



A woman in a green and white cycling jersey and black shorts is riding a mountain bike up a grassy hillside. She is wearing a white and blue helmet and sunglasses. The background shows rolling green hills and a small stream. In the upper left foreground, there is a large, out-of-focus cluster of bright green fern fronds.

FOOTPATHS AND
bridleways often
look identical.
This is the latter

TRACK CHANGES

CYCLING UK'S **SAM JONES** EXPLAINS WHY THE RIGHTS OF WAY LEGISLATION IN ENGLAND AND WALES NEEDS REVISING TO GIVE OFF-ROAD CYCLISTS BETTER ACCESS



Why is Cycling UK suddenly campaigning for increased off-road access? The answer is that it's not a new interest. We may be better known for campaigning for cycling as day-to-day travel, but we've also been campaigning for off-road access, both as Cycling UK now and before that as CTC, for over half a century.

We secured access for cyclists to UK bridleways in 1968. More recently, we successfully campaigned for 'presumed access' for cyclists in Scotland with the Scottish Land Reform Act (2003). That gave Scottish cyclists a 'right to roam', unlike cyclists in England and Wales where there's 'presumed trespass', which means private land is generally a no-go zone unless there is a sign granting permission. In England, cyclists can access a paltry 22% of the rights of way network; in Wales, it's 21%. This isn't good enough. We want responsible cyclists in the rest of the UK to have a fair deal off-road, just as they do in Scotland.

These two off-road victories were milestones, but aren't the only campaigns we've been engaged in.

Below the radar, our local campaigning volunteers have fought small-scale battles across England and Wales to ensure the continued existence of many of the off-road networks we use and enjoy. Without them, the state of off-road access in England and Wales would be even worse than it is.

HEALTH & ECONOMIC BENEFITS

There's another reason we're campaigning for increased off-road access now: it's an opportune time. Our first inkling of this came in 2015, when the Welsh Government launched a public consultation on whether to follow Scotland's lead and adopt an open access policy. With physical inactivity a major issue, the Welsh Government wanted to assess and improve the opportunities for people to be active.

As a result of this consultation, Cycling UK and Open MTB jointly launched a campaign called Trails for Wales. Two of its key points were that increased access for off-road cyclists in Wales could improve physical activity levels and stimulate a largely rural economy through increased tourism. Over 4,000 people signed up in support of this campaign.



SAM JONES
Cycling UK Campaigns &
Communications Co-ordinator

➤ This response was the highest that the Welsh Government had received for a consultation, trumping previous ones such as the future of the NHS in Wales. For us at Cycling UK, it demonstrated a strong appetite for change. The Welsh Government had floated the idea of increased access, and many members of the public had backed it. The job now is to help make it happen – and we're the organisation that will do it.

And not just in Wales. Doors are opening in the halls of Westminster. In late summer 2016, the Environmental, Food and Rural Affairs (EFRA) Committee held an inquiry into Rural Tourism in England. The inquiry recognised that while England is enjoying a rise in tourism spending, the rural economy is missing out; rural visits are on a downward trend. Cycling UK believes that cycling can help reverse the decline.

As we have seen in Scotland, off-road and leisure cycling can contribute significantly to the rural economy. Transform Scotland estimates cycling earns the Scottish economy between £236.2m and £358m a year.

THE REALITY OF SHARED USE

Economic benefits are one thing, but concerns have been raised about damage and disturbance to the rural environment that an influx of off-road cyclists might bring. Scotland's experiences since 2003 suggest that such concerns are misplaced.

I spoke to Richard Wakeford, former Head of Scotland's Agriculture and Rural Affairs Department at the time when Scotland changed its access laws. 'During my five years as Head, shortly after the new law [the Land Reform Act 2003] came into force, I can recall no case of irresponsible mountain biking,' he said.

Scotland's landscape is different from England's; much of it is more rugged and less densely populated. Yet there are similarities too. 'It's important to remember that not all of



Improving access isn't
about turning paths
into trail centres

Off-road with a toddler?

For more on the off-road
child trailer above, see
bit.ly/cycle-toutterrain

Scotland's countryside is upland mountains,' Richard Wakeford added. 'There are plenty of areas of farmland where irresponsible cycling could cause damage to crops or livestock.'

It hasn't done so. We made this point in our submission to the EFRA inquiry – that increased access doesn't correlate with conflict. England could thus enjoy the same benefits as Scotland if it opened up the potential for access.

The basis of our response, however, is summarised by Cycling UK's Policy Director, Roger Geffen MBE, who will be giving oral evidence to the committee in 2017: 'The best way to make cycling easier and more attractive in our countryside is to rethink our rights of way law – they're archaic and confusing even to the experts.'

OUR SURVEY SAID...

Cycling UK's position on rights of way issues isn't based on conjecture but rather on the online survey we ran last year: 74% of

respondents said the current rights of way network was simply not suitable for modern cycle use.

