

Patron Her Majesty The Queen

The British Horse Society

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Bringing Horses and People Together

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The logo for The British Horse Society, featuring the text "The British Horse Society" in white serif font on a dark red square background.

FAO Robert Hope

Via email

23rd March 2022

RE: LCC/2022/0044 Application for Outline Planning Permission (with all matters reserved save for access from the public highway to Development Zones A, B and D (M65 Terminus Roundabout, A49 Wigan Road and Stanifield Lane) and strategic green infrastructure/landscaping) for a mixed-use development including the provision of Employment use (Use Classes B2/B8/E(g)); retail (use Class E(a)); food, drink and drive-through restaurant use (Use Class E(b)/Sui Generis Drive-Through); hotel use (Use Class C1); health, fitness and leisure use (Use Classes E(d)/F(e)/F2(b)); creche/nursery (Class E(f)); car showrooms (Use Class Sui Generis Car Showroom); Residential use (C3) the provision of associated car parking, access, public open space, landscaping and drainage.

The BHS objects to this application on the grounds that the application does not meet the tests of NPPF Paragraph 100. The BHS would be willing to withdraw this objection if definitive bridleways are provided as detailed in the rest of this response.

I am responding to this consultation on behalf of The British Horse Society, an equestrian Charity with over 119,000 members which represents the 3 million horse riders in the UK. Nationally equestrians have just 22% of the rights of way network. There are **51,106** horses registered in Lancashire with **577** in the PR5 post code area. In Lancashire, riders have just 8.8% of the rights of way network and carriage drivers a mere 0.5%, increasingly disjointed by roads which were once quiet and are now heavily used by traffic resulting from development within the County. It is therefore important that these public rights are protected.

Background to comments

Increasing pressure for development of houses and industry is making even fewer of those bridleways and byways available. Ancient 'green lane' bridleways, byways and unsurfaced roads are being tarmacked as access roads or cycle tracks and engulfed by new development spreading into the countryside. Traffic increases with new development or change of use so roads become even less safe for riders and carriage-drivers (equestrians) to use to access any traffic-free routes there may be. Riders are also increasingly excluded from verges by creation of foot-cycleways – segregated provision for other vulnerable non-motorised users but equestrians are excluded and forced into the carriageway. Historically verges have provided a refuge and could, if mown, provide a segregated route.

Safe routes for equestrians are desperately needed because the accident statistics in respect of horses on the roads are horrific. There have been 8,561 incidents reported to the British Horse Society since 2010, 44 people have lost their lives, 1,453 have been injured, 502 horses have been killed, 1,311 horses injured, and 85% of these incidents involved vehicles passing too close to the horse and/or too fast.

Failure to accommodate the needs of these users would be contrary to National and Local Policies such as:

- **Highways England Accessibility Strategy** states:

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‘Our vision focuses on supporting our road users’ journeys, pedestrians, cyclists, equestrians, those with disabilities (such as users with mobility or sensory impairments) and other vulnerable users – while delivering longer-term benefits for communities and users alike.

We want to address the barriers our roads can sometimes create, help expand people’s travel choices, enhance and improve network facilities, and make everyday journeys as easy as possible.

This will be achieved by ensuring our network supports and contributes to accessible, inclusive and integrated journeys which are safe, secure, comfortable and attractive.’

