

Patron Her Majesty The Queen

The British Horse Society

Email enquiry@bhs.org.uk

Abbey Park,

Website www.bhs.org.uk

Stareton,

Tel 02476 840500

Kenilworth,

Fax 02476 840501

Warwickshire CV8 2XZ

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

Bringing Horses and People
Together

Please respond to:

Christian Mauz
Technical Officer (Traffic & Road Safety)
Area Operations Hub
Oxfordshire County Council
County Hall
New Road
Oxford OX1 1ND

6th September 2019

By email to:
Christian.Mauz@Oxfordshire.gov.uk

Dear Sir,

**SCHEDULE
Icknield Way
Part A**

**Lengths of BOAT where Motor Vehicle & Carriage Drivers are Prohibited
No.285/8/10 from the junction with Well Street, Lockinge, eastwards through Ardington
No.108/12/10 and 108/12/20 through No.403/9/30 to the junction with Ginge Road, West Hendred.**

The British Horse Society (the Society) is pleased to see that horse riders are not included in the above Traffic Regulation Order (TRO) but objects to the inclusion of horse drawn carriages and asks that they are removed from the TRO.

The Society does not agree that a TRO for horse drawn carriages is necessary for the reasons given in the statement of reasons and the draft order. The Society's responses to the reasons are given in appendices 1 and 2.

The Society notes that horse drawn carriages are not to be prohibited on the byways and restricted byways in Part B of the Schedule which have a similar character to the byways in Part A of the Schedule. Thus it concludes that it is the need to cross Ginge Brook which is the reason for the TRO for horse drawn carriages in Part A. The Society addresses this issue in appendices 1 and 2.

With respect to ridden horses using the proposed bridge over Ginge Brook, we request that mounting blocks are provided on either side for those riders who prefer to lead their horse across the bridge. Highways England have recognized this need and have often installed mounting blocks at bridges on their network. We also ask that the Society be consulted on the detailed designs for the proposed bridge, to ensure that the surface and parapet design in particular are appropriate for equestrian use.

Yours sincerely,

Dr J C Bridger. British Horse Society Regional Access & Bridleways Officer for Southern England

APPENDIX 1

The Statement of reasons:

'1. The Icknield Way between Wantage and Harwell forms part of the Science Vale Cycle Network which is a range of infrastructure measures to improve cycling access funded through the Local Enterprise Partnership. It is intended that the route is designated, improved and promoted as a named cycle, walk and horse-riding facility suitable for leisure, commuting, recreation and tourist use. As this route is being promoted as a safe facility it is not compatible to share the byway with mechanically propelled vehicles or in some part carriages '.

The Society welcomes the concept of an improved route as the Icknield Way is part of the network of public rights of way and circular rides and drives in the area which includes the Ridgeway National Trail. The Ridgeway National Trail and the byways and restricted byways connecting to it are increasingly used by walkers, horse riders, cyclists and carriage drivers, without conflict. Thus, it makes no sense to ban carriage driving from the Icknield Way.

'2. The route's sections on public rights of way are to be constructed as a new unsealed surfaced 2.5m to 3.6m wide track that fits in with the surrounding North Wessex Downs Area of Outstanding Natural Beauty landscape and land managing interests. Such construction is not well-suited with motor vehicle usage. '.

The Society regrets to hear that, in an AONB, the natural grass & dirt surface is to be replaced by a harder surface. However, the Society accepts that a harder, but unsealed, surface is deemed to be necessary to encourage cycling. It would like to bring the Council's attention to its advice note on Surfaces¹, particularly page 12, which explains why quarried aggregate and road planings can be unsuitable unless installed with care.

3. Due to the limited width and gradient issues on the constructed sections of the route, shared use is not considered safe or appropriate. Creating a turning area at the field side and/or expecting carriages or motor vehicles to reverse back along the BOAT section is likewise not considered safe or appropriate.

The width on the *natural* sections of the route in Part A of the schedule is no less than that found on a number of byways and restricted byways in the area which walkers, cyclists, horse riders and carriage drivers share. This includes the byway and restricted byway in Part B of the Schedule from which horse drawn carriages are not to be removed.

