

## 4.2 Provision for Users

This section provides objectives, policies and actions which cover provision for users of the access network.

### 4.2A Users with Limited Mobility

#### Objective

To improve rights of way and access for blind or partially sighted persons and others with mobility problems

Over 17,000 people living in Devon are registered as disabled (see table 2 below), some of whom may find access to the countryside a challenge. The disabled may include walkers, cyclists, horse-riders, carriage-drivers and vehicular users. A high percentage of Devon's population is elderly. An elderly person may be perfectly capable of walking but may, for example, have difficulty negotiating a stile. Limited mobility applies to an even broader section of the population. For example, a person with a pushchair could experience limited mobility. The disabled, young people and the elderly are particular sectors for whom the County Council would like to make access improvements.

**Table 2 Residents in Devon registered as disabled, 2004**

Primary Care Group	Age band			Total
	<18	18-64	65+	
East Devon PCG	152	716	1,908	2,776
Exeter PCG	282	933	1,582	2,797
Mid Devon PCG	156	439	851	1,446
North Devon PCG	421	1,076	1,863	3,360
South Hams and West Devon PCG	178	741	1,594	2,513
Teignbridge PCG	317	799	2,397	3,513
Unknown	125	333	422	880
<b>Total</b>	<b>1,631</b>	<b>5,037</b>	<b>10,617</b>	<b>17,285</b>

The DEFRA statutory guidance for RoWIPs includes the need to assess the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems. The Disability Discrimination Act 1995 gives specific duties to consider the needs of people with disabilities and to improve access to services. It is not clear at this time whether rights of way are legally defined as a service. However, the improvement of access to the countryside for the wider public should be part of the overall aim of the County Council.

In developing and maintaining access for any of these users the County Council must be inclusive and encourage the least restrictive option on public rights of way and access. British Standard BS5709:2001 Gaps, gates and stiles - Specification takes into account the provisions of the Countryside and Rights of Way Act 2000 and the Disability Discrimination Act 1995. It states that:



“the United Kingdom is noted for the variety of stiles and other devices which enable crossings to be made of boundaries where animals need to be contained. Whilst local traditional forms of gates and stiles should not be lightly discarded for a standard design, it should be borne in mind that the main objective is for gates and stiles to be adequately stockproof while providing good access for all legitimate users”

*Permission to reproduce extracts of BS5709:2001 is granted by BSI.*

## Policies and Actions

### Improved understanding

- LM1A** Links will continue to be developed with representatives of persons that are blind, partially sighted or have mobility problems, to understand clearly any specific needs and how best to meet them.
- LM1B** Findings from partner organisations will be monitored to inform improvements in the Devon-wide network, for example, the improvements in accessibility trialled by the East Devon AONB Service.

### Encourage the least restrictive option

- LM2A** The least restrictive option will be encouraged (gap, then gate, then stile) in accordance with policy and action M1E. Priority will be given to minimising restrictive structures on routes around towns and villages linking destinations such as shops, places of worship, schools and recreational areas.
- LM2B** Information on the location of gates and stiles gathered during the Public Service Agreement, and information from parish councils and users, will be used to identify unnecessary structures and to seek their removal, in consultation with landowners. This will be extended to encourage the least restrictive option on cycle tracks and all other forms of access.
- LM2C** Inappropriate new structures that are put in place without authorisation will be removed.



*Public Rights of Way staff providing information at the Honiton Show. The County Council attends many of the local agricultural shows to meet farmers, landowners and users*

## 4.2B Walkers

Objective To improve opportunities for walkers

The RoWIP amplifies the policies within the Devon Structure Plan 2001-2016 with regard to walking (see chapter 2 on page 13).

Walkers are generally well catered for - they can use the whole of the rights of way network and the uUCRs and will also have access to open country and common land under the CRoW Act from August 2005. However, the network is patchy and there are some parishes with no off-road provision for walkers.

The motive for walking varies, from daily dog-walkers to organised rambling groups, from walking to work to walking for health. There are thus differing requirements and expectations. Walking is the cheapest and easiest form of transport and recreation and it should be supported and developed wherever possible, encouraging people to get out of their cars and onto their feet.