- **NPPF policy 58 Requiring Good design**
Create safe and accessible environments.
- **Paragraphs 73 and 81 of the NPPF** require Local Authorities to plan positively for access to high quality open spaces for sport and recreation which can make important contributions to the health and wellbeing of communities and to plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation.
- **NPPF Section 8**
Promoting healthy communities
Policy 73 access to high quality open spaces for sport and recreation and can make important contribution to the health and wellbeing of communities.
Policy 75 Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users. For example, by adding links to existing rights of way networks.
Policy 81 local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation.
- **The Lancashire Rights of Way Improvement Plan** – ‘aim 4.2 is to ‘Improve the multi-user network by seeking external funding for projects’ which will be actioned by ‘Work with and support communities/partners to seek external funding to extend and improve the network wherever possible for the benefit of multi users (routes that support walking, cycling and horse riding)’
- **‘The British Horse Society’s report Making Ways for Horses** – off-road Equestrian Access in England – Equestrian Access Forum August 2012, highlights the importance of horse riding for health and wellbeing. Access for horse riders, which inevitably involves crossing roads, is central to riding activities without which the level of participation is likely to decline which will have a negative impact on the local economy (Making Ways for Horses – off-road Equestrian Access in England – Equestrian Access Forum August 2012).

In order to maximise opportunities within Lancashire to help provide more off-road links for equestrians this development should support the automatic inclusion of horse riders on shared off-road routes, unless there are cogent reasons why this is not possible.

The key to a successful shared route is the design: for example, rather than positioning a cycle path down the centre of a route with verges either side, the cycle path should be positioned to one side and the two verges combined to provide a soft surface for walkers, runners and horses on the other. (This also addresses the issue of horse droppings which, as research has confirmed, represent no danger to health and disperse quickly, particularly on unsurfaced paths.)

Historically, pedestrians and cyclists have been considered as the main vulnerable road users. Equestrians are however increasingly recognised as being part of this group: during the Parliamentary Debate on Road Safety in November 2018 Jesse Norman, Under Secretary of State for Transport, stated that:

“We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders.”

It is essential that in projects such as this, every opportunity is taken to benefit as many people as possible including those least active in the population (NHS, 2019). Therapeutic and physical benefits of horse riding and carriage driving have been proven for people with disabilities (Favali and Milton, 2010). According to Church et al (2010) over **90% of equestrians are women** and **37% of these are over 45 years of age** and over a third would pursue no other physical activity. ‘Horse riding induces physiologically positive effects such as muscle strength, balance...and psychologically positive changes’ (Sung et al, 2015). In the current climate mental health is hugely important and horse riding and carriage driving play a large part in enhancing physical and psychological health therefore should be included in improving quality of life and wellbeing through an inclusive transport system accessible to all which emphasises sustainable and active travel.

Horse riding is a year-round activity which (along with associated activities such as mucking out and pasture maintenance) expends sufficient energy to be classed as moderate intensity exercise. The majority of those who ride regularly are women, and a significant proportion of riders are over 45. For some older or disabled people, being on horseback or in a horse-drawn carriage gives them access to the countryside and a freedom of movement that they would not otherwise be able to achieve. Most riders and carriage-drivers wish to take their horses out on bridleways and byways, away from motor traffic, for the physical and mental health benefits to animal and human, in exactly the same way as most walkers (with and without dogs) and cyclists. Many are unable to do so because the traffic on tarmac roads is too dangerous for such vulnerable road users, and there are generally so few traffic free routes available to equestrians. There are also considerable psychological and social benefits from equestrian activities, as the BHS is demonstrating through the [Changing Lives through Horses](#) initiative.

Equestrianism is a popular activity in this part of the UK, and one which contributes significantly to the local economy. The equestrian community in the area affected by the proposed multiuser trail has many difficulties in finding safe access within the area, as identified in the relevant policies. Many of these issues could be addressed and resolved through good planning of future routes. We hope therefore that the applicant will support this, and local equestrians affected by this development, and would be happy to support and facilitate consultation with the local equestrian community.

The majority of off-road routes could and should accommodate all non-motorised vulnerable road users—equestrians, cyclists, pedestrians and mobility buggy users—and therefore be truly (nonmechanically propelled) multi-user routes (Multi-user has no legal definition and is often confused in its meaning but generally means all users, not only pedestrians. The BHS takes it to mean all non-motorised users). The BHS works in partnership with other user groups, local and central government to make rights of way and other access areas useful and open to all, and our roads safer for all users. The length of the public right of way network currently amounts to 188,700km, consisting of 146,600km of footpaths, 32,400km of bridleways, 3,700km of byways and 6,000km of restricted byways. Horse riders therefore, currently only have access to 22% of public rights of way and horse-drawn vehicle drivers only 5%. Many rights of way are now disconnected from each other because the roads that should connect them are no longer safe for equestrians to use because of the speed and volume of motorised traffic on them, leaving many equestrians without a safe local route to use.

