

**Icknield Greenway Traffic Regulation Order – Formal Consultation
Officer comments on Trail Riders Fellowship Objections**

This document provides officer commentary on each of the Trail Riders Fellowship (TRF) grounds for objection and the supplied proposals for alternatives. The TRF's full response is attached to the end of this commentary

1. Notice of Proposal inconsistent with draft TRO and Statement of Reasons

It is reasonable to expect that the component parts of the consultation will be read in conjunction with each other. Although the draft order doesn't exactly match the Notice of Proposal or the Statement of reasons this is not considered to be significant, as those two parts of the consultation do include agricultural and other access. No respondent apart from the TRF brought this mismatch to OCC's attention nor did they express uncertainty.

2. Restriction of "Carriage of any description"

See previous response.

3. Lack of certainty that disabled motorcyclist exempted from restriction

All qualifying 'invalid carriages' for registered disabled people will be able to use the route. If users with disabilities have issues when the route is open OCC will consider how it can make reasonable adjustments

4. Displacement of responsible motorcycle traffic and failure to have regard to logical alternative route/having regard to illogical alternative route

The reference to the logical route from Wantage to West Ginge for Plan A is rejected as that route includes a section of Restricted Byway. The only lawful access route is via the A417. The reference to the logical route in Plan B is rejected as that route includes a section of bridleway. The only lawful access route is via the A417. Note that the only way to access the route at the moment for MPVs from outside Ardington, West Hendred and East Hendred is by using the A417

5. Failure to properly address section 3 Road Traffic Act 1984

Refer to response in point 1. Access for agricultural vehicles will be infrequent as there are alternative farm routes.

6. Failure to comply with The Openness of Local Government Bodies Regulations 2014

The TRO item for Cabinet Member for the Environment is the only decision that the Regulation covers. Additional background information was supplied to the TRF to help them with their representation and all relevant documents will be included on the decision meeting's webpage.

7. Reliance on the Construction (Design and Management Regulations 2015)

This objection does not take account of the responsibilities for Principal Designer and Client roles in ensuring construction schemes are reasonably safe. Based on the assessment undertaken by WSP, OCC is satisfied that a reasonable approach is being taken.

8. **Flawed consideration of alternative options**

The options considered in the internal working document, supplied to the TRF as additional background information to help the TRF with their representation were not decision documents. The views about options have been of use in compiling the report.

9. **Bias**

OCC is delivering a promoted greenway and it has had assessments that say standards cannot be met and some uses have to be restricted. The duty to assert and protect public rights is about preventing and rectifying unlawful interference and is not intended to obstruct lawful procedures that affect some public rights of way. Access is proposed to be restricted for some users because of constraints and not because of politics or ideology. A Public Inquiry is not considered necessary.

10. **Alternatives to proposed TRO**

i. Exemption which allows for the road to be used by motorcyclists (and carriage drivers) who have been issued with a permit

A permit system requires establishing, monitoring, 'policing' and reviewing amongst other controls. It does not provide for access at the immediate point of demand and so is not convenient to non-TRF members or people who are not local. The permit also needs a control system (PIN, code, lanyard etc) that needs management to avoid unauthorised duplication and misuse. A justified full restriction provides fair and consistent levels of restriction and understanding by the public

ii. Exemption for TRF, ACU and VMCC to hold safety rallies for motorcycle access, pursuant to regulation 5 of the Motor Vehicles (Competition and Trials) Regulations 1969

This is not considered necessary as any application for rallies or other events could be anyway be considered by OCC on a case by case basis including landowner cooperation for providing access for necessary first aid, parking, recovery and other services.

iii. Exemption to allow for TRF members to have organised access across the road for the purposes of performing litter pick events

Whilst the commitment by the TRF to reducing impacts on the environment is welcomed, litter is not a problem in the area and a standing exemption to allow motor vehicle access for organised litter picking event is not considered necessary. Any request litter collecting or route management works could be anyway be considered by OCC on a case by case basis including landowner cooperation for providing access for necessary first aid, parking, support vehicles and other services.

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