Cycling UK – written evidence (NER0060)

Introduction:

1. Cycling UK, formally known as CTC, the national cycling charity, has 65,000 members, it is our stated aim to be the natural home for both road and off-road cyclists.

2. In formation of our response, we have elected to answer only questions which we regard as being directly relevant to Cycling UK’s charitable objectives, namely:
   - To promote community participation in healthy recreation by promoting the amateur sport of cycling, cycle touring and associated amateur sports;
   - To preserve and protect the health and safety of the public by encouraging and facilitating cycling and the safety of cyclists;
   - To advance education by whatever means the trustees think fit, including the provision of cycling, training and educational activities related to cycling;
   - To promote the conservation and protection of the environment.

3. Cycling is currently the second most popular countryside activity, after walking. The benefits of promoting an active lifestyle are well proven and reach beyond the individual to benefits that can be felt by society as a whole. In 2016, Cycling UK carried out an extensive survey into the views and habits of off-road cyclists in England and Wales, in which the vast majority of respondents said that off-road cycling is "very important" (58%) or "fairly important" (32%) for their physical health, with an even higher number (66%) saying it is very important for their mental health and well-being. 61% said off-road cycling is their primary form of exercise.

4. A significant barrier to more people taking up cycling is fear of traffic. Surveys show us that this is a particular deterrent for women and children. A well connected rights of way network offers the potential for thousands of miles of safe, traffic free routes between rural communities. 67% of rights of way rides begin from the door.

5. At the moment, cyclists have access to only 22% of the Rights of Way network in England. Much of this network is fractured and inconsistent, with rights based on historic user evidence rather than current or future suitability for use by cyclists. In our survey, 74% of respondents felt that the existing public rights of way network was not suitable for modern cycle usage, while 85% said that they "often" or "sometimes" found it difficult to put together a legal route.

6. CTC lobbied in the development of NERC to protect the principle of long periods of recorded cycle use leading to the development of rights of way by prescription. This led to the adoption of Section 68, NERC which allows cycle user evidence to claim Restricted Byway rights. In practice, the implementation of this has been problematic, witnessing significant resistance to the creation of new routes. Allied to this is the longstanding issue of unrecorded rights of way, a topic that has seen much discussion with the looming ‘cut off’ deadline of 2026.

Recommendations:

7. From our work we have identified three strategic recommendations for the committee to consider:
A. Natural England ought to be given a clear strategic role in the creation and setting of countryside access policies for all government departments and the creation of policy guidance for other non-governmental and quasi non-government bodies.

Allied to this, we believe it is important that Natural England is given responsibility for a full review of the efficacy of countryside access and rights of way legislation, in order to evaluate whether the existing legislation:

- Remains fit for purpose, maximising the opportunities for countryside access balanced against nature conservation and land management interests.
- Offers best value, specifically considering the potential savings in administration costs that would be offered by consolidated and simplified legislation such as that witnessed in devolved administrations.

B. Legislation is introduced, based on the duty provided under Section 40 NERC 2006 (Duty to conserve biodiversity) creating a new ‘sister’ duty to improve and enhance opportunities for non-motorised recreational countryside access. (We suggest that this should be subject to an equivalent of the Sandford principle)

C. A post-Brexit agricultural funding model is developed that ties in both;

- non-motorised recreational access provision, and
- environmental stewardship and biodiversity

Particularly in peri-urban areas, in order to ensure that wider public benefit is delivered in return for public money.

8. We also make a number of other specific recommendations in the responses to the consultation questions below:

**Question Responses:**

**Question 1.** What role should Defra – or other Government departments – play in co-ordinating policy for rural areas? How effectively are the interests – including social and economic interests - of rural communities being represented within the current structures of Government, and how could representation and co-ordination be improved?

9. It will hardly come as a surprise to hear a call for more joined up government. It may be more interesting for you to see the ways that lack of joined up government manifests itself in practice.