This scheme could make a significant contribution to the safe off road riding that is available to equestrians, who like cyclists and pedestrians are vulnerable road users, in many instances negating the need for equestrians to use heavily trafficked roads to access the equestrian public rights of way network and other areas with equestrian access without the necessity of utilising heavily trafficked road networks.

The Society welcomes the Government’s policy, expressed by Richard Benyon in 2011, that **highway authorities and other providers should accommodate horse riders as well as cyclists and pedestrians on all off road routes** where it is practicable. Richard Benyon MP, Minister for Natural Environment and Fisheries [wrote to Anne Main MP](#) in June 2011 concerning Alban Way, questioning why horse riders are not

permitted to use it. He urged all local authorities to allow horse riders to use cycle trails, routes and any other ways where it is in their power to do so, and to encourage that permission or dedication to happen where it is not in their power. In the Government's view, *"Unless there are good and specific reasons not to expressly allow horse riders to use such routes, local authorities should take steps to accommodate them. Local authorities should be making the most of their off-road networks through integration of use. Multi user routes have been shown to be readily adopted and well appreciated by local people. Where they are done well they bolster community cohesion and create a better understanding between users."*

Mr Benyon stated further that, *"Horseriders are particularly vulnerable road users, and cycle routes can provide appropriate and important opportunities to avoid busy roads. There is potential for conflict in any situation where people share a public space, but the possibility of conflict is not reason enough to disregard ridden access; actual conflict could be resolved and any misplaced concerns reduced over time."*

The BHS agrees with this point of view. Multi user paths represent best value for everyone, users and taxpayers. [Research](#) demonstrates that multi user paths present no unacceptable risk to users. Bridleways of all widths, gradients, sightlines and surfaces have been shared by walkers, horseriders and cyclists since 1968.

The BHS maintains that horseriders, walkers and cyclists can comfortably pass on a route that has a width of 3m and all can happily coexist on narrower routes with one party giving way to the other as appropriate. Many public bridleways and permissive routes are significantly narrower than 3m, yet reports of it being a problem are very rare; rather it can create a greater feeling of cooperation and tolerance between users. Circumstances vary and every route should be considered independently on its own merits and potential benefits for increasing safety by taking horse riders off roads. A less than ideal width may be acceptable where a narrow off-road route is safer than the alternative road. Passing places and frequent attention to vegetation or adjacent hazards to ensure the full width is available at all times may be adequate mitigation along with promotion of sharing and tolerance between all users.

Whilst the Society supports the national initiative to encourage more cycling and walking as part of Active Travel Plans, it is imperative that the applicant recognises that Active Travel also includes equestrians.

Central government support for including horses

The government's Cycling and Walking Investment Strategy Safety Review says: *"1.2 But safety has particular importance for vulnerable road users, such as walkers, cyclists and horse riders. All road users have an equal right to use the road, and safety and the perception of safety are key factors in determining how far people use these modes of transport. The safer they feel, the more they will use these active modes of travel. The more people who use Active Travel, the fitter and healthier they will be, and the more their communities will benefit from lower congestion and better air quality, among a host of other benefits"*(Jesse Norman, Minister for Transport)

<https://www.gov.uk/government/consultations/cycling-and-walking-investment-strategy-cwis-safety-review>

Jesse Norman in House of Commons debate on Road Safety, 5 November 2018:

"We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders"

And final point by Jesse Norman in debate: "Horse riders are vulnerable road users—there is no doubt about that, and there never has been—and they have been included in the work we are doing."