The South West Coast Path, a 640 mile National Trail, runs through the county on both the north and south coasts, including through the Jurassic Coast World Heritage Site in East Devon. In addition, a strategic walking route network runs across the county, as shown on Map 1 (see page 9). These routes are primarily comprised of public rights of way, but have been augmented where necessary by the use of uUCRs and permissive access. These routes have been developed to encourage tourism. Marketing is undertaken both in and out of the county to encourage awareness and use of such routes. It is also desirable to link these routes to neighbouring settlements and attractions, as has already been done at certain locations.



*Out for a family walk in Devon*

**Policies and Actions****Utility use**

- W1** The development of walking in urban areas will continue to be supported:
- i. for utility use, to encourage people to switch from car use to sustainable transport;
  - ii. for health benefits; and
  - iii. for the economic benefits accruing from tourism,
- by improving off-road links between destinations such as shops, schools and work places. This can be achieved through creation agreements and orders.

**Recreational use**

- W2A** Priority will be given to the development of:
- i. short routes and circular links of 3km and 8km;
  - ii. routes linking towns, villages and attractions and providing a true off-road network for utility and leisure; and
  - iii. appropriate links to and from the recreational walking route network.
- W2B** Improvements will continue to be sought in the line of the National Trail and the recreational walking route network, using diversion orders and creation agreements and orders.
- W2C** The least restrictive option will be encouraged (gap, then gate, then stile) in accordance with policy and action M1E.

## 4.2C Horse-Riders and Carriage-Drivers

Objective To improve opportunities for horse-riders and carriage-drivers



*Horse riding in Devon*



Horse activity is a significant part of rural life in Devon, not just for recreation but also for business, for example, farriers and feed-merchants. Several of Devon's schools have riding clubs, such as Uffculme in Mid Devon and Ivybridge Community College in the South Hams, and the Western Morning News has a weekly horse section reflecting the economic value of the horse industry to the county.

Horse-riders can use bridleways, restricted byways, byways open to all traffic and uUCRs, as well as common land on Dartmoor. However, the routes are generally fragmented, requiring riding on the road. Carriage-drivers can use restricted byways, byways open to all traffic and uUCRs.

There are no long-distance horse-riding routes in the county. However, representations have been made by the British Horse Society and South West Riders to develop a strategic bridleway network which is currently under investigation. This is intended to link with similar proposals in the neighbouring counties of Cornwall, Dorset and Somerset and would support the British Horse Society Ride UK project. At the same time the County Council is investigating the establishment of short links to form more localised circuits between 4km and 11km.

### Policies and Actions

#### Development of the bridleway and restricted byway network

**HC1A** The County Council will seek to develop a strategic bridleway network and appropriate facilities.

**HC1B** The County Council will seek to develop short routes and circuits for horse-riders of between 4km and 11km;

**HC1C** Opportunities to develop off-road links for horse-riders to reach areas with better riding facilities, for example, on Dartmoor and Exmoor will be investigated.

**HC1D** Upgrading of existing routes to public bridleway or restricted byway status will be supported where this would meet the objectives of the RoWIP.

**HC1E** Opportunities will be sought to develop disused canals and railway lines for equestrian use and multi-use where appropriate.

#### **Development of horse tourism**

**HC2A** Recreational use for health benefits will continue to be supported, and opportunities sought to build upon the existing economic benefits accruing from horse tourism.

**HC2B** The promotion of horse-riding to tourists will continue to be explored, with due regard to the environment, as part of increasing Devon's potential as an outdoor activity destination, particularly the Discover Devon Naturally initiative.

#### **Multi-use**

**HC3** Multi-use will be encouraged in accordance with policy and action CY3A, B and C.

## 4.2D Cyclists

Objective To improve provision for cyclists

The RoWIP amplifies the policies within the Devon Structure Plan 2001-1016 in regard to cycling (see chapter 2 on page 13).

Cyclists can use bridleways, restricted byways, byways open to all traffic and uUCRs. Additionally the County Council has been proactive in developing off-road cycle tracks. Map 1 (see page 9) shows the main cycle routes in Devon. An example is the Tarka Trail in North Devon which has been developed along a disused railway line. Such routes have the advantage that they are relatively flat, safe and easy to use. The gradient and surfacing means that the routes are also suitable for walkers and those with limited mobility. The first-ever National Cycling Assessment ranked Devon as one of the best performing cycling counties in the country.

One of the routes currently under development has come about through a successful funding bid under Paths to Prosperity, a project to improve the National Cycle Network in rural Devon. This identified cycle-tourism as one way to bring extra money into Devon following the effects of Foot and Mouth on the rural economy. The route is already open in part and is due to be completed by 2008.