10. The provision of cycle friendly facilities often falls under three different areas of government funding:

- Rural Tourism
- Countryside Access/Environment
- Transport

11. The corollary to this is, of course, that spending on one of these can impact on the others. All too often a singular approach is taken in funding decisions, resulting in best value not being achieved. For example, we have witnessed tens of thousands of pounds spent creating a cycle route alongside a main road, when a short distance away a
parallel right of way could have been upgraded or improved (at a fraction of the cost) and provided a far nicer user experience. We have even witnessed the same where a nearby disused railway was overlooked. The importance of a ‘safe cycle route’ was seen from a transport point of view, but the additional value to be gained for health, wellbeing and countryside access from adopting this route into their plan as a multi-user ‘green corridor’ rather than creating a roadside cycle path simply didn’t figure in the mindset of those planning the work.

12. Of particular interest to Cycling UK is the importance of ‘first mile’ multi-user routes that seek to connect communities with the wider countryside and rights of way network. The “Highway Authority” roles of local government for rights of way often have little or no strategic connection or collaboration with the “Highways Department” that thinks about roads and transport including utility cycling provision. We have witnessed bridleways and other access provision that can only be accessed from the nearest town by a stretch of precarious, fast road, this cannot be acceptable.

13. We feel that there is a consistent lack of joined up thinking resulting in poor connectivity within the rights of way network and that this acts as a deterrent to people accessing the countryside safely. More needs to be done if we are to effectively unlock the natural capital value in the rights of way network.

14. Opening routes to cyclists and horse riders has wider benefit in the fact that surfaces and furniture (gates etc.) are more accessible for all users, particularly those with disabilities.

15. Quality rights of way, rural access provision and the opening up of more of this network to cycles and horses offers to benefit multiple areas of government work. In Wales, there is a suggestion undergoing consultation at this very moment considering combining ‘active travel plans’ and ‘rights of way improvement plans’ into an integrated access plan. The Welsh Government state that:

   Under existing provisions authorities may choose to extend the scope of their plans to include access land and other access provision that is important in their area. We believe there is scope for developing more integrated plans that require a more robust overview of access opportunities across local authorities, for example, the management of parks and gardens and green corridors for wildlife and active travel.

16. We think that such an approach is worthy of consideration in England. We also think that authorities should have due regard to these issues in the exercise of their highway duties. These issues have played a key part in the formation of our strategic recommendations above.

Question 4. How well has Natural England fulfilled the mandate that it currently has? How well do its wide-ranging functions fit together, and does it have the appropriate powers and resources to perform these functions?

Question 5. Do the arrangements and provisions for enabling and managing access to the countryside remain appropriate? How effective have Natural England – and other partners – been in promoting better access?
17. We believe that Natural England has, in the main, performed its duties regarding conservation admirably, particularly regarding the inherent trade offs between conservation and other land management priorities. However, in regard to their duty to promote access to the countryside and open spaces and their role in encouraging open-air recreation, we can only comment that there has been a preoccupation with opportunities for access on foot, and that they need to begin to think about opportunities for, and promotion of, a much wider range of countryside activities in order to fulfil this remit properly.

18. Simply put, Natural England has not taken a strong enough lead in opening the countryside for alternative forms of non-motorised access such as cycling and horse riding. We make recommendations below about specific areas where improvements need to be made, and the steps that should be taken in order to achieve this.

The roles of Government and other partners in recreational access provision:

19. We have witnessed a clear lack of joined up Government in access policy. Best practice developed by one Government body does not filter through to others. For example, the Forestry commission have a longstanding and widely recognised leadership in the provision of mountain bike access on their land, they have changed the entire scene nationally by taking a strong lead on this. The FC have established clear, written, access policies and management guidelines regards dealing with mountain bike and cycle access. However, other public sector landowners remain unwilling to follow in their path. As an organisation we have tried our best to help disseminate best practice, however government departments seem to be beholden to their own internal politics and priorities.