The 'Walking and Cycling' routes should conform to the governments Active Travel Strategy which states in section 6 of the Active Travel policy [Active travel: increasing levels of walking and cycling in England - Transport Committee - House of Commons \(parliament.uk\)](#) clearly including horse riding [along with skateboarding and roller skating] supported by the Ministerial Statement of Richard Benyon from 2011 stating cycleways should be multi use.

[Cycle infrastructure design \(LTN 1/20\) - GOV.UK \(www.gov.uk\)](#) Page 37 deals with the WCHAR assessment which clearly stated that horse riders should be accommodated. Cycle Infrastructure Design specifies Walking, Cycling and Horse-Riding Assessment and Review (WCHAR). '4.5.10 DMRB also contains guidance on undertaking a Walking, Cycling & Horse-Riding Assessment and Review. Although this is applicable to trunk roads, it provides a good basis for assessing the needs of all users along and across interurban roads.'

The Health Benefits of Horse Riding in the UK.

(Data comes from research undertaken by the University of Brighton and Plumpton College on behalf of The British Horse Society)

- 68% of questionnaire respondents participated in horse riding and associated activities for 30 minutes or more at least three times a week. Sport England estimate that such a level of sporting activity will help an individual achieve or exceed the government's recommended minimum level of physical activity.
- Women have been identified in government studies as a social group with relatively low levels of participation in physical activity. Some 93% of questionnaire respondents were women and 49% percent of female respondents were aged 45 or above. These are comparable figures to a major Sport England survey which found that 90 percent of those participating in equestrianism are women and 37 percent of the female participants in equestrianism are aged 45 or above. The gender and age profile of equestrianism is not matched by any other sport in the UK¹.
- Amongst the horse riders who took part in the survey, 39% had taken no other form of physical activity in the last four weeks. This highlights the importance of riding to these people, who might otherwise be sedentary.
- Horse riders with a long-standing illness or disability who took part in the survey are able to undertake horse riding and associated activities at the same self-reported level of frequency and physical intensity as those without such an illness or disability. For further information, please see:

https://www.bhs.org.uk/~/_media/documents/marketing/health-benefits-of-riding-in-the-uk-full-report.ashx?la=en
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Newly Constructed Paths

Any physical creation of new paths to achieve Active Travel objectives within the county is to be welcomed (provided that equestrians are included, as a minimum, on those outside of large town centres), as this will enhance the ability of the public to increase its access to safe off road routes for leisure and commuting. District Authorities should take a strategic approach to Active Travel proposals within their administrative boundary - giving consideration to potential links outside their boundaries that could contribute to a more integrated network and achieve maximum benefit for all users.

Use of Existing Public Rights of Way

The Society recognise that many of the proposed routes within this consultation are in urban areas. However, many horses are kept on the urban fringe, so it is important that equestrians are not excluded from routes that exit the urban areas into the surrounding environs. Active Travel routes should not, in any way, compromise the use of the public rights of way by making them less amenable to existing lawful users of the right of way. In particular:

- Where existing routes are considered as part of the plan, it is important that all user groups are consulted so that the impact on other lawful users can be assessed and, if necessary, alternative

¹ Sport England (2010) Active People Survey (2010/11)

measures discussed. For each specific proposal which uses a public right of way or minor road, the width, the proposed surface and the impact of increased estimated numbers of cyclists must be considered in order to design a route suitable for all legal users in each specific location.

- Any newly constructed paths should be integrated/physically linked with the existing public rights of way network where possible and needed, clearly waymarked and recorded on either the definitive map or another publicly accessible map as appropriate.
- Where proposed new, or improved routes have crossing points or junctions with the main highway network, appropriate signal-controlled (or even grade-separated) crossings should be provided suitable for all user groups.
- Consideration should be given to the use of 'Quiet Lanes'² where the speed of traffic is reduced.
- Where motorised traffic is to be prohibited on either a right of way or minor road to facilitate cycling and walking, it must be remembered that this is likely to also benefit equestrians. Signage and structures must not impede equestrians.

