

Response to the National Assembly for Wales' Enterprise and Business Committee's call for evidence on the general principles on the Active Travel (Wales) Bill.

1. Is there a need for a Bill aimed at enabling more people to walk and cycle and generally travel by non-motorised transport? Please explain your answer.

NO, but there is a need for a Bill that recognises the vulnerability of ALL vulnerable road users and provides routes that enable more people to travel by non-motorised transport. The Bill should recognise and provide that these routes are available for recreational purposes as well as for travel purposes. Why is this Bill limited by identifying walkers and cyclists only? As it is also stated 'generally travel by non-motorised transport' then this must include equestrians. They fit the description.

It is said that equestrians are not included in this Bill because horses are not a form of transport but if you look up the definition of 'transport' in any dictionary, it is to convey; to carry from one place to another - which is exactly what a horse does either by carrying a rider on its back or one or more passengers behind it in a carriage.

2. What are your views on the key provisions in the Bill , namely :-

The requirement on local authorities to prepare and publish maps identifying current and potential future routes for the use of pedestrians and cyclists (known as 'existing route maps' and 'integrated network maps') (sections 3 to 5.)

What does this requirement actually mean? These routes need to provide for all vulnerable road users. If local authorities are required to identify current and potential routes for the use of pedestrians and cyclists and then map them, does it mean that other users/potential users would be excluded? If that is the case, I cannot agree.

If one of the aims is to provide traffic free routes, would these then be ONLY for walkers and cyclists so that equestrians would have no such protection from the motorised traffic?

The requirement on local authorities to have regard to integrated network maps in the local transport planning process (section 6)

What would be the effect on Local Transport Plans if these integrated network routes identified only walking and cycling routes with no consideration given to other vulnerable road users such as equestrians? They already suffer under the interpretation of the Regional Transport Plans in Wales, which some local

authorities have used as a tool to exclude them from safe off-road routes that are being provided for walkers and cyclists. One example of this is on the new Church Village Bypass road in Rhondda Cynon Taf where walkers and cyclists have had safe off-road provision incorporated but equestrians are left to mix with the motorised traffic.

The requirement on local authorities to continuously improve routes and facilities for pedestrians and cyclists (section 7)

Improving routes and facilities for walkers and cyclists MUST NOT be at the expense of other existing users such as equestrians, either by putting up physical barriers that deliberately exclude them or by making legislative decisions that would exclude them from routes that they have had access to previously. If these proposals are restricted in this way, an opportunity is lost and best value is not being provided.

The requirement on highway authorities to consider the needs of pedestrians and cyclists when creating and improving new roads (section 8)

This requirement must also extend to considering the needs of equestrians when creating and improving new roads - (see answer to previous point)

The issues I have pointed out in my answer to provision 2 are very real issues that could have serious, if unintended, consequences for equestrians.

3. Have the provisions of the Bill taken account of any response you made to the Welsh Government's consultation on its White Paper? Please explain your answer.

NO, not so far. Despite a large representation from equestrians both at the meetings held and by letter or e.mail, they are still not included in this Bill. Neither has it taken into account CCW's representation that this Bill should provide for recreational use of these routes as well.

It is stated that this Bill is for short journeys of up to 45 minutes. It has already been pointed out that a lot of riding horses are kept very close to urban areas and these come well within the areas covered by the Bill so any legislation designed purely for walkers and cyclists is going to have a discriminatory knock on effect against these horse riders.

4. To what extent are the key provisions the most appropriate way of delivering the aim of the Bill?

They are far too restrictive and are therefore not appropriate. They also do not provide best value.

5. What are the potential barriers to the implementation of the key provisions and does the Bill take account of them?

Cost is bound to be a barrier and also the potential restrictive interpretation of the Bill. Such a restricted investment does not provide best value for the money spent.

6. What are your views on the financial implications of the Bill (this could be for your organisation or more generally)? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Impact Assessment) which estimates the costs and benefits of implementation of the Bill.

Unless considerable extra funding is provided to the local authorities, it could mean that other necessary works are going to be reduced, including ongoing work on ROWIPS, so that this Bill can be implemented.

7. To what extent has the correct balance been achieved between the level of detail provided on the face of the Bill and that which will be contained in guidance given by the Welsh Ministers?