20. We see no reason why the direction of countryside access policy cannot be aligned between different Government bodies, sometimes even within the same body, in order to promote countryside access and recreation. To detail some examples of this:

- We have areas of Heathland in Southern England with multiple public sector/quasi-public sector landowners, all of whose land is part of the same SSSI, all offering open access rights on foot but with completely different policies on higher rights access.

- Ministry of Defence JSP362 States that “The MOD is committed to taking a positive role in Britain’s wider socio-economic environment, and in the community. Where possible, MOD will seek to make our land available for public enjoyment, particularly our rural estate”. However, in reality we witness large areas that offer open access on foot when not in use for military training, but with a blanket restriction on access on cycle or horseback. Access remains denied, even to the hundreds of well surfaced vehicular tracks covering the area.

- Forestry Commission access policy is inconsistent between regions, some areas entirely banning off road cycling despite permitting open access on foot and on horseback. We would, of course, understand restrictions on a site specific basis where necessary, however regional decisions sometimes appear to contradict their own published best practice. The New Forest, for example, permits cycle access to only a small percentage of their forest road network.
• Local authorities and other bodies own and manage large areas of land, again with open access on foot, but no access on cycle or horseback, other areas have rights of access on foot & horseback but not by cycle. Examples include large areas of common land on the urban fringe that is held for “air and exercise” alongside huge tracts of the National Parks.

21. Extensive research from Scotland (Annex 2) suggests that there is no good reason to continue a distinction between cycle access and other use. Users generally get on well together and conflict is minimal. As stated on page 12 of the James Hutton Institute report:

Management measures based on temporal zoning will be hard to ‘sell’ given that the practice of responsible access may change on a much more rapid timescale. Likewise, fixed spatial zones or designated areas (e.g., Special Protection Area or a Special Area of Conservation) are also unlikely to provide credible justification for blanket bans. Any efforts to restrict or curtail mountain biking in upland areas (whether seasonally or spatially) should aim to be even-handed in their consideration of the impacts of other recreational use relative to, and alongside, mountain biking.

22. An additional difficulty is that, in reality, policy often does not reflect the de-facto situation on the ground. In most situations informal mountain bike access is common and tolerated even if this does not align with official policy, only coming to a head when there are isolated problems. This is confusing for cyclists, it is confusing for horse riders, and it is confusing for walkers. In our national off-road cycling survey of 2016 (Annex 3) we found that over half of off-road riders had difficulty putting together ‘legal’ routes due to the fractured nature of the rights of way and access network, this acts as a significant deterrent to beginners.

23. As an organisation which plays an active part in developing and encouraging participation in off-road cycling to achieve benefits in rural tourism, health and wellbeing, we remain unable to promote the best locations and routes for cyclists to access the countryside.

24. The overuse of restrictions and unnecessarily prohibitive byelaws results in a ‘cry wolf’ scenario, the areas where restrictions really do matter for conservation or safety reasons become lost in the sea of restrictions and thus all of them get ignored. We feel that the default access policy to apply across these areas should offer the least restrictive option possible (with justified exceptions and restrictions where actually necessary).

25. We suggest that the above shows the importance of an organisation with a single strategic, lead role in developing and improving countryside access, particularly across public lands.

**Securing and extending higher rights access to access land:**

26. It is our contention that all the arguments which justified increased access to the countryside on foot under CROW apply equally to cycle and horse users, if we are to promote recreational access to the countryside then it is time that general policy for access to land was aligned for all non-motorised use. We believe it is both achievable
and desirable for access land to be open for cyclists and horse riders wherever possible, with restrictions only where necessary.

27. When CROW was enacted, extensive provisions were carefully written in, which gave Natural England powers to instigate access directions that would allow the extension of ‘access land’ (rights of access on foot) in order to permit access by other users (cyclists, horse riders, canoeists, etc.) with the agreement of the landowner.