Cycle route in Devon

These cycle tracks are being developed to encourage cycle tourism and local cycling for utility purposes, for example, cycling to the local shop rather than using the car. However, the majority of use of the cycle tracks on the disused railway lines is inevitably recreational rather than utility in terms of numbers of users. The exceptions are along those sections of track in town centres, such as in Barnstaple, where utility numbers may prevail at certain times of the day. Cyclists getting to work are likely to be regular users and may account for more use in terms of distance travelled.

Existing footpaths and bridleways are sometimes used in the development of improved cycling facilities in and around towns. Where routes are being developed specifically for cyclists the County Council is often asked by local horse-riders whether they can use them to link with other off-road riding routes. Research has shown that there is very little evidence of actual or perceived conflict on such routes.

Approximately one-fifth of cyclists in Devon identify themselves as mountain-bikers, so there is a need to ensure appropriate provision for this. The County Council wishes to encourage young people to lead an active lifestyle, and mountain biking is often, though not exclusively, undertaken by the young. Mountain-biking offers further opportunity for tourism development, which has not been fully explored in this county to date. Mountain-bikers can legally use bridleways and are generally happy to use the soft-surface routes preferred by horse-riders. There are opportunities to develop routes which will suit both horse-riders and cyclists, as well as being available for walkers.



## Policies and Actions

### Utility cycling

- CY1** The development of cycling in urban areas will continue to be supported:
- i. for utility use, to encourage people to switch from car use to sustainable transport;
  - ii. for health benefits; and
  - iii. for the economic benefits accruing from tourism,
- by improving off-road links between destinations such as shops, schools and work places. This can be achieved through creation agreements and orders.

### Off-road cycle network development

- CY2A** Opportunities will be sought to develop disused railway lines for cycle use and multi-use where appropriate.
- CY2B** Opportunities will be sought to develop circular cycle routes, in addition to the long-distance National Cycle Network already in development.
- CY2C** Public transport links will continue to be developed to help deliver circular routes, for example, using bike-buses.

### Multi-use

- CY3A** Provision for multi-use will be preferred where new routes are developed and the use of restrictive covenants will only be agreed in exceptional circumstances.
- CY3B** A review of existing cycle routes will be undertaken to see if multi-use is appropriate.
- CY3C** Appropriate surfacing of multi-use routes will be undertaken following local consultation with the public and user-groups and taking into account environmental considerations, user needs, costs (including future maintenance) and guidance from the relevant sources, such as the good practice guide Surface Requirements for Shared Use Routes to be published by the Countryside Agency.



Mountain biking  
on a bridleway  
in Devon

**Maximising the rights of way resource**

**CY4** The upgrading of existing public footpaths to public bridleway status will be considered where they are to be used as part of a cycle network. Within an urban setting Cycle Track Orders will be preferred.

**Mountain-biking**

**CY5A** Partnerships with organisations which have a particular interest in mountain-biking will continue to be developed, for example, the existing work with the Forestry Commission in their facility development (which includes mountain-biking).

**CY5B** Opportunities will be sought to develop off-road links for mountain-bikers to reach specialist facilities without the need to drive.

**CY5C** The promotion of mountain-biking to tourists will continue to be explored, with due regard to the environment, as part of increasing Devon's potential as an outdoor activity destination, particularly the Discover Devon Naturally initiative.



## 4.2E Motorised Users

### Objective

To improve opportunities for vehicular users

The County Council encourages the legal and responsible use of routes to which motorised users have access. Licensed motor vehicles may be driven on byways open to all traffic and uUCRs. Drivers must be licensed, insured and fit to drive, and are expected to drive with due care and consideration for other users, as on any other highway. The public rights of way available to motorised users are fragmented. 72 km of the total network is recorded as byway open to all traffic and approximately 730 km as uUCRs. It should be noted that the uUCRs also form an important recreational resource for vulnerable road users (walkers, cyclists and horse-riders/drivers) and the issue of maintenance of these routes affects all users.

As with any group - whether walkers, cyclists, horse-riders or farmers - a minority exists whose actions tarnish public perceptions of the rest of the group. This is particularly the case for vehicular users. There are illegal users who build prejudices against the sector as a whole. Many user groups have developed codes of conduct which promote responsible use of vehicular highways. The County Council will work with user groups, landowners and the Police to combat illegal and irresponsible use.

