

Presentation Eastern Access Conference March 17th 2018

I am Alison Balfour-Lynn, BHS Eastern Region Access and Bridleways Officer, and I cover six counties, Beds, Herts, Cambs, Essex, Suffolk and Norfolk. A huge area, which is why my car is more like my travelling home / compost heap!

Mark has asked me and Lynda to talk about 'Tackling issues with routes & establishing new routes', but first I would like to say a few words on why we do what we do. Since 2010 and the launch of the BHS 'Dead Slow' campaign, the BHS has recorded (to date) over 2900 accidents to horse riders on the roads, of which 39 riders and 230 horses have been killed, 978 riders and 829 horses have been badly injured. These are truly shocking statistics, showing that the need for safe off road routes, so that ALL vulnerable non motorised users, not just horse riders, but also walkers, cyclists and carriage drivers, use our increasingly congested, dangerous roads as little as possible. If I can open just one more route that saves a life, I will do everything possible to make that happen.

Tackling issues with routes

Where do I start? Here are some of the quite complex and time consuming problems that myself and the Eastern Access Team have tackled recently. This is apart from the normal work of identifying and claiming un recorded or under recorded routes through the DMMO process, and apart also from the routine work of dealing with complaints from the public and our members of PROWs blocked by illegal gates &c and impassable surfaces.

1. Fly grazing of traveller ponies on public rights of way and unmetalled highways. We have had two distinct and different problems with this issue. Quite apart from the welfare issues, fly grazing ponies on public rights of way are a dangerous problem for the public. Some are stallions which have attacked horse riders on mares (one member in Cambridgeshire had to have her horse put down after a fly grazing stallion mounted her mare while she was riding out and broke her horse's pelvis). Many members of the public are scared of horses and hesitate to approach or pass tethered ponies, thus forcing them to walk, cycle or ride on the roads. Dogs have been attacked by mares with foals. Thanks to our volunteers in Cambridgeshire and George Hay Cambs CC Enforcement Officer, Cambridgeshire (as does Hertfordshire) now operates a zero tolerance policy with regard to fly grazing horses and they are removed under the Control of Horses Act 2015 as soon as possible. Our other fly grazing problem, particularly in west Norfolk, has involved horses tethered on unmetalled public highways which are not public rights of way but 'green' highways, on the List of Streets Maintainable at Public Expense, but not on the Definitive Map. Here, if the Highway Authority is unwilling to enforce under the Control of Horses Act 2015, which is certainly the case with Norfolk CC, we cannot force the authority to act and clear the route as we could if these tracks were public rights of way on the Definitive Map, with a S130a notice under the Highways Act 1980. The only way we can force the Highways Authority to act to clear public highways of obstructions (unless we go down the prohibitively expensive route of High Court writs of 'mandamus') is to put in DMMOs to have these tracks made 'public byways' on the Definitive Map. We are now preparing a 'bulk batch' of DMMOs to add these routes to the Definitive Map as well as the List of Streets.