Other Considerations to Note

Commuting cycling is likely to take place at times other than when recreational use takes place. Thus, a path used for commuting may well be used for recreational travel especially if it provides a circular route by connecting to other paths.

Several categories of public rights of way (bridleways, restricted byways and byways) and minor public roads are already shared by cyclists and other user groups. Thus, as a general principle, we believe that, for maximum public benefit and fairness, the reciprocal approach should be implemented, i.e. that new cycle paths should be shared with other user groups unless there is a specific, unresolvable reason not to do so.

Use of Traffic Regulation Orders to prohibit use of a public right of way by a specific user group for the benefit of cycling needs to be fully justified and take into account the rights of other lawful users. It should be noted that the Defra Statutory Guidance to local authorities on Rights of Way Improvement Plans, 2002, states in para. 2.2.21:

'There is potential for conflict on ways carrying higher rights between different classes and types of users. Wherever possible proposals for improving rights of way should not unduly benefit one class of user at the expense of another. Improvements that are intended to benefit cyclists, harness-horse drivers, horse riders or walkers should not unduly restrict lawful MPV use of public vehicular rights of way'.

Equestrian use must be considered when Active Travel routes are proposed in new developments, so that new links can be created to the countryside beyond. Where new bridges/underpasses are proposed these should be suitable for equestrian use.

Effect of excluding Equestrians from Active Travel Routes

If equestrians are not an included user on active travel routes, the consequence is that equestrians are left on the carriageway with lorries and cars passing them on the outside and cyclists passing them on the inside, which is another accident waiting to happen. It is therefore important that this aspect is considered in the risk assessment for such routes.

² https://www.cpre.org.uk/wp-content/uploads/2019/11/quiet_lanes_1.pdf

Benefits of catering for horses

The British Equestrian Trade Association National Equestrian Survey (2019)³ indicated:

- £4,174 is spent per horse which represents a significant contribution to the economy
- The value of the equestrian sector is £4.7 billion per annum

General Statistics

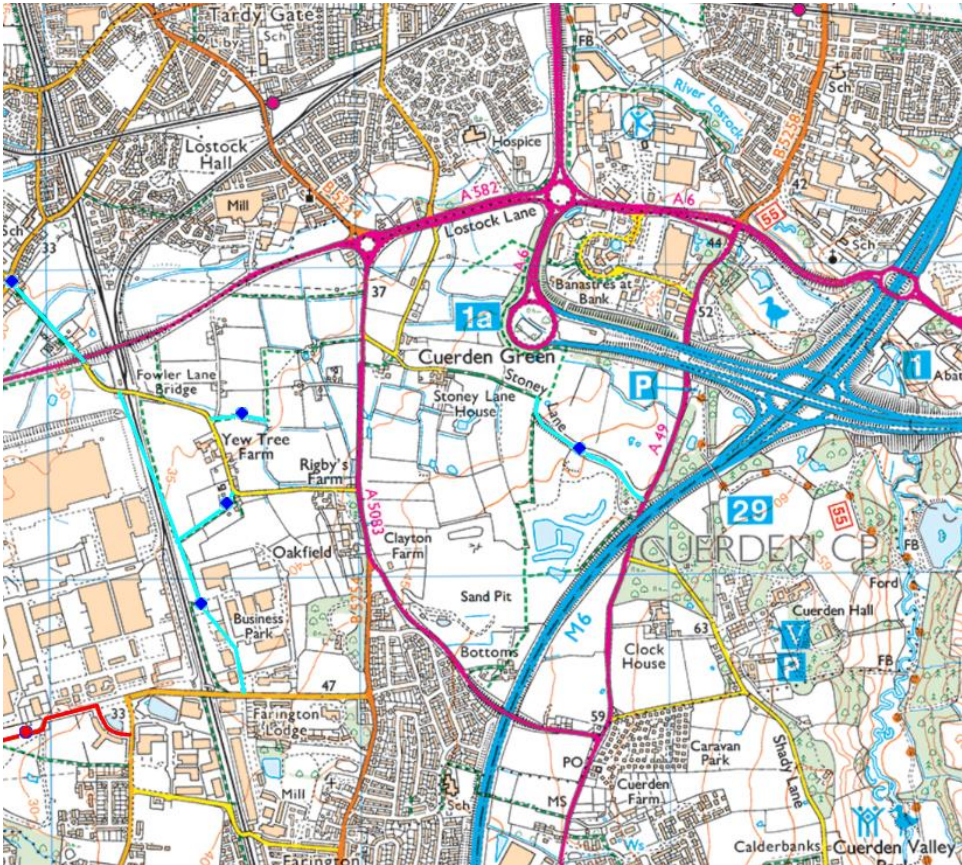
- 847,000 horses in Britain
- 1.8 million regular riders of 3 million total
- Lack of access to horses and riding facilities is a barrier for 22% of lapsed riders returning