The first of its kind in the UK, our off-road survey has helped provide us with a mountain of data to analyse. It covered everything from ride locations to spending habits. We thought we'd be lucky if 5,000 people took part. In fact, 11,482 people did so.

What was clear from the responses was that, for most people, off-road riding largely took place on bridleways and byways, though half also used dedicated mountain bike facilities. Unsurprisingly, most participants at some stage cycled on footpaths (note: not footways, commonly referred to as pavements), with only 21% saying they didn't.

For those who rode on footpaths, the most common reason for doing so was 'Lack of choice or convenience' (64%), although 'To avoid traffic danger' was close behind (52%). Other reasons were: 'Regard the law as outdated' (42%); 'Bridleways or byways damaged by horses or vehicle tracks' (26%); and 'Wasn't aware of rights of way distinctions' (13%). Despite the widespread use of footpaths, almost half (49%) had experienced no trouble within the past two years, though 36% had experienced verbal conflict and 2% physical aggression.

Roughly 60% of respondents had ridden

"In our survey, 74% of respondents said the rights of way network was simply not suitable for modern cycle use"



Open access in Scotland (this is Skye) hasn't created conflict

Left: Mark Somerville. Right: Matt Brown. Both Flickr Creative Commons



NETWORK ACCESS NOW

SUPPORTING OUR ACCESS CAMPAIGN ISN'T THE ONLY THING YOU CAN DO, AS CHERRY ALLAN EXPLAINS

GET IT MAPPED

Using a local map, record where you can already cycle (e.g. bridleways/byways) and where you can't (e.g. footpaths/private land). If you're not sure about the legal status of a path, consult your council's Rights of Way Officer. Identify where you'd like to be able to ride, and any missing/barred links, barriers, or persistent maintenance problems. Even better, volunteer for our forthcoming pilot online mapping project too – email mark.slater@cyclinguk.org

PUSH FOR CHANGE

- See what your council's 'Rights of Way Improvement Plan' says about making it easier to cycle or walk in your local countryside.
- Speak to your council's Rights of Way Officer about getting a path (or paths) opened up for cycling.

GET SUPPORT

- Get in touch with local Cycling UK campaigners and cycling groups for input/help/support.
- Speak to your Local Access Forum. LAFs bring together volunteers to advise councils on improving public outdoor access.

STAY INFORMED

- Keep an eye on the 'orders' your council publishes on proposed changes to rights of way. Cycling UK is consulted on some; there's a list at: cyclinguk.org/local-cycle-campaigning/traffic-regulation-orders
- Check out our 'Off-road Access' briefings at cyclinguk.org/campaigning/views-and-briefings

"In pushing for greater access, we're following in the footsteps of the Ramblers"

it was the campaigning by the Ramblers and others over the next seven decades, along with negotiations with landholders and stakeholders, that paved the way for the Countryside and Rights of Way Act 2000. This Act gave the Ramblers their right to roam.

Now it's cycling's time for responsible, open access. Off-road cycling is excluded from vast areas in England and Wales where it would be suitable, just as walking was until the turn of the century. Walkers now have the opportunity to explore way beyond the footpath and bridleway network but, like cyclists in Scotland, they're not causing conflict or tearing up the countryside. 'Hardly anyone treks across miles of deep heather or blanket bog,' Cycling UK off-road advisor Kieran Foster told me. 'And what would cyclists gain from a right to ride in it either?'

Cycling UK isn't calling for a blanket right for cyclists to go everywhere; we know that wouldn't be sensible. But there's definitely room for vast improvement. We've already been speaking with major landowners and Government departments. This year, we're recruiting a full-time off-road campaigns officer, Roger Geffen will appear before the EFRA committee, and we're launching our new off-road access campaign. We hope we can count on your support for the ride ahead! ☎

off-road for over 10 years. They were predominantly middle-aged white males. While only 13% of respondents were female (in line with industry estimates), the age profile indicated that a large swathe of the off-road community does not fit the media stereotype of mountain bikers as adrenaline-junkie teens or twenty-somethings. Some might have fitted that mould 15-20 years ago, but off-road riding has clearly matured in the meantime.

There was a keen appreciation for the physical health benefits of riding off-road, with 61% saying it was their primary form of exercise. The standout figure was the 66% who said that off-road cycling was very important for their mental health. 'I cannot overstate the importance of cycling to my mental health,' said one respondent, Dominic Littler. 'I suffer from severe social anxiety disorder and depression, and mountain biking is one of the few activities that lets me leave those things behind.'

IN WALKERS' FOOTSTEPS

The survey findings have given us a clear mandate for the focus for our campaigning on off-road cycling. The top two priorities are increased access and the promotion of responsible riding, something Dominic agrees with. 'Making public footpaths accessible for cyclists where it's safe and sensible to do so would improve things not only for myself, but it would make it easier for me to encourage other new riders to join me,' he said.

In pushing for greater access for off-road cycling, we're following in the footsteps of the Ramblers, who faced similar challenges in opening up the rights of way network. The Kinder Scout mass trespass of 1932 is often quoted as a landmark victory. Yet