



# CYCLE TALK

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## The Access Legislation – A Cyclist's View

Peter Hawkins

Although the access legislation – the 'right to roam' – seems aimed at walkers, cyclists can also benefit. And just as walking comes in many types and purposes, so does cycling. Some cyclists only ride in the towns and cities; others only ride on purpose-built mountain trails, usually in forest locations, such as Glentress. For some, cycling is a way to keep fit – head down, ride as fast as possible, keep your eye on the wheel in front. Others will cycle just to get to work or school, and little more. So which ones will get most benefit from the new legislation?

As most cycling is done on roads, the question of access might seem a bit irrelevant. In rural areas, the real problem is not the road network, which is often excellent, but the speed of motor traffic, which is inhibiting for all the non-motorised, walkers, cyclists and horses alike. In many Access Forums, which have been debating their local core path network, the question arises as to whether minor roads can be designated core paths. We cyclists think they should – especially as walkers etc often need them to link one path to another. And if they were so designated, the authorities would be obliged to introduce traffic calming, or a separate path alongside.

Better still, we should be lobbying for overall lower speeds on country roads – the national limit of 60mph, which currently applies, is patently inappropriate, and more accidents and deaths occur on these roads than anywhere else.

In cities, different issues emerge. Cycling in parks is one. Before the legislation, some cities, like Edinburgh, largely banned park cycling through 'management rules', the Scottish equivalent of by-laws. Others, like Glasgow, were more lenient, and mostly allowed cycling. But after the legislation, the no-cycling signs so prominent at park entrances became instantly illegal. Councils had to take them down, or in some cases (like the elaborately carved wooden notice boards), cover them over or paint them out.

Most cities have an elaborate network of paths and trails in addition to the designated parks. Often, these follow rivers or burns, and have a long history of use for commuting and for leisure (lovers' walks – except that lovers don't seem to walk so much these days). All of these are now open for cyclists, whether or not they were banned before.

Walkers have to get used to this new status; I recall riding along one, and an old grump, not accustomed to the change, told me off: "no cycling here!!" "Nonsense", I shouted back. "Land Reform Act Scotland, 2003!" But by this time he was out of earshot.

The point is, it's wonderful to have this new confidence that you have the right to be where you are, so long as you're riding responsibly. Cyclists, and walkers too, in my experience fall into two groups: those who would be so mortified at being told off for being there that they would never venture beyond where they were certain to be OK; and those who had the confidence 'to boldly go', even before the legislation.

*Peter is an active member of CTC Scotland and of 'Spokes', the Lothians Cycle Campaign. He represents cycling interests on the West Lothian Access Forum.*

It is the former group who, I believe, should now be targeted by those, like SNH, whose job it is to promote access. We need to be out there telling people that, yes, it's OK to cycle these routes, even if they had 'no cycling' signs before.

The legislation will also affect the map makers. An example is the Hermitage of Braid route in south Edinburgh. This route follows a burn along a lovely tree-lined valley, ideal for cycling because the gradient is gentle and the trees provide shelter. What's more, it links major residential areas and is even a route to the Royal Infirmary. Because cycling was formerly banned, Spokes, who make the Edinburgh Cycle Map, were not allowed to show it as a route, even though 'boldly go' cyclists were using it already. Now, all that has changed – it can be shown on the map, it can even be signed as a cycle route.

Signage is another matter. It's one thing to be able to use a route legally, but quite another to advertise this publicly. The agreement of the landowner has to be given before signs can be put up – but this doesn't apply to maps.

What about golf courses? The places which are marginal for walkers are also marginal for cyclists. The law now says you can walk across a golf course so long as you don't interrupt play. And you're not allowed on the greens. Fair enough, that's being responsible. But cycling? Personally, I wouldn't want to ride across a golf course unless there was already a path established. Whether it's 'responsible' depends on the ground underneath. If it's hard enough to take your wheels without denting, fine. Otherwise, if you'd leave a trail in the grass, I'd say avoid it.