28. Regrettably, these powers have remained virtually unused. Of the 850,000 Hectares of access land open in England under CROW regulations, almost none has been opened to access for cyclists or horse riders (see FOI request response detailed at Annex 1).

29. From conversations and negotiation on the issue, we believe that the reasons that this has not happened have been:
   • The consent of the landowner is needed, and is not being given.
   • The power does not extend to Section 15 land.
   • A fear of upsetting the ‘status-quo’ in regard to conflict with other users or land management priorities.
   • Lack of priority given to enhancing access to higher rights users (the question is simply not being asked);

30. Given the evidence that opportunities for voluntary dedication have not worked, we believe that it is now imperative that Natural England are given the powers to issue compulsory directions for access and Section 15 land, in order to permit higher rights access wherever appropriate.

31. We believe that there should be a presumption in favour of access land being opened for all non-motorised users wherever possible, particularly to existing tracks and paths, so long as there is no irreconcilable conflict with nature conservation interests.

32. We think there has been an institutional failing within Natural England to fully consider higher rights/multi user access as a priority. Most upsettingly, a four year review carried out of access to Natural England own reserves, supposedly to consider opportunities for higher access rights, saw less than 20 kilometres of new, linear, permissive routes created. Our own familiarity with a number of these sites, many of which are fully open to access on foot, leaves us incredulous as to the result. Some of these reserves were well served by surfaced vehicular access roads and other access tracks. There could be no justifiable reason for the lack of cycle and horse access to these routes when unrestricted rights of access on foot already existed.

33. A particular bugbear within the off-road cycling community has been Section 193 of the Law of Property Act 1925. This ensures that a large proportion of common land have an unrestricted right of access for ‘air and exercise’. Regrettably, for many years, certain areas interpreted this right as only applying to access on foot. However the 1988 High Court judgement in *R v Secretary of State for the Environment ex parte Billson* clarified that this had never been the intent, and that in fact Parliament had intended to confer the “broadest possible rights of access for air and exercise” to those commons. Regrettably however, a discreet general clause, written at the time to prevent gypsy encampments, restricted the right to “draw or drive upon the land a carriage, cart,
caravan, truck, or other vehicle, or to camp or light any fire thereon”. Therefore, at least technically, all forms of cycling remain banned from these commons.

34. We ask you openly, as legislators, whether in areas of the countryside where walking, horse riding and other forms of recreational activity are positively encouraged, is it really tenable for mountain biking not to be regarded as an equally legitimate form of air and exercise?

35. We recognise that all outdoor activities impact upon the environment. Extensive research has shown repeatedly that the overall impact of walking, horse riding and cycling is broadly similar, All users impact on their environment, however nobody has suggested the repeal of CROW Act as being a realistic or proportionate answer to these problems. Instead they are tackled through proactive management, education and promotion of suggested routes. We fail to see why the same principles cannot be applied to off-road cycling.

36. As a consequence, we recommend that:

D. CROW Act 2000 is amended in order to allow Natural England, as the appropriate authority, to amend the list of Schedule 2 restrictions in order to permit the extension of CROW access rights to higher rights users wherever deemed appropriate.

E. CROW Act 2000 is amended to allow the same powers to extend to Section 15 Land as well as access land.

F. Paragraph (1)(c) and (4) of S193, the Law of Property Act 1925 is amended to permit bicycles to be used as a legitimate form of ‘air and exercise’ on selected areas of common land whereby this right already extends to walkers and horse riders.

Promoting green corridors and Rights of Way access on the urban fringe:

37. We have watched with interest the involvement of Natural England with Suitable Areas of Natural Greenspace (SANG’s), areas of land that are opened or enhanced for recreational access to offset the impact of housing development near to sensitive areas, such as the Thames Basin and Heaths SPA. This policy also formed in order to fulfil the duty under Section 40 NERC that, in the application of policy, each public authority must have regard to the purpose of conserving biodiversity.