Objection to LCC/2022/0044

The BHS objects to this application on the grounds that the application does not meet the tests of NPPF Paragraph 100. The BHS objects on the grounds that equestrians are being marginalised in the scheme with walkers and cyclists are being favoured. Throughout this scheme equestrians are excluded, the arguments for inclusivity of walkers and cyclists can be extended to equestrians using the mechanism of the Equality Duty. This is a form of discrimination, and the Equality Act 2010 created a Public Sector Equality Duty for authorities to provide equal opportunities for all, which means that an authority needs a cogent reason for excluding equestrians.

The British Horse Society also objects to this application due to the fact that the Society believes historical evidence indicates routes adjacent to the site are unrecorded and under recorded as footpaths, these routes can be reasonably alleged to subsist at a minimum of bridleway status. These public rights should be asserted and not be allowed to be subsumed within this development or anything beyond it. Applications to the Council to have them recorded as such will be forwarded in due course. The routes shown on the map below (which can be found on our website at: <https://www.bhsaccess.org.uk/dobbin/Project2026.php>) should be upgraded to at least Bridleway status if not Restricted Byway status as a condition of the permission being granted.

³ <http://www.beta-uk.org/pages/news-amp-events/news/national-equestrian-survey-2019-provides-optimistic-view><http://www.beta-uk.org/pages/news-amp-events/news/national-equestrian-survey-2019-provides-optimistic-view-of-industry.php>

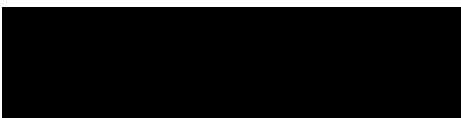


The BHS would be willing to withdraw these objections if definitive bridleways are provided. The Society suggests S278 funding is used to create multiuser routes within the site for pedestrians, cyclists, and equestrians this could be achieved with a public bridleway around the periphery of the site. The Society suggests S106 funding is used to improve and extend the equestrian access network surrounding the site upgrading connecting footpaths to at least bridleway status and providing multi user routes alongside the A582, A5083 and A49, S106 funding should also be used to increase equestrian access to Cuerden Valley Park.

The BHS believes that if this development is granted planning permission, then it provides great opportunities to provide safe off-road routes for all vulnerable road users including equestrians and we would welcome the opportunity to discuss these opportunities at the earliest stage with the applicant and Lancashire County Council. In order to maximise opportunities within Lancashire to help provide more off-road links for equestrians they should support the automatic inclusion of horse riders on shared off-road routes, unless there are cogent reasons why this is not possible.

We work with local authorities, road safety departments, driving instructors and law enforcement, to reduce the risks to our equine community and are happy to offer any support where needed.

Yours sincerely



Charlotte Ditchburn (Miss.)
Access Field Officer, North Region and North West Region