literature to be offered to outlets and schools etc.?

Can we suggest straplines which could be added to websites to the same end?

To whom and where should we be addressing our efforts?

As a national problem or perceived problem should we be making recommendations to DeFRA via the Regional Access Forums Meetings?

Footpaths

This public right of way is meant for pedestrians only. You are allowed to walk your dog as long as it is under your close control. When walking a dog, you must ensure that it keeps to the public footpath and does not trespass into nearby properties. Prams, pushchair or wheelchairs can also be used on a footpath.

Bridleways

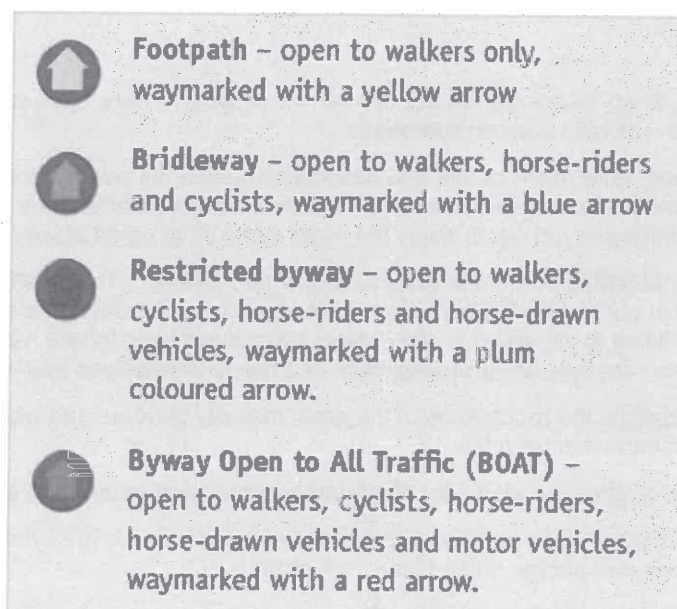
These are meant for walkers, horseriders and bicyclists. Bicyclists are expected to give way to walkers and horseriders.

Byways Open To All Traffic (BOAT)

These byways are normally marked "byways" and are open to motorists, bicyclists, horseriders, motorcyclists and pedestrians. As with public tarmac road networks, motorists must ensure that they are legally authorised to use BOATs (i.e. registered, taxed, insured and MoT'd).

Restricted Byways

Restricted Byways are created under the Natural Environment and Rural Communities Act 2006. They are open to the traffic mentioned above in BOATs, but exclude motor vehicles and motorcycles.



DON'Ts

Footpaths

Footpaths on edge of a field must not be ploughed. Footpaths can be ploughed, if they cross fields. However, a minimum width of 1 metres must be made available within 14 days of ploughing. Landowners must also ensure that they restore footpaths after ploughing.

If you are walking a dog, you must make sure that it does not stray off legal lines of a public footpath as this may constitute an act of trespass. Also ensure that you clean up your dog mess, if your dog fouls up on a footpath.

Bridleways

Bridleways on the edge of a field must also not be ploughed except they cross over fields. Like footpaths, landowners must also give a minimum width of 2 metres within 14 days of commencing ploughing. Landowners must also ensure that they restore bridleways after ploughing.

Motor cars, mini motors and motorcyclists are not allowed on bridleways.

Byways Open To All Traffic (BOAT)

Under-age or banned drivers, quad bikes, mini-motos, non-road-legal scramblers & quad bikes are not allowed on BOATs.

BOATs must not be ploughed or obstructed to prevent public use.

Restricted Byways

Motorcyclists, motorists in motorcars, mini motors, quad bikes, non-road legal scramblers are not allowed on restricted by ways.

Restricted byways must also not be ploughed or obstructed to prevent public use.