2. When Bedfordshire was split up into different administrative authorities in the 1980s (Luton Borough Council, Central Beds and Beds Borough), Luton as a Unitary Authority did not prepare a Definitive Map and Statement of the rights of way within their boundaries as required by the National Parks and Access to the Countryside Act 1949. The only Definitive Map they possess is the remnants of the old Bedfordshire County Council map. This has resulted them being completely oblivious to their rights of way, many of which have had no maintenance for nearly forty years, resulting in overgrown, impassable, and unsigned tracks, also tracks which have been annexed by residents and incorporated into their gardens, forcing users to scramble backwards and forwards across a deep ditch and continue along the edge of a field to get round, and also legally unextinguished and undiverted rights of way being built over by housing estates. Unmetalled tracks were tippexed off the typed List of Streets. I discovered this problem when trying to get BW 37 Luton, which runs alongside the Luton Airport fence, 20m from the main takeoff runway, cleared and re-signed. The entrance was so overgrown that I drove past it four times and had to burrow 2m into the hedge to discover the pole where the bridleway sign should have been, then force my way through the undergrowth to discover the line of the track. This track has now been cleared and is about to be re-signed, its great if a little noisy when the jumbo jets take off! After much nagging on my part and eventually threats to issue S130a notices, Luton is now embarking on a major clearance and re-signing of their un built over rights of way, particularly BW 32, a prehistoric trackway called 'The Theedway' (probably part of the ancient Icknield Way corridor), which runs 3 miles all the way along the northern boundary of Luton, linking the Icknield Way Riders Route to the east of the A6 to the west side of the M1, via the new multi user crossing of the M1 at Junction 11a. No longer will non motorised users have to walk / cycle / ride through delightful central Luton to follow the Icknield Way. Luton BC Highways are saying that they are now about to publish their Definitive Map and Statement and I am now pursuing them to divert the tracks that have been built over, we won't hold our breath. However, things are improving.
3. Our third example is in Suffolk. This problem came to my notice when we were contacted by a BHS member objecting to Suffolk CC attempting to put a temporary TRO (Traffic Regulation Order' on Leavenheath Bridleway 24 and its continuation Stoke By Nayland Bridleway 32. The new owner of Beacham's Farm, which is accessed solely by this track, had received planning permission to extend his home and also build another house on his property. So that contractor's lorries were unimpeded, Suffolk CC were proposing to close this PROW, much used by horse riders and also parents taking children to school, from 6am – 8pm during the week, forcing users onto a narrow, twisting and dangerous single track lane with a 60mph speed limit, with no verges or pedestrian footway. All in the name of user safety and avoiding conflict with lorries on a bridleway! The owner of Beacham's Farm had already re-surfaced and cut back the track to take his lorries. Why planning permission was ever granted for this project when access is so poor is a mystery! I strongly objected to this TTRO and after a somewhat heated email exchange with Suffolk CC Rights of Way team, we have negotiated that the lorries will now have to give way to users, the track will not be closed, and the speed limit for lorries will be 10mph (not the 15mph that Suffolk were proposing). It is not ideal but the best I could do give that planning permission had already been granted.

Establishing new routes

Again, I am not going to talk about the normal and on going work of claiming routes through the DMMO process (I will leave that to Phil!). One of the major ways in which we are starting to gain new routes in the Eastern Region is through the public consultation and 'stakeholder engagement'

process being currently undertaken by Highways England as part of their plans for the upgrades to the A14, the non motorway section of the A1 from Biggleswade to Huntingdon, including the notorious Black Cat roundabout, and the projected new Oxford Cambridge Expressway, linking the so called 'Brain Belt' from Cambridge, Bedford, Milton Keynes, Bicester and Oxford. When finished, this whole arc is intended to link the North Sea ports of Felixstowe and Harwich to the channel ports of Southampton and Portsmouth, creating almost another outer London ring road (one explicit aim is to relieve pressure on the M25). I have gone to all the consultation meetings, representing horse riders and all non motorised users, with the aim making sure that HE are aware that we want the severed ends of public rights of way linked up, new multi user routes will be created and all crossings will be multi user and correctly signed as such, instead of just for walkers and cyclists. To do this one actually has to be there, making our voice heard (The HE team are sick of the sound of mine), and this is now certainly starting to pay off, they now talk of 'all vulnerable non motorised users' instead of walkers and cyclists, photos of horse riders using bridges and crossings are now included in their publicity material, including an assessment of their needs. Currently trying to cross the non motorway section of the A1 as a non motorised user is almost impossible. You to take your life in your hands and cross via one of the huge roundabouts. There are infrequent pedestrian bridges, no traffic lights to stop the traffic, and metal barriers. PROWs run up to the road on either side and stop.

Our need for safe off road routes is also being publicised through other means. I have smuggled myself onto the Board of the Chilterns AONB (Area of Outstanding Natural Beauty) as a Parish Council Representative, and again I hope I am starting to change attitudes to horse riders there as well. When I first started going to Board meetings two years ago, some members made it obvious that they didn't really want horse riders poaching up their tracks, leaving horse poo and impeding or 'endangering' walkers and cyclists. A 'Walker's Festival' had been arranged, which I insisted also include events for other users, including riders and carriage drivers. The next Festival in three years time will include all users of the PROWs in its title. As a consequence of joining the Board I am now on the Ridgeway Delivery Group (the Ridgeway starts in Herts and part of Beds in our region), and some funding has been obtained to upgrade the footpath sections linking the Ridgeway to the Icknield Way to bridleway. The Strategic Links Project is intended to link nearby villages and towns to the Ridgeway via restricted bridleway and bridleway, upgrading footpaths where possible, and with new paths inclusive of all users.

I will now leave Lynda to tell you about her success in obtaining new routes in Cambridgeshire.