

Enterprise and Learning Committee

EL(3)-29-08 (p6): 26 November 2008

Purpose

This paper is being submitted by The British Horse Society Cymru ('The Society') in support of The National Assembly for Wales Proposed Draft (Legislative Competence) (Traffic Free Routes) Order 2009, and the Committee is being asked to support the order. The Society accordingly calls the Assembly Government to develop and maintain a network of traffic free routes for **all categories of non motorised users** across Wales.

Background

The British Horse Society (BHS) represents the interests of the 4.3 million people in the UK who ride or who drive horse-drawn vehicles. With the membership of its Affiliated Riding Clubs and Bridleway Groups, the BHS is the largest and most influential equestrian charity in the UK.

The equine industry is estimated to be worth £4 billion and to employ 150,000 people.

The BHS works for safer on and off-road riding and carriage driving through an improved public rights of way network and seeking to create new opportunities of lawful off road riding and carriage driving. The BHS works in partnership with other user groups, local and central government to make rights of way useful and open to all. It has more than 200 access volunteers across the UK working to achieve this objective, in both rural and urban areas.

The Strategy for the Horse Industry in England and Wales, published in December 2005, was prepared by the British Horse Industry Confederation in partnership with the Welsh Assembly Government, the Department for Environment, Food and Rural Affairs and the Department for Culture, Media and Sport.

Aim 5 of the Strategy is to 'Increase access to off-road riding and carriage driving'. Action 34 of which is the promotion and improvement of urban and suburban riding.

The length of the public right of way network in Wales, currently amounts to 33,000km, 79% of which are footpaths, 15% of which are bridleways, and 6% of which are byways or restricted byways. Horse riders therefore, currently only have access to 21%, and carriage drivers to 6% of the public rights of way network in Wales.

As Sustrans have stated this is not a matter simply of interest to cyclists, it is of interest to all non motorised users. The call for the Assembly to get extra powers to develop and maintain a network of highways for the use of users other than motor vehicles will increase levels of walking, cycling, horse riding and carriage driving thereby providing best value for the Assembly and the tax payer, and maximising the health benefits to the nation.

There is great potential for equestrians to increase the number of local journeys that they make on horseback or by carriage if networks free of motorised traffic were developed.

The added health benefits for equestrians would be maximised as equestrians do not simply take exercise whilst they are riding and carriage driving, as looking after horses is a 24/7 activity with mucking out, turning horses out, grooming etc all providing additional exercise.

The Society concurs with Sustrans that it is not practical to insist that there should be segregated paths, non motorised users are accommodated without segregation on bridleways, restricted byways, byways, cycle tracks and rural roads without any detriment to any of those users. Sustrans already provide for horse riders where there are no objections from landowners. As Jeff Cuthbert stated the proposed 4m width 'is quite wide - wider than many small roads.'

The Society concurs with Sustrans that disability is a broad spectrum, many of our members whilst suffering disabilities that restrict their mobility whilst they are on foot, have those disabilities lifted once they are on horse back or in their carriage and they are then able to travel long distances and access areas and places that they would be unable to do so on foot.

The Society's answers to the consultation letter questions are as follows:-

What are your views on the general principle that legislative competence in the area identified in Matter 10.xx be conferred on the Assembly?

The Society supports the proposal to confer legislative competence on the Assembly for the development and maintenance of networks for the use of users other than motor vehicles.

What are your views on the terms of the proposed Order? For example, are they too narrowly or too broadly drawn? If necessary how should the proposed Order be re-drafted and why?

It is important to allow flexibility at the Assembly Measure stage. It is vital that any Measure which flows from the LCO is also applicable to on-road provision. In some urban areas it may be difficult to create new infrastructure and it is important therefore that measures

are developed to utilise existing highway space for walking, cycling, horse riding and carriage driving.

Would the terms of the proposed Order allow for the development of traffic free routes in Wales (of the types discussed at the Committee's meeting on 3 July 2008 by means of Measures? If not, how would the proposed Order need to be re-drafted and why?

Yes, it provides for the development and maintenance of networks of highways for the use of users other than motorised users.

The proposal is "Provision imposing duties on highway authorities in Wales in relation to the development and maintenance of networks of highways for the use of users other than motor vehicles." What are your views on this?

The Society welcomes the provisions to allow the development and maintenance of a network. The network needs to be well maintained, signposted and actually form a network and not just a series of unconnected linear routes. The imposition of a duty is particularly important in order to encourage highways authorities to consider provision for all non motorised users namely, pedestrians, cyclists, horse riders and carriage drivers are a key part of their role.

Should the terms "development" and "maintenance" be defined within the matter?

These should be defined at the Measure stage.

Summary/Recommendations

The Society recommends that the Enterprise and Learning Committee take forward a Legislative Competence Order to make provision for a legal framework relating to the development and maintenance of networks for the use of all categories of users other than motor vehicles.

17th November 2008.