The estates of the landed gentry are another grey area. These can be hugely popular for cycling, because they're scenic, they don't have much traffic, and they can be extensive enough to give a decent ride. And they can be near enough to home to get there unassisted. Inevitably, wider use by the public has led to court cases, the owners arguing the right to privacy. At present, the undefined notion of 'curtilage' means an owner has the right to keep the public out of the immediate surrounds of the house and garden, but that leaves us the freedom to roam over the rest of the estate.

But in my experience, estate owners are proving recalcitrant in opening their estates up with signed routes, even when it's arguably in their own interest to direct the public along specific lines, rather than have them go everywhere.

The legislation has possibly made little difference (to landed estates) so far, because the timid will still be deterred by the ornamental gates, the lodges, the 'private' signs etc, while the 'boldly go' will just go even more boldly than before. The key is: if I'm challenged, have I got my answer ready? Thanks to the new legislation, we can now, all of us, wherever we are, cite the Land Reform Act Scotland 2003 as our vade mecum, and let us not be deterred by owners or factors or gamekeepers, so long as we're behaving reasonably, causing no damage, and not interfering with anyone's livelihood. It's our right, after all. And the more we exercise it, the more widely accepted it becomes.

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Web Sites

CTC Scotland:

[www.ctcscotland.org.uk](http://www.ctcscotland.org.uk)

Cycling Scotland:

[www.cyclingscotland.org](http://www.cyclingscotland.org)

## A NEW GROUPING

Not another one?!?! This one arises from the cycling partners of Paths for All. These are CTC Scotland, Sustrans and Cycling Scotland. The board wanted to clarify our spheres of interest and from that arose the idea of a PFA Cycling Interests Group. Since SNH is PFA major funder, it is a member. To make the Group comprehensive, Scottish Cycling and SportScotland were asked to join. Ian Findlay of PFA chairs.

I see this group as tackling aspects that others are not, and much of its agenda so far has been about matters that CTC has initiated. In fact, our Off-road Campaigning Officer, Richard George, came up from Guildford to attend the last meeting.

I have for long been concerned about the adequacy of Core Path Plans (CPPs) in incorporating routes suitable for cycling and that there should be criteria established to monitor such provision. This matter is being investigated by PFA, SNH and CTC. I have seen early drafts from some Councils which look inadequate in general coverage to me, and this is also the concern of SNH, which is the agency charged with acceptable implementation of the procedures. A "Hub" has been created to examine CPPs and to recommend remedies if necessary.

I can't go into much more detail here; I will just mention some of the matters that the Group is addressing:- identification and coordination of cycling reps on Local Access Forums; our Richard to circulate CTC Vision; ideas for engineering works; ideas for links to NCN; Regional Transport Strategies; consideration of ways of rolling out a programme of cycling encouragement vis-à-vis Paths to Health, Cycling Scotland capacity, and the forthcoming "Health on Wheels" conference; Demonstration towns; relationship with National Access Forum.

The Group will only meet half-yearly, the next one being in September, but there will be progress to report before that.

**John Taylor, CTC Scotland rep to Paths for All.**

## Try Cycling ...

### Try Cycling Tayside

The first "Try Cycling" (I think). A CTC Scotland project with the Tayside Health Board to promote cycling as an aid to health. Has staff, but also uses volunteer effort.

### Try Cycling in Edinburgh

Triggered by the Bike Station and supported by several cycling organisations in Edinburgh. Original impetus because we kept having stands at community events to promote cycling, but people were diffident about actually going out to do it, so 3 years ago we actually tied people down by offering a ride which anyone could manage usually the following weekend. A case of "Put your money where your mouth is". Now has an easy ride on the last Sunday of each month.

### Try Cycling Grampian

An initiative by the Grampian local group of CTC to provide a *regular* weekly easy ride - starts from same place at same time each week - Duthie Park at 10:00 on Sunday.