A research project by DEFRA and the Countryside Agency published in 2005 aimed to quantify the level of motor vehicle use on byways open to all traffic and to assess the implications of use for the network and its management. It suggested that motorised use of the public rights of way network can be broken down into three main categories, as shown in Table 3 below:

**Table 3. Results of research based on 20 byways open to all traffic in England**

	Average daily flow	Percent
<b>Land management use</b>		
For example, by agricultural vehicles and farm machinery	1.7	42%
<b>Recreational use</b>		
Motor vehicles and motor cycles	1.5	38%
<b>Dwelling access</b>	0.8	20%
<b>Total</b>	4.0	100%

(Source: DEFRA and Countryside Agency, 2005, PB10323)

The average daily flow of 4 vehicles per day was weighted to give an estimated average daily flow on byways open to all traffic of between 4.2 and 5.0 vehicles per day, although this masks considerable variations.

Another element of use that was not considered in the research is competitive sport (for example, Classic Reliability Trials and Rallying) under the General Regulations of the Royal Automobile Club Motor Sport Association Limited. This is recognised as the governing body of all motor sport in Great Britain. It ensures that organised events are carried out legally and responsibly, for example, by including consultation with landowners, liaison with the Police and event marshalling.

There is evidence that those who engage in recreational use of byways open to all traffic include people with mobility problems for whom walking, cycling and horse-riding is not possible. The research was not able to estimate the numbers involved, but it is clear that motorised use provides an opportunity for those with mobility problems to access the countryside.



*Motorised users  
in Devon*

## **Policies and Actions**

### **Legal clarity**

**MU1** Work will continue to ensure that the correct legal status of vehicular routes is recorded.

### **Management**

**MU2A** Work will continue with vehicular user groups to educate users, both motorised and non-motorised, about the rights and responsibilities of each to help reduce any actual or perceived conflict.

**MU2B** Work will be undertaken with user groups, landowners and the Police (through the appropriate Crime and Disorder Reduction Partnership) to combat illegal use, such as vehicular use of public footpaths or bridleways without a private right or the permission of the landowner.

**MU2C** Where use is causing physical or environmental damage to a route, the latest Government guidance will be followed with regard to the implementation of Traffic Regulation Orders.

**MU2D** The possibility of improved maintenance and signing of the uUCRs within the available resources will be investigated (in accordance with policy and action M1F and SW1E).

## 4.2F Dog Walkers

### Objective

To balance the need to exercise dogs with the needs of landowners and other users



It is estimated that around 40% of households own a dog. There will therefore be a large number of dog owners who access the countryside to exercise their dogs. People living in rural Devon will do this on a daily basis and those living in more urban areas may travel out into the surrounding countryside on a regular basis to walk somewhere other than the local park. Dogs can bring pleasure and confidence to their owners, as well as providing a motive for accessing the countryside. However, the County Council is keen to promote responsible behaviour by dog owners which respects the needs and opinions of landowners and other users.

When walking dogs, the owners are also getting exercise and this should be encouraged. Some accommodation providers and pubs specifically cater for dog-walkers, providing facilities for dogs and owner, and often market these facilities to tourists.

In a rural county such as Devon, dog-walkers can expect to find animals in fields through which they may be walking. It is important that people act appropriately when they meet other animals, whether those animals are livestock or wildlife.

### Policies and Actions

#### Control of dogs

**D1A** The continued education and reinforcement of the importance of keeping dogs under close control whilst using the countryside will be encouraged, particularly when in the vicinity of livestock and where there is potential disturbance to wildlife, for example, ground nesting birds.



*Dog walking near  
Putsborough Sand,  
North Devon*

- D1B** The making and enforcement of Dog Control Orders by the appropriate authority (district and parish councils) will be supported under the Clean Neighbourhoods and Environment Act 2005.
- D1C** The use of powers under the Road Traffic Act 1988 will be supported in exceptional circumstances to require dogs to be kept on leads, in consultation with the appropriate Crime and Disorder Reduction Partnership.
- D1D** Appropriate enforcement action will be taken where a dog intimidates a person or injures them or their animal(s).

### **Dog gates**

- D2** In order to make access with dogs easier, and to prevent damage and potential injury to dogs and their owners, the provision by landowners of dog gates in existing stiles will be supported where appropriate.



*Negotiating a dog gate next to a stile*