

Consultation Response - Executive Summary

Taking Forward Wales' Sustainable Management of Natural Resources

In 2016, the Welsh Government published a consultation on improving opportunities to access the outdoors for responsible recreation. Cycling UK, in conjunction with OpenMTB, British Cycling and Welsh Cycling, issued a joint response to this, and through our Trails for Wales campaign witnessed more than 4,000 supporters join our call for improved access for off-road cycling.

On 21st June 2017, the Welsh Government launched a further consultation, titled "Taking Forward Wales' Sustainable Management of Natural Resources" which requested feedback on a number of specific proposals for the revision of countryside access legislation. The two headline policies with most relevance to cyclists are:

- i) to allow cycling and horse riding on public footpaths
- ii) to permit horse riding and other forms of non-motorised recreation (except cycling) on access land

We support the call by the Outdoor Access Wales coalition for improved access to the Welsh outdoors for non-motorised recreation. Broadly, we believe that the consultation shows a bold vision from the Welsh Government, offering radical and positive improvements to existing countryside legislation. It offers clear potential benefits for both Welsh residents and the Welsh economy, allowing it to unlock the full value (both economic and social) of the country's natural capital

According to the Great Britain Tourism Survey (June 2015), cycle tourism is worth more than £90 million annually to the Welsh economy through daily visits and overnight stays, including around 300,000 overnight visits to Wales each year, while as part of the broader picture, Wales is an increasingly popular place for cycling companies to do business, with companies like Frog Bikes, Mojo Suspension and Cambrian Tyres - along with hundreds of independent bike shops, guides and other cycle businesses, all playing an important role in their local economy.

Our detailed response to the full consultation is available at www.cyclinguk.org/offroad. However, our comments on the main proposals are below:

Proposal 10.

To enable cycling and horse riding on footpaths to occur under the same conditions as those provided for cycling on bridleways under section 30 of the Countryside Act 1968.

We fully support this proposal. These provisions would allow for a wider range of use whilst still prioritising the ordinary users of those paths and without placing additional liabilities or maintenance burdens on landowners or local authorities, although they would still be able to plan and implement surface and furniture improvements where needed.

We stress however that we are not seeking a blanket right to cycle on all footpaths. We recognise the need for some objective principles that can be used to identify where restrictions may be required. However, there is no rational case for maintaining the current exclusion of cycling or horse-riding from the vast majority of footpaths. Walkers, cyclists and horse riders already co-exist perfectly safely on thousands of miles of the existing bridleway network, even though the widths, surfaces, sight lines etc are often no better (and sometimes a lot worse) than a typical footpath. Meanwhile some footpaths have tarmac surfaces and are even in daily use by motor vehicles.

Fears that permitting cycle and equestrian use on most footpaths would create widespread conflict are not borne out by any available evidence. In practice, the footpaths that are most suitable for cycling are already being ridden on a de-facto basis, without conflict.

We therefore call for the current system whereby cyclist and equestrian access is determined by historically established rights – to be replaced by a default assumption of cycle and equestrian access, combined with an administratively simple and objectively-based process for making appropriate exclusions. Councils and tourist authorities could then positively promote and signpost the routes which are most suitable and sustainable, taking account of factors such as path widths, surfaces and sight lines.

We believe that there is an important opportunity offered by liberalising use of the existing rights of way network in order to promote participation and physical activity on a day to day basis. There exists the potential to encourage recreational activity across a much wider area of Wales, and with a far wider demographic profile, than those who currently benefit from forest based trail centre developments. In last year's off-road survey, out of our 11,484 responses, more than 90% said that off-road cycling was important for their physical and mental health. There is clear evidence on the benefits of countryside recreation for health and wellbeing.

Critically, we would highlight that in the vast majority of cases, walkers, cyclists and horse riders already get along absolutely fine on the thousands of miles of existing bridleway network, rights for which have never been assessed or allocated on the basis of width, surface, sight lines or suitability - there is no evidence that this would be any different if the majority of routes were opened up to all non-motorised users. The truth is that, in practice, most of the footpaths that are suitable for cycling are already being ridden on a de-facto basis, and we would stress to everyone that whilst groups that oppose the widespread extension of access rights might be concerned about issues of 'safety' if footpaths were shared with cyclists and horse riders, the statistics simply do not bear this out.

We urge the Welsh Government to recognise that any potential tiny increase in risk created by shared use of footpaths pales into insignificance when compared with the ongoing risk to cyclists and horse riders who are forced onto the roads by poor connectivity and provision in the rights of way network.

Proposal 11:

To amend or revoke the following list of restrictions on access, provided in Schedule 2 (1) of the CRow Act 2000: (b) uses a vessel or sailboard on any non-tidal water; (c) has with him any animal other than a dog; (i) bathes in any non-tidal water; and (s) engages in any organised games, or in camping, hang-gliding or para-gliding.

One of the key arguments we made in our response to the initial consultation was that the current legislation led to perverse outcomes, where cyclists could ride a muddy bridleway, but not a well-surfaced footpath - however the equally perverse outcome under this proposal is that cyclists will be allowed to ride down a muddy, rocky footpath, but not the 3 metre wide well surfaced wind farm access track to the side, although horse riders and walkers will.

As an organisation which plays both an active part in developing rural tourism and in encouraging participation in off-road cycling to achieve benefits in health, fitness and well-being, we will remain unable to promote the best route for riders to use to access the countryside, only the 'legal' one.

We believe that if access land is opened for responsible access to horse riders, paddlers and camping then it should be open to responsible access for all non-motorised users, including cyclists.