Other don'ts for landowners

- You cannot grow crops on a public right of way, however grass can be grown for hay and silage.
- Dairy bulls over 10 months are not allowed to cross over a field with a right of way.
- You cannot put up stiles or gates without the permission of your local authority.
- You cannot put up misleading signs to prevent people from using a public right of way.
- You are not allowed to harass, intimidate (e.g. placing a fierce dog on public right of way) or prevent members of the public from using a public right of way.
- It is an offence under the Highways Act 1980 to put up barbed wires, electric fences or exposed barb wire that prevents or obstructs a public right of way.

Other don'ts for users of public rights of way.

- You are not allowed to disturb or harm any wildlife found on a public right of way.
- You should not drop or leave litter on a public right of way.
- You should not trespass on neighbouring lands to public rights of way. At all times keep to the legal limits!

In addition to public rights of way people may use open access land



Open access land – 865,000 hectares of mountain, moorland, heathland, down land and registered common land (mapped under the Countryside and Rights of Way Act 2000) is available to people to walk, run, explore, climb and watch wildlife, without having to stay on paths. Similar rights will be extended in stages on coastal land (identified under the Marine and Coastal Access Act 2009). Check the Open Access pages at www.naturalengland.org.uk for maps, information and any current restrictions in place.



A 'negative' access symbol – may be used to mark the end of area-wide access although other access rights may exist, for example public rights of way.

WHAT CAN WE AND SHOULD WE DO

Education is the one area where we should most be able to help. No amount of rules such as speed limits on shared routes etc., can really help unless they can be enforced. We can advise authorities on guidelines to be added to their publications and could assist in a printed version if the County was prepared to fund its production or other funding sources could be found.

The two primary classes of user which we feel we need to target are the novice cyclists and those people we encourage to start walking for their health and well-being. In the latter case the Countryside Code probably provides what is needed and we perhaps should just encourage this to be made more available and for walking-promoting web sites to have a strong link to it. Experienced and regular horse riders and cyclists should and probably do know where they can go and their own organisations do a good job of reinforcing this. The very nature of horse riding means that there are no true novices as they have to be taught but almost anyone can pick up a bike and have a go.

It seems therefore that to have the maximum impact we need to get to these people; the question is how?

The first step is surely to consult local partners to see who else is trying to work on these issues to prevent duplication of efforts and try to have uniform approach. The work done by the Peak District National Park is a good starting point.

If we can agree some form of guidance we would wish to try and get them into the hands of all cycle hire outlets, possibly cycle sales outlets and to bodies doing cycling proficiency tests at schools.

We will be returning to these ideas early in 2015 but in the meantime will take soundings of others users.

We must not lose track of the fact that we wish to encourage more people to use the rights of way and open access areas for recreation, exercise, and general and mental health. They must however know where they can go and when there what they can and cannot do. They must show respect for other users and the owners of land they may be crossing.

We have previously discussed the legal situation in respect of mobility scooters on footpaths and have issued guidance on the control of dogs when in pasture with cattle present.

We must continue to work to promote the creation of more routes for people to enjoy either riding or on foot, and for more informative signage as to where routes go and what class of user may use them..

We have just responded to the Department of Transport's consultation on Cycling and Walking.

The Leicestershire Local Access Forum (LLAF) is an independent statutory body, set up as a result of the Countryside and Rights of Way Act (CRoW) 2000, and exists to represent the interests of everyone concerned with access to the countryside and the public rights of way network including footpaths, bridleways and byways, cycleways and areas of open access.

It is a statutory function of the LLAF to give advice to a range of bodies, including local authorities, on access issues in respect of land use planning matters. The Secretary of State has advised that in particular, forums were to focus on the impact and options for minimising possible adverse effects of planning policies and development proposals, in respect of future public access to land. Forums are tasked with identifying and expressing support for opportunities to improve public access, associated infrastructure and the rights of way network which might be delivered through planning policies or new developments.

If you have specific questions, or wish to raise any other issue with the Forum please email: information@leicslaf.org.uk

Leicestershire Local Access Forum,
c/o Room 700, County Hall, Leicester, LE3 8RJ
(www.leics.gov.uk/laf)
Telephone - County Hall 0116 305 7086