38. We suggest that, in order to maximise the benefits for health and wellbeing, the SANGS project should be expanded to secure quality green space and countryside recreation provision as mandatory planning offset nationally rather than just in selected areas or close to protected sites.

39. SANG’s policy should be expected to consider and provide improved access opportunities for all non-motorised users, not just walkers. We would also express concern that in many cases, these areas are still not secured for access in the long term, such as through dedication as village green, registered common or as a right of way, this should be compulsory.
40. We believe that the success of the SANGS project clearly demonstrates that opportunities to improve countryside access can and should go hand in hand with those for improvement of biodiversity and nature conservation, particularly in peri-urban areas.

41. We have also witnessed similar positive countryside access stories from the Natural England led ‘Paths For Communities’ (P4C) trial project. A detailed report into the results of the P4C project showed clear increases in use and participation, with a recorded local benefit/cost ratio of 4.52:1. We suggest that a modified long term version of the P4C project could be an important core project for the application of post-brexit agro-environmental funding.

42. Natural England’s Monitor of Engagement in the Natural Environment data shows that the average spend per journey from off-road cycling activity is significantly higher than that for many other user groups. It has been postulated that mountain bikers often travel light and are more likely to use local facilities rather than carry packed lunches etc. These factors make off-road cycling of particular value to the rural economy.

43. As cyclists travel further during their activity than other users, they are likely to visit a wider variety of isolated locations and points of interest. As such, provision for off-road cycle access needs to be managed on a landscape scale rather than a site specific basis.

44. We point to the results of our 2016 survey of the views and habits of off-road cyclists in England and Wales (Annex 3), which received more than 11,000 responses. We believe it to be noteworthy that in our survey results we discovered that 67% of off-road rides on rights of way began from the door, whereas more than 90% of rides at mountain bike ‘trail centres’ began with a car journey, often of more than an hour. This suggests to us that access to the rights of way network plays a vitally important factor in encouraging regular physical activity close to home, particularly amongst youth and other groups who do not have access to their own motorised transport.

45. In addition to this, an emphatic 74% of respondents felt that the existing public rights of way network is not suitable for modern cycle usage. 85% said they found it difficult to put together a legal route.

46. These factors together underline the important opportunity offered by improving, liberalising and promoting use of the 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, and with a far wider demographic profile than at present, through improved access to natural green space.

47. Consequently, we recommend:

   G. The provision of Suitable areas of Natural Greenspace is extended to a national level as mandatory planning offset, in order to both enhance biodiversity and ensure quality recreational access provision for all.

   H. A long term funding programme is developed, based on the Paths for Communities trial, to create, enhance and improve countryside access, with specific emphasis on delivery of the ROWIP and opportunities for peri-urban multi-user access and green corridors.
Delivering improved multi-user access to National Trails:

48. Pointing again to the results of our off-road cycling survey, we see us that there is clear latent demand for quality, long distance, waymarked cycling trails.

49. Of the fifteen National Trails in England & Wales, only two are fully open to cycle and horse users. Others have extensive sections of bridleway punctuated with short sections of footpath. We believe that it is unacceptable that for decades no progress has been made to improve this situation. Legal powers to link together these routes and formalise higher rights access already, in theory at least, exist. However the power balance in the relationship between Highways Authorities and National Trails seems somewhat tempestuous, the everlasting battle for resources seems to blind people to the possibilities that are open to them, opportunities for improved access get pushed into the ‘too difficult’ box. History tells us that without clear expectations and an organisational desire to extend access to as many users as possible, ‘powers’ are somewhat irrelevant.

50. This reinforces our view that there needs to be a clear duty on all partners to improve and enhance opportunities for non-motorised recreational countryside access wherever possible, as per our strategic recommendation B.

