

Devon Countryside Access Forum
Local Cycling and Walking Infrastructure Plans
Position Statement
January 2023

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory remit is to give independent advice “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, and this includes county and district councils.

The DCAF currently has seventeen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

In considering the development of Local Cycling and Walking Infrastructure Plans, Devon County Council is advised to take into account the following aspirations which have been adopted by the Devon Countryside Access Forum in its position statements on different topics. The full suite of position statements can be viewed on [Newsletters and reports - Public Rights of Way \(devon.gov.uk\)](https://www.devon.gov.uk/newsletters-and-reports-public-rights-of-way)

Pre-consultation stage

Ensuring timely and informed liaison and consultation with landowners at the earliest stage in the development of any proposed route helps to diffuse potential difficulties. It is important that any tenants of agricultural or other land are notified at this early stage.

- a) Check who will bear the insurance liability for the path. Where there are any tenancies on the land confirming the ‘occupiers’ liability’ is particularly important.;
- b) Check the maintenance liability for the path and adjoining structures.
- c) Check whether risk assessments have been carried out in respect of livestock adjacent to the route. This is crucial where there are suckler cows and calves. Fencing along the route of the path may be appropriate.
- d) Discuss the financial implications associated with the development of any route. To satisfy cross-compliance paths can no longer be counted as part of the land holding area. Equally, some environmental payments on the land may need to be re-paid.
- e) Check that the landowner or tenant is aware that the farm has to be re-mapped to show the cycle/multi-use path. Failure to do this swiftly could jeopardise future support payments.
- f) Check the location of any grant-aided fencing and path furniture which might have to be re-situated. It is important to ensure that permission of grant funders is sought to relocate fencing. Otherwise this could constitute a breach of a stewardship agreement with associated penalties.

- g) Discuss signposting to ensure people go the right way and responsibilities for signing.
- h) Discuss path route to minimise the effect on privacy or business activity.
- i) Consider timing and details of work during the construction period to minimise impact on livestock movements, agricultural operations and other factors which impact on the landowner or tenant.
- j) Discuss whether the route could allow stock to stray and measures to mitigate this.
- k) Discuss implications of the Basic Payment Scheme and agri-environmental schemes on vegetation management alongside the route.

Identifying the focus

Maximise opportunities for walking and cycling within villages and towns. This would accord with the Government health agenda and sustainability proposals embedded in the National Planning Policy Framework. Wherever possible routes should be multi-use to allow use by all non-motorised users, including those with mobility scooters.

- 1) Identify strategic walking and cycling routes within settlements and ensure these link to surrounding rural areas and the rights of way network. Wherever possible routes should be multi-use, allowing access for all users, in accordance with Devon County Council's Rights of Way Improvement Plan. (Multi-use means use by all users: walkers, cyclists, horse-riders and those using wheelchairs, mobility scooters or buggies).
- 2) Ensure new development proposals include safe and high-quality provision for cycling and walking routes linking housing to schools, shops, employment areas and recreational and sports facilities.
- 3) Seek to develop circular multi-use routes within settlements to encourage healthier lifestyles and minimise car use.
- 4) Encourage opportunities to develop, facilitate and promote the National Cycle Network and its integration with other forms of transport.
- 5) Explore opportunities for locally important or strategic routes along former railway lines and canals.
- 6) Recognise other routes, such as unsurfaced Unclassified County Roads, and their contribution to recreational opportunities.
- 7) There should be a high degree of connectivity between greenspace areas.

Design and safety aspects

Design of routes is critical to ensure inclusivity and use by the maximum number of user groups.

1. Encourage suitable surfacing of multi-use routes to permit access by all users. Routes should be compatible with the landscape and sensitive to the location.

2. Give adequate consideration to the requirements of those with mobility needs in the design of new walking, cycling and multi-use routes, and in the improvement of existing routes.
3. Surfaces and use of materials should be appropriate for the intended use and respect the character of the surrounding environment. For example, it may be appropriate to have a hard tarmac surface for key routes for all users, including cyclists and disability users. Elsewhere, softer surfaces more in keeping with the environment could be adopted and allow use by other recreational access users such as horse riders.
4. Seek to improve the safety for rights of way users where routes meet or run along roads.
5. Design and improvement work on roads to encourage non-motorised users and sustainable travel should reflect the hierarchy in the Highway Code, rule 204. This acknowledges that road users most at risk in order of vulnerability are pedestrians, in particular children, older adults and disabled people, cyclists, horse riders and motorcyclists.
6. Some trails include on-road sections. It might be possible to use a Quiet Lanes approach, as permitted under the Transport Act 2000, in consultation with parishes and other stakeholders to educate car users that other recreational users may be using the road. This 'share with care' or 'expect and respect' approach, as used in Gloucestershire and Suffolk, might allow soft landscaping changes to roads and verges, different surface treatments and the provision of passing bays. Monitoring of usage and behaviour change should be included as part of any trial.
7. Fencing should be discrete, with particular regard to the impact on the landscape and public enjoyment. High tensile wiring is preferred with the minimum number of fence posts. A top strand of barbed wire is acceptable for stock control purposes but should not be placed on or immediately adjacent to access points.
8. Ramps rather than steps on approaches to bridges would greatly assist those with disabilities. Where steps are unavoidable, rest or landing areas should be included or there should be signposting to an alternative reasonable route.
9. Replacing stiles and kissing gates with 1.5 m wide gates with good latches and trombone handles. Where self-closing gates are required a two-way gate is preferable. Kissing gates that can be operated by radar keys may be an option in some locations. Latches are often overlooked but can ensure gates can be easily opened and closed. They should be positioned where they can be reached and in good condition. Long handles which can be reached at different heights are useful to open gates.
10. Entry points should aim to achieve the least restrictive option in accordance with the Equality Act 2010. Self-closing gates, where acceptable to landowners, are a preferred option to kissing gates which are not easy to use with wheelchairs and pushchairs.

Additional facilities and information

Extending beyond the immediate provision of cycling and walking routes, other factors can encourage use.

- a. The provision of car parking, refreshments and toilet facilities are additional aspects which should be considered alongside the trail itself. These may be essential for some users to be able to access or enjoy the trail.
- b. Information. Providing clear, easy to read information about the route or site so that people can plan their visit with confidence and consider making information usable by visually sighted and/or deaf persons.
- c. 'Share this space' messages are useful and are supported. However, consideration needs to be given to managing people on the route and slowing people down, where needed.
- d. Maintaining and seeking improvements to biodiversity, alongside provision of greenspace, should be a key target.

DRAFT