

Ramsbury Paths 5, 6 and 8C and Little Bedwyn Path 20 Diversion and Definitive Map Statement Modification Order 2024

These comments are by Alan Woodford on behalf of the British Horse Society (BHS) Wiltshire Access Team.

BHS Wiltshire OBJECT to the order and request that it is revoked and abandoned.

The proposed diversionary route for bridleway RAMS6 is substantially less convenient for horse riders under Section 119 of the Highways Act 1980 for the following reasons:

a) The surface of the bridleway will in part be concrete.

Concrete is totally unsuitable for a bridleway and substantially worse than the existing bridleway surface. It is unsuitable because of i) its potential for being dangerously slippery in adverse weather conditions or if a horse should spook ; ii) its unforgiving nature if a horse or rider should fall on it, and iii) its concussive effect on horses' hooves.

The Countryside Access Officer, commenting on the original application stated that the bridleway should have an "appropriate hard surface". Concrete is not appropriate – indeed, there are no hard surfaces that are less so.

Our original comment on the proposed surface has not been taken into account. We were under the impression Ramsbury Estates were amenable to having at least a partly grass surface and that the unsuitability of concrete was understood. As the report to this committee states, we did not object at that stage because we thought WCC ROW understood and were taking account of our comments on surface.

Clearly the currently proposed surface does not “fulfil the reasonable expectations of all stakeholders” (Decision Report, section 10).

Officer response :

Definitive map officers are guided on the matter of surface suitability by Stephen Leonard, countryside access officer for the area who is responsible for the maintenance and enforcement of the public rights of way in North Wiltshire including the parishes of Ramsbury and Little Bedwyn. He has stated in response to this late submission that “The concrete on the proposed section of bridleway is not smooth, it has been in place for many years and has a grooved, gritted appearance offering friction and grip, in addition to this there is little to no gradient reducing the risk of slippage. The access to this bridleway from the south is via the A4 and a u/c road and the existing route is also a rough tarmac surface which is certainly not substantially less convenient to users in comparison to the proposed route. Therefore, in these circumstances I am happy to approve the current surface in place for the new bridleway route.”

b) The entire surface of the diversion route is proposed to be hard

About half of the available width of the southern section of RAMS6 is grass

We consider that, as the only beneficiary of the proposed diversion is Ramsbury Estates, they should be responsible for delivering something better for users, both re surface and in outcome (see 'note' below).

Officer response :

The current route is recorded along the tarmac surface , the grass verge may be used but is not the recorded route of the bridleway. The hard surface benefits walkers and cyclists who have a right to use the bridleway in addition to horse riders, offering a dry route which is supported by other users and the access officer for the area.

c) The width of the bridleway is significantly less than the existing route

Although the definitive width of RAMS6 is 1.5 metres the existing bridleway south and east of the farm has a useable width of c10 metres and north of the farm, about 6 metres.

Officer response :

The definitive width for RAMS6 is only 1.5 metres wide, this is the width that is protected by the definitive statement for use by the public, a wider width may be used but it is not recorded, and no application has been made to record a wider width over this route. The proposed route will record 4 metres which is the recommended width for a new bridleway in Wiltshire Councils policy.

d) The diversion of RAMS6 will bring horses and riders into contact with shooting

A public bridleway is a minor highway and it is an offence to shoot from or across a highway except where certain conditions apply, one being that a shooter must not endanger, injure, intimidate or obstruct users of the highway.

The BASC acknowledges that horses are easily startled by shooting and that horse riders have a right not to be impeded by the presence of a shoot along the line of a bridleway and that therefore actions need to be taken to protect them.

So long as they are asked politely, rights of way users may be willing to pause while a drive takes place. However, it is not acceptable to expect horses to wait near guns going off and it is very unreasonable to expect equestrians on a legal right of way to turn back.

Guarantees need to be provided that, specifically

- Shoots must take account of the right of way and avoid shooting in its vicinity, or be able to halt the shoot while horses pass.

- Scouts should be posted at least 200 metres along the route each side of the shoot who are able to communicate with the shoot and stop all action until horses have passed the scout on the far side.
- Shoot managers and Guns must have special regard to the safety of riders and their horses. Noise from gunfire, beaters working in cover adjacent to bridleways or falling shot can alarm horses and endanger riders.

Officer response:

There is no evidence the diversion will lead to an increased risk of horses in proximity to shooting. To officers' knowledge there is no commercial shoot in operation, the land is subject to sporting rights owned by the adjoining landowner, not the applicant. This right is recorded over all of the land subject to the bridleway diversion, including the current route and the proposed route. The owner of the sporting right has not stated that the diversion will lead to users being in more regular contact with any shooting on the land. They already have a duty of care to users of the public rights of way which cross land subject to their sporting rights.

BHS Wiltshire request that option C is taken, i.e. the Order is revoked and abandoned.

Note:

It would be helpful in any future consideration of a diversion of bridleway RAMS6 for the Ramsbury Estate to offer a suitable bridleway round route. This would fulfil the intentions of the National Planning Policy Framework (NPPF), which seeks to secure tangible benefits to rights of way users where rights of way are affected by planning decisions:

'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.' (NPPF paragraph 100)

In addition, this approach would support the Wiltshire Countryside Access Improvement Plan 2015-2024 RoW Improvement Plan 2 (CAIP) which states as objective 2-2 to 'create and promote circular route opportunities' and as objective 2-3 to 'reduce the extent to which the continuity of the network is interrupted by busy roads.'

The opportunity to connect bridleway RAMS6 to bridleways FROX9, or FROX1 /LBED5 to the east, or to RAMS9A / RAMS52 to the west (perhaps through Hens Wood) should be promoted both by the applicant and by Wiltshire Council.

Officers response

Wiltshire Council employs a Countryside Access Development officer whose duties include within that role pursuing new public rights of way and missing links through creation agreements where a need has been identified. Officers would guide the BHS

to a conversation with the Countryside Access Development Officer if these routes have been identified as desired by local users and that officer can explore the possible options. It is also noted that at least parts of if not all the land suggested for bridleway links within this comment are not in the ownership of the applicant and not within their powers to grant access on this land.