The Management and Recording of Unsealed, Unclassified County Roads:

51. The debate regards MPV access to rights of way has been going on for many years, NERC extinguished motorised rights to many routes, but not to routes recorded on the list of streets, commonly known as UUCR’s. However it has become increasingly clear that in order to maximise opportunities to access to the countryside, the current settlement for UUCR’s is inadequate. UUCR’s are not all shown on Ordnance Survey maps, users cannot find them and they are unsure of the rights of access they have to these routes (in many cases, the rights are heavily disputed, with some Highways Authorities claiming there is only a guaranteed right of access on foot, and that all other rights need to be proven)
52. It is our opinion that UUCR’s should be adopted into the Rights of Way system, either as Byway or Restricted Byway, according to their suitability for motorised access. This could be performed as a single mass reassessment procedure, rather than via case by case DMMO application based on evidence of historic use. We believe it is right and proper that the any changes are made giving due consideration to the suitability and sustainability of continued motorised access, we would not support a solution that sought a blanket ban on motorised access.

53. We therefore recommend that:

I. Legislation is enacted absorbing unsealed, unclassified roads into the Rights of Way network as either Byways or Restricted Byways based on their suitability for continued mechanically propelled vehicular use

The Role of Natural England in Negotiation, Facilitation and Funding of Access Provision:

54. There is an important role for Natural England to play in speaking to landowners and public bodies to disseminate best practice. Examples where we have witnessed the value of their involvement is in bringing together users to manage conflict between access and protected species around Ilkley Moor in Yorkshire. Resource is needed in order to allow NE staff to act as an experienced negotiator and facilitator in order to solve problems like this and to help identify opportunities for improved access provision.

55. We believe that Natural England should work in partnership with the Rural Payments Agency, as they did with the P4C project, to direct funding into access provision as per proposals C. and H.

Question 10. Will the structures established by the Act be sufficient to ensure appropriate protection for nature and environmental standards following Brexit? Are any modifications or changes to the structures established by the Act required to address the implications of Brexit?

56. Obviously, conclusions on the implications of Brexit are speculative, however we suspect that some broad assumptions can be made that:

a) The Human Rights Act and any successor legislation will result in the UK remaining bound to the principles of the ECHR
b) The UK will abandon the Common Agricultural Policy
c) Existing protections for designated sites will not be weakened by withdrawal from the EU environmental protection treaties

57. **Point a)** has relevance to countryside access policy in that ECHR assures that everyone has the right to peaceful enjoyment of his possessions, and that no one shall be deprived of his possessions except in the public interest. This clearly affects rights of way and access policy in so much as enforced changes in recreational access could be seen to impinge upon the landowners article 1, protocol 1 rights. However, it is our suggestion that in the vast majority of cases the changes that would be witnessed by any of our access suggestions would have minimal impact since:
• They are incremental changes, opening up existing access to a wider variety of users, rather than creation of entirely new access rights,
• There are clear public benefits to be gained from countryside access for both rural tourism and health and wellbeing, therefore any interference is justified by the wider goals and benefits,
• In a number of cases, agreements for increased access will come about as conditionality in return for agricultural funding or other development such as planning offset,
• Compensation is available through Section 28 of the 1980 Highways Act where the creation of new rights of way affects the value of property*

*It is our belief that, at the moment, this acts as a significant deterrent on the creation or extension of new rights of way using statutory creation powers. We suggest that this needs to be formalised into a more structured or capped payment, as at the moment Highways Authorities are reluctant to take on unpredictable financial liabilities for compensation.

58. **Point b)** Opens a huge opportunity to restructure funding for farmers and other landowners. We believe that we are in broad unity with a number of other countryside access groups such as the BHS and Ramblers in our belief that The United Kingdom’s departure from the EU provides an opportunity to model funding schemes for agriculture to ensure that public money achieves maximum public benefit and promotes the environment, public health and wellbeing along with supporting the rural economy.

59. We suggest that any post Brexit agricultural funding model should include opportunities for expanded access, preferably through both the improvement of existing routes and the creation of new permanent rights of way and CROW access land. It is widely accepted that access to the countryside supports the growth of rural economies and enhances the health and wellbeing of local communities. Importantly, responsible access also helps to connect users with a greater understanding of the natural environment and those who own and manage the land.

