



Devon Countryside Access Forum

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Pauline Morgan
Department for Transport
Great Minster House
33 Horseferry Road
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5 November 2018

Dear Ms Morgan

Cycling and Walking Investment Strategy safety review: proposals for new cycling offences

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...”

The DCAF currently has fifteen 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.

Members of the Devon Countryside Access Forum discussed the proposed cycling offences at the meeting held on 9 October and agreed to submit the following comments.

Members were of the opinion that no new cycling offences should be introduced and that the existing legislation was proportionate. Members recognise the health and wellbeing benefits of cycling and would wish to encourage cycling, both for functional purposes and for recreation.

The burden of proof in a cycling accident, particularly in rural areas, is very challenging. Equally, in rural areas there are many places off the highway where people cycle which could be included in the term ‘public place’. There is no proposed definition of this term, and achieving a satisfactory and agreed definition would be difficult, particularly where landowners are in the public, private and charitable sectors. It would be important to

The Devon Countryside Access Forum is a local access forum. It is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CROW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.

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achieve consistency and not inadvertently burden places to which the public might be invited, such as venues providing cycling facilities.

Using other legislation, such as Public Spaces Protection Orders, might be explored to limit the impact of persistent anti-social cycling behaviour.

Tackling cycling behaviour through education and increasing awareness of safe cycling in proximity to pedestrians is considered a better approach.

The consultation only covers cyclists – inappropriate and dangerous behaviour by anybody, using whatever mode of transport, that causes death or serious injury should have been considered together.

The Forum trusts its views will be taken into account.

Yours sincerely

A solid black rectangular box used to redact the signature of Hilary Winter.

Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

Chair: Sarah Slade Vice Chair: Chris Cole