We assume that the '*constructed sections*' of the route refers to the new bridge to be constructed over Ginge Brook. We understand that the bridge is to be 2m wide with a 1 in 8 gradient and span around 20 metres. A gradient of 1 in 8 is quite suitable for a competent horse drawn carriage driver to drive up and down. A width of 2 metres can accommodate horse drawn carriages which are often just under 1.5metres wide but it should be noted that, for ridden horses, BHS advice on Bridges, fords, gradients and steps² specifies a minimum width of 3m for a bridge over a watercourse with a span greater than 8m for all routes. This is primarily for the comfort of users passing one another, and because a bridge width of less than 3m may be insufficient to turn a horse safely. However, the Society's guidance further states that

'In providing specifications for equestrian ways and facilities, the British Horse Society considers all equestrian users, which may result in a high specification

¹ <https://www.bhs.org.uk/advice-and-information/safety-advice-and-information/free-leaflets-and-advice>

² <https://www.bhs.org.uk/advice-and-information/safety-advice-and-information/free-leaflets-and-advice>

which might not be appropriate in all circumstances. The recommendations should be read with this in mind. If the specification seems inappropriate in a situation, the Society strongly advises consultation with its local representative to establish what may be acceptable at a particular site.'

With respect to weight, the weight of a horse drawn pleasure carriage is surprisingly low³ at under 200kg. With 2 persons on board (say 70kg each) plus the weight of one horse (say 500kg), the total weight would be 840 kg. A large ridden horse weighs in the region of 700kg. With a rider of say 70kg, this gives a total weight of 770kg. It is likely that more than one ridden horse could be using the bridge at any time, unless restrictions are put in place, because some horses will require a lead from a confident horse over the bridge. Thus we see no reason to prohibit carriages on the grounds of weight.

The Society agrees that if a turning area or reversing is not feasible but there is no need to create a turning area or for carriages to turn around.

It should be noted that the width of the proposed bridge & byways in Part A is as great, or greater, than the usable width of Well Street from its junction with byway 285/8/10 to the West Ginge to East Lockinge Rd where non-motorised users share with motor traffic but there are no traffic restrictions.

Because of the nature of carriage driving, carriage drivers are cautious by nature and will reconnoitre a route on foot first. In addition, they are likely to avoid busy times, for example, when there are many commuting cyclists using the route.

If deemed necessary, warning signs could be positioned where the Icknield Way crosses the tarmacked roads giving a width and weight restriction for the bridge.

We understand that the Council may be concerned that there are no written standards for bridges to take horse drawn carriages. This is of some concern but it should be noted that the needs of horse drawn carriages which are commonly used in the countryside are little different to the ridden horse.

'4. Gated/bollard access will be preserved for occasional farm vehicle access to the adjacent fields and highway authority maintenance.'

Bollards can be set at a distance of 1.7m to allow the passage of many horse drawn carriages but prevent 4 wheeled motor vehicles.

³ <https://hartlandcarriages.co.uk/portfolio-item/crisscross/>

APPENDIX 2

Paragraph 5 of the draft Order.

(1) for avoiding danger to or preventing the likelihood of danger to persons using the byway.

The Society does not agree that horse drawn carriages are a danger to others using the byway for the following reasons:

- a) Horse drawn carriages are most unlikely to be travelling at more than 10mph, a speed probably less than a cyclist.
- b) for most of its length the byway is of adequate width for different user groups to pass. The sight lines are good allowing users to hold back to accommodate other users if necessary. The byway is no different from many byways and other public rights of way in the area where different user groups pass each other without issue by showing respect for other user groups. Furthermore, as noted above, Well Street from its junction with byway 285/8/10 to the West Ginge to West Lockinge Rd, is a single track road where non-motorised users share with motor traffic but there are no traffic restrictions there.
- c) At the present time, it is most unlikely that two horse drawn carriages will be using the byway in the opposite direction at the same time.

(2) for preventing damage to the byway.

The Society does not agree that horse drawn carriages will damage the byway. The weight of a horse and carriage used for recreational purposes (see above) is unlikely to damage the proposed surface. Secondly, a horse drawn carriage moves off slowly from rest. It is little different to a ridden horse moving from a halt or a bicycle moving from a halt.

(3) for facilitating the passage of non-motorised traffic.

The Society does not agree that the removal horse drawn carriages will facilitate the passage of other non-motorised traffic. The number of horse drawn carriages using the route is likely to be low. If, in the future, the route should become heavily used by carriages and their presence shown to impede other traffic, then the Society might agree to a TRO to restrict carriages. It should be noted that horse drawn carriages provide access to the countryside for those who cannot, or for those who can no longer, walk, cycle or horse ride for any distance.