60. It is therefore our suggestion that in any future funding model, special funding priority ought to be given to improve both access opportunities and environmental stewardship/biodiversity in peri-urban areas, especially those neighbouring areas of deprivation. These communities may well stand to receive the greatest health and wellbeing benefit from countryside access, and find it far harder to access and afford other forms of informal recreational provision.

61. This consequently directs the structure of post-Brexit funding model contained in our strategic recommendation C, above.

**Conclusions:**

It is the opinion of Cycling UK that huge opportunities lie ahead for improvements in access and recreation provision, and that a number of achievable and discreet alterations in existing policy and legislation would go a long way to encouraging people to access the countryside in a responsible manner.

It is also our opinion that Natural England ought to play a key role in aligning government policy on access and rights of way. Not only in order to deliver best value for the taxpayer.
but in order to deliver wider improvements through the health, wellbeing and economic benefits of countryside recreation.

We believe that opportunities to improve countryside access go hand in hand with those to improve biodiversity and nature conservation, particularly in peri-urban areas.
Summary of Cycling UK recommendations:

Strategic:

A. Natural England ought to be given a clear strategic role in the creation and setting of countryside access policies for all government departments and the creation of policy guidance for other non-governmental and quasi non-government bodies.

Allied to this, We believe it is important that Natural England is given responsibility for a full review of the efficacy of countryside access and rights of way legislation, in order to evaluate whether the existing legislation:
- Remains fit for purpose, maximising the opportunities for countryside access balanced against nature conservation and land management interests.
- Offers best value, specifically considering the potential savings in administration costs that would be offered by consolidated and simplified legislation such as that developed in devolved administrations.

B. Legislation is introduced, based on the duty provided under Section 40 NERC 2006 (Duty to conserve biodiversity) creating a new duty to improve and enhance opportunities for non-motorised recreational countryside access. (subject, of course, to the Sandford principle)

C. A post-Brexit agricultural funding model is developed that ties in both;
- non-motorised recreational access provision, and
- environmental stewardship and biodiversity

Particularly in peri-urban areas, In order to ensure that wider public benefit is delivered in return for public money.

Specific:

D. CROW Act 2000 is amended in order to allow Natural England, as the appropriate authority, to amend the list of Schedule 2 restrictions in order to permit the extension of CROW access rights to higher rights users wherever deemed appropriate.

E. CROW Act 2000 is amended to allow the same powers to extend to Section 15 Land

F. Paragraph (1)(c) and (4) of S193, the Law of Property Act 1925 is amended to permit bicycles to be used as a legitimate form of ‘air and exercise’ on selected areas of common land whereby this right already extends to walkers and horse riders

G. The provision of Suitable areas of Natural Greenspace is extended to a national level as mandatory planning offset, in order to both enhance biodiversity and ensure quality recreational access provision for all.

H. A long term funding programme is developed, based on the Paths for Communities trial, to create, enhance and improve countryside access, with specific emphasis on delivery of the ROWIP and opportunities for peri-urban multi-user access and green corridors
I. Legislation is enacted absorbing unsealed, unclassified roads into the Rights of Way network as Byway or Restricted Byway based on their suitability for continued mechanically propelled vehicular use.

Annexes:

Annex 1: FOI regards CROW access dedications
https://www.whatdotheyknow.com/request/s16_dedications_sch_2_extensions#incoming-1026983

Annex 2: James Hutton Institute report on mountain bike access
http://www.satintest.uk/Documents/64-MTB-Brief_MASTER_ONLINE.pdf

Annex 3: CyclingUK Rides of Way survey report
https://www.dropbox.com/sh/wqhd3wgzs9o01d8/AAD-oLhsCKI43w17Ru93QI-Ua/RidesOfWayCyclingUKOffRoadReport.pdf?dl=0

11 September 2017