

Yorkshire & Humber Regional Access Forum

POSITION STATEMENT – SHARED USE

This Position Statement has been approved by the Yorkshire & Humber Regional Access Forum. It is offered to Local Access Forums within the Region who may wish to consider it for adoption either as it stands or modified to suit local circumstances.

Scope

This Position Statement covers all users entitled to use public rights of way, namely:

Public Footpaths – Pedestrians.

Public Bridleways – Pedestrians, horse riders, cyclists.

Cycle Tracks – Pedestrians, cyclists.

Restricted Byways – Pedestrians, horse riders, cyclists, carriage (horse drawn vehicles) drivers.

Landowners, farmers, and their employees and agents going about their normal business are permitted to use public footpaths, bridleways and restricted byways in mechanically propelled vehicles.

Byways Open to All Traffic (BOATs) – As for Restricted Byways plus all mechanically propelled vehicles.

Unsurfaced County Roads (UCRs) (also known as Unclassified Unsurfaced Roads (UURs) and Green Lanes) – There are no recorded rights but it is assumed that they are vehicular highways and so can be used as per BOATs.

Mobility scooters and powered wheelchairs are permitted to use all the above types of public rights of way.

Greenway – a corridor of land reserved for recreational use, promoting environmental preservation and access to nature – is a neutral term and does not give ownership to one particular group unlike “Cycleway”, “Bridleway” or “Footpath”.

Issues arising from shared use

The use of the public rights of way network by different users can often lead to tensions because of **safety considerations**. For example walkers and horse riders raise issues such as the speed of cyclists, lack of any audible warning when being approached from behind, and failure of cyclists to give way to walkers and horse riders as required by Section 30 of the Countryside Act 1968. The recent introduction of e-bikes, with their potential higher speeds and their increased weight, presents additional safety considerations. An e-bike is classed as a cycle so long as it has pedals to propel it, the electric motor cuts out if travelling at more than 15.5 mph (25 km/hour) and the power does not exceed 250 watts.

Another area of tension is the **damage by mechanically propelled vehicles to the surface of higher status routes (BOATs and UURs)** often making them impassable to non-motorised users. In addition, the increased use of mountain bikes is also helping to create ruts which will be exacerbated with increased use of e-bikes.

The Forum's position

Local Access Forums are charged with providing advice on improving public access (whether on foot or by horse, cycle, canoe, mechanically propelled vehicle or by any other lawful means) to land for the purposes of open-air recreation and for any other lawful purpose. Consequently, the advice given by Forums should not favour any particular group or groups over any other.

The Forum's position on Shared Use is in three parts.

1. The existing public rights of way network – Many user groups have introduced campaigns and produced leaflets to encourage responsible use of multi-user routes both to foster safety and to prevent surface damage. The Forum will encourage:

- All reputable organisations representing user groups to keep putting the message out to their members in the responsible use of all shared use public rights of way.
- Local highway authorities to introduce/improve signage where appropriate.
- The introduction of traffic regulation orders (TROs) to mitigate the damage to higher status routes by mechanically propelled vehicles.
- Where possible the replacement of stiles by gates on footpaths to facilitate use by the less mobile walker and those needing to use mobility scooters and powered wheelchairs.

2. Creation of new Greenways – The Forum will advise that the design should:

- Be wide, level across its width, and with a suitable surface such as Flexipave (www.kbiuk.co.uk), Nu-Flex (www.nu-flex.co.uk) or Consolid (www.consolid.co.uk/sports-and-leisure)
- Have good visibility along the line of the route
- Be well signed
- Have good connectivity and link into the public rights of way network.

3. Upgrading footpaths to bridleways – Although the Forum supports the improvement of the path network for the benefit of all users, all proposals should be on a case-by-case basis.