

Improving Access for Responsible Recreation

Sustrans Cymru's Submission to the Welsh Government Consultation into: Improving Opportunities to Access the Outdoors for Responsible Recreation

October 2015

Introduction

Sustrans is a leading UK charity enabling people to travel by foot, bike or public transport for more of the journeys we make every day. We work with families, communities, policymakers and partner organisations so that people are able to choose healthier, cleaner and cheaper journeys, with better places and spaces to move through and live in.

Sustrans Cymru welcomes the opportunity to respond to the Improving Opportunities to Access the Outdoors for Responsible Recreation Consultation Paper and in particular the focus on opportunities to simplify and reform processes to enable easier development of accessible, walking and cycling networks for recreation.

We welcome the vision for access and outdoor recreation set out in the document. In particular we support the encouragement of greater engagement with the outdoors and the emphasis on this being close to where people live. We agree wholeheartedly with the desire to provide convenient and affordable access to quality green space for people in poverty. We firmly believe the low cost of active travel means it has a key role to play here. Offering greater access to enjoyable physical activity will afford significant health, environmental and economic benefits to the people of Wales.

We also welcome the commitment to linking with the Active Travel networks that will be developed as a result to the Active Travel Act. It is essential that more access to the outdoors should not have to result in more car journeys and the consequent negative impact on the environment and congestion.

Legislation

Sustrans Cymru is particularly concerned with two issues which we believe pose significant barriers to developing accessible, walking and cycling networks for recreation.

The first is the Cycle Tracks Act 1984. The aim of this Act was to allow local authorities to permit cycling on designated footpaths where it was considered appropriate. However in reality the way in which the Act was framed has made it unworkable. This is evidenced by the negligible number of times the Act has been used. Yet there is a real need for a simple and effective way to allow responsible cycling on footpaths where the local circumstances permit.

The principal problems with the Act revolve around the provision for any single objection to result in the referral of the request for conversion to Welsh Ministers and the fact that any footpath impacted by the Act is consequently removed from the definitive map of rights of way. The latter issue, understandably, raises concerns for access and other groups who do not wish to see the number of rights of way diminished; this leads almost inevitably to objections and therefore to the disproportionately costly and bureaucratic referral to Welsh Ministers.

Whilst the Act remains in force there is in theory a mechanism in place to allow appropriate sharing of access routes. However the ineffectiveness of the measure causes Sustrans Cymru to believe that it should either be repealed in its entirety in Wales and replaced by a simpler procedure that would give much greater autonomy to local authorities in deciding whether to allow cycling on specific footpaths, subject of course to proper consultation and without the subsequent removal of the path from the definitive map. Alternatively the Act should be amended to remove the provision that allows one objection to lead to a referral to Welsh Ministers and the automatic removal of a changed path from the definitive map.

The second key issue is the difficulty of using current compulsory purchase provision for walking and cycling routes. The consultation document is rightly clear in its reference to networks rather than isolated paths. It is important that routes join together effectively to allow an enjoyable recreational activity. Sustrans Cymru is very proud of the part it has played in the creation of the Valleys Cycle Network which has provided over 100 kms of new paths in some of the most deprived parts of South Wales. However we still have gaps in this network because of the difficulty of securing land rights in locations that are essential to providing coherent routes.

The current compulsory purchase regime has a strong bias towards motorised transport and fails to adequately take into account the needs of walkers and cyclists. A key test for whether a compulsory purchase can proceed is the availability of an alternative route. Currently the acceptability of the alternative does not adequately take into account the issues of distance and topography, matters that may not be significant in the alignment of a road but will be critical for walkers and cyclists. Similarly, in terms of safety both perceived and real, considering an on-road cycle lane to be an appropriate alternative to a fully off road route is unfair to lots of people who do not feel confident to cycle in traffic. Sustrans Cymru believes there is a need for a reform of the system to ensure that the means in place for building cohesive walking and cycling networks are at least as effective as those for road networks.

Local Access Forums

Sustrans Cymru feels there is a need for a clearer role for local access forums and consideration should be given to requiring local authorities to demonstrate how they have taken into account their views. Sustrans Cymru would support a review of the membership of Local Access Forums to ensure they are properly representative of local interests and able to effectively fulfil their role.

Motorised Users

The absence of motor vehicles is a key factor in ensuring that walking and cycling routes are attractive for their intended users. We would therefore be concerned at any measures that resulted in motor vehicles interfering in walkers and cyclists' peaceful enjoyment of their activities. However we would give consideration to proposals that helped relieve the current over concentration of off road vehicles on a small number of permitted routes - which in itself can create problems for other users through noise and contamination - through a strictly controlled and monitored allocation of limited new areas for off road motorised vehicles.

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VAT Registration No. 416740656