I do not think it has because it does not provide for all non-motorised users particularly equestrians, and the interpretation of the guidance from Ministers could jeopardise the interests of these other potential vulnerable users.

8. Are there any other comments you wish to make on the Bill that have not been covered by your response?

I am very concerned that the restrictions which may well come out of this Bill, if it becomes law, will leave the equestrian far, far worse off than they are at present. They are probably the most vulnerable of all road users and they have already suffered by being excluded from the National Transport Policy and the Regional Transport Plans. In its present form this Bill could exacerbate the situation because it gives local authorities the opportunity to ignore the needs of equestrians simply because they are not included in the Bill.

There are no valid reasons why equestrians should not be included. They fit all the criteria that the aims of this Bill would require (except having places to leave the horse while you catch the bus or train - or go to the cinema - but I cannot believe that this is the primary intention of this Bill!)

(1) They ARE vulnerable road users . (The Welsh Government now accepts this point)

(2) They ARE a non-motorised form of transport but if they are denied safe access to local routes, they would have to consider travelling by lorry or trailer to find somewhere to ride. This would result in a reversal of the modal shift which is one of the stated aims.

(3) Riding has considerable health benefits - which is one of the things which this Bill is aiming to strive for. These benefits are psychological as well as physical.

(4) Many disabled people are given more mobility by riding a horse or even being transported in a carriage. They could lose this option if the Bill in its present form, excludes equestrians

(5) Providing designated footways or cycleways on verges or on the side of the road has the effect of pushing horse riders closer to or actually onto the road to mix with the motorised traffic.

(6) It is accepted that equestrians make a significant contribution to the rural economy BUT considering the number of riding horses kept on the perimeter of the built up areas of towns and cities, they are also making a significant contribution to the urban economy as well. Many saddlers and feed merchants are actually found in the towns themselves.

(7) I am very disappointed that, despite the strong representation made by equestrians in response to the initial consultation of the White Paper, it is still deemed unnecessary to extend this Bill to include equestrians. It is discrimination against one of the vulnerable groups for which this Bill should provide. We urgently request that you do not make the existing situation even worse because the consequences of excluding equestrians from this Bill will make what is already a bad situation even worse. Equestrians need safety provision as vulnerable road users not just on road but off-road as well.

(8) It is widely accepted that the empirical evidence shows that incidents on shared use paths are extremely low and these paths are bound to produce best value. Bridleways and restricted byways are true multi-user paths for non motorised use so why, is this Bill restricting its interest to walkers and cyclists only?

(9) Another point apparently being used as a reason for excluding equestrians from this Bill is maintenance. Any maintenance problems on paths are there, not as a result of its use by horses, but of the original construction of the path. Mud on paths is usually a result of drainage problems because drains and culverts are blocked. Many walkers complain of muddy footpaths and horses are not allowed there. In North Cardiff there are a number of horse routes providing off-road facilities for horse riders who have no other bridleways. They were well constructed over 20 years ago and are still in good condition despite being regularly used over the years by hundreds of horses. Despite being specified as horse routes they are also used regularly by walkers and cyclists.

(10) There are approximately 135000 horses kept in Wales, most of which are riding horses and these put over £400 million into the local economy (both rural and urban) each year. Many of these horses are kept on the urban fringe where their riders are already at risk from the motorised traffic and to deliberately exclude them from the Active Travel Bill is going to put them at even greater risk. Although they are not going to want to 'park' their horses outside cinemas, railway or bus stations or the workplace they may well need to

use these same routes and by restricting them to walkers and cyclists only, riders are being deprived of existing access.

(11) It must also be remembered that many riders are children on ponies. Only last year a ridden pony was killed by a lorry on the main road through Dinas Powys near Cardiff. Luckily the rider was thrown clear and uninjured but both she and her companions were traumatised by seeing the pony, which was trapped beneath the lorry, having to be put down on the road. The children and their adult supervisors were a group returning from a Pony Club Rally. They had no alternative but the road at that point to reach home.

All children attending Pony Club are given training and tested on Riding and Road Safety but they are still at risk from accidents such as this if they have to ride on the road.

I hope that the points I have raised may help you to reconsider the exclusion of equestrians from this Bill.

Jeanne Hyett

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