**Three schemes providing three solutions to different problems. What they have in common is the name "Try Cycling" and the fact that to maintain the initial impetus they all require a lot of effort from volunteers to keep them fresh.**

## DATES for your DIARY

|            |  |  |
|------------|--|--|
| 10 June    | Tri-Vets, Stirling.<br>Details in Cycle Talk 48 or on CTC Scotland web site. | Still time to enter this. Phone Mike Harrison [0131 554 7773] before 3rd June or Peter Hawkins [0131 443 6712] after that. |
| 16-24 June | BIKE WEEK  |  |
| 16 Sept    | Pedal for Scotland   | book on-line at <a href="http://www.pedalforscotland.org">www.pedalforscotland.org</a>                                     |

**Sent: 2007-04-29 Subject: CTC AGM and Dinner**

From JT, as Chair CTC Scotland.

Hallo, All!

Just back from the above at Guildford! A lot of travelling for just that amount of time down there, but worth it as it turned out.

The AGM agenda led to more debate than usual. The essence of Res 6 was to limit the total number of voting Councillors to 22, but to allow 4 non-voting Councillors to be co-opted; Pres and Vice Pres would no longer be members of Council. This was adopted.

The Council wanted us then to pass Res 7 which would have reduced the number of elected Councillors from 20 to 15; however, not enough votes were secured to adopt this.

Under Res 9, the Strategic Plan, or Vision, was adopted. You can consult it on [www.ctc.org.uk](http://www.ctc.org.uk). (CTC Scotland's Development subcommittee will consider how it can be implemented in Scotland. Towards this end, our Senior Development Officer, Rob Fuller, will visit that subcommittee, expected some time in June, for discussions, because, we MUST HAVE staff support to achieve what we should for CTC in Scotland.)

Talking of Councillors, there are still no other nominees for Scottish Councillor, so, slightly prematurely, I'm sure that you will join with me in congratulating Peter Hayman for securing the post, and wish him a very fruitful term of office. He's OUR Councillor, so give him some queries to deal with!

The length of the AGM left little time before the dinner for a snooze. However, since I had had only 5 hours sleep on the coach the previous night, I had to have one. Consequently, I was 20 minutes late in sitting down, but the serving had been delayed, so I didn't miss anything!

The highlight for us came in the awards. First, the Crawford family swept the board for achieving first places in the men's, women's and child's DATC awards. Then, amongst the Volunteer of the Year awards, Mike Harrison received his certificate for Scottish volunteer, and then the ATMoss trophy for V of the Year for the whole of the UK! Mike, unfortunately, could not be present to receive the awards in person, so it was with a mixture of sadness for that situation, and privilege in being his substitutes that Peter and I stood in. However, we had recorded a video sequence of Mike in Glasgow, so everyone present saw that. Peter took charge of the awards to be met by George DiPonio at Waverley station so that he could rush them to Mike. Well deserved, Mike!!!

## National Awards

**Mike Harrison, Volunteer of the Year and winner of the Moss Medallion for services to CTC. (Scotland)**

Mike became active in CTC Lothians DA and in CTC Scotland 7 years ago and immediately made a big impact. Since then his energy and his willingness to take on almost any job at short notice has been a remarkable contribution, both nationally and locally.

His award for 2006 reflects his unique contribution after he was seriously injured in an accident after the CTC National Dinner in April.

Since then he has made a gradual recovery but remains wheelchair bound and has had to move to a specially modified flat. However during his recovery one of his major concerns remained his commitment to CTC Scotland, in particular to the 2006 Birthday Rides in Dumfries for which he was co-ordinator of the organising committee. Despite giving up all his formal roles it was clear that Mike was not going to let go of his links. Once he was able to use his arms he asked for his laptop computer which he operated while lying flat. This he used to complete the handbook for the Birthday Rides which was used to pull the whole event together, and to maintain the Rides web site.

His fortitude in the face of adversity, and his continued positive outlook despite circumstances which might defeat lesser men, has also been inspirational. He is making a good recovery, and is once again making a contribution to cycling interests, for example restarting as the editor of CTC Scotland's 'Cycle Talk' and the CTC Scotland and Lothians CTC web sites. He has recently been re-elected to the vital post of Secretary of CTC Scotland, a role he only gave up to become a national councillor.

Mike was unable to attend the CTC Annual Dinner to receive his award from CTC President Jon Snow so colleagues from CTC Scotland recorded a special presentation which was broadcast at the dinner.