(4) for preserving or improving the amenities of an area by restricting or prohibiting the use of certain classes of vehicles,

The TRO for carriage driving will *reduce* the amenities in the area including for those with less mobility, as noted in point 3 above. The Icknield Way could provide a wonderful part of a mainly off-road route for carriage driving including the Ridgeway National Trail. The TRO for carriages will mean that carriage drivers will have to use the minor tarmacked roads in the area for longer than necessary and be exposed to motorised traffic for longer than necessary and thus be less safe.

{END}

BHS REPLIES TO COMMENTS IN THE EMAIL FROM PAUL HARRIS of 9th Sept 2019.

The BHS responses to the points made in the email of 9th Sept are below *in italics*.

Understandably, many of OCC's concerns appear to stem from a lack of familiarity with carriage driving. We hope the responses help solve this. A number of the questions raised are also applicable to horse drawn carriages using public roads, as well as the public rights of way, and yet it should be noted that such questions do not have to be answered before carriages can use public roads.

From the 9th Sept email:

'Thanks for making the BHS' representation on the above TRO dated 6th September and I note and welcome your caveated support for horse-riding provision.'

The Society is somewhat concerned that the Council appears to be assessing the need to provide for horse riders & carriage drivers on equestrian rights of way. Provision for these user groups should be a matter of course.

There are other instances where the Council has not provided equestrian facilities in association with equestrian rights of ways, for example, the restricted byway to bridleway Icknield Way crossing of the A4185 at the Harwell Campus where a signal controlled crossing has been installed which is unfit for equestrian use.

I hope it's OK to ask some follow up questions/make some comments please - as I would like you to adjust or withdraw the objection part of your representation regarding carriage driving before the consultation ends— or at least give me more information to inform the decision meeting of the OCC Cabinet Member. I have used numbered points to make it easier to refer to them.

We provide information below.

Appendix 1

- 1) With regard your point 1 'increasing amount of carriage driving' in the area, do you have evidence of any carriage driving use of this route please?

We cannot see reference to the statement 'increasing amount of carriage driving' in point 1.

However, the question of current use is raised. We do not accept the need to demonstrate current use by carriage drivers in order to cater for them. The route in question is legally open to carriage drivers and ideal for carriage driving except that the brook, current slope and current bridge is a deterrent. Usage might well be described as suppressed. Suppressed use is a well-accepted issue by Highways England, for example, when a road has become too busy to cross and bridleways on either side fall into dis-use. The wrong conclusion can be reached, that is, that no-one needs these bridleways. A similar argument can be used in the present situation.

It should be noted that land in the area is currently used to support horse keeping. Suitable land to keep horses and usable public rights of way encourage horse riding and carriage driving in an area and thus contribute to the local economy.

2. For your point 3 - can you confirm if BD29/17 (Design Manual for Roads and Bridges – Special Structures) has provision to accommodate carriage drivers? There can be departures from standard for horse riders as that use is included in BD29/17. If it isn't included may I ask where is the appropriate standard you refer to for carriageway bridge design guides please?

We are unclear what is meant in the last sentence. Point 3 includes reference to the BHS advice note. BHS Advice notes are aimed at BHS access officers and are based on standards available from professional organizations such as Highways England.

BD29/17 refers to equestrians. The Society uses the term 'equestrians' to cover horse riders and carriage drivers. Presumably Highways England does too. Oddly, BD29/17 refers throughout to footbridges but covers standards for cycling and equestrians.

3. Again, point 3 - For the 'little different needs' comment.

This relates to the needs of the horse. The horse is the same animal whether ridden or driven although is controlled differently. Perhaps the sentence should have read 'the needs of the driven horse are little different to the ridden horse'.

as well as comment on the proposed bridge/slope I have to ask what basis of qualification (chartered engineer etc), is this assertion made by the Society please? If this is an unqualified opinion then this may need to be stated.

If reference to the 1:8 slope is being made, this a common gradient found on roads which carriage drivers cope with. If it is thought necessary to have verification by a professionally qualified person, then that will have to be arranged but it seems an odd issue to address.

4. Point 3 - Just to confirm the 'constructed sections' are the bridge crossing plus the east and west slopes - as both of these will have more resilient surfaces installed. Does this make a difference to your response as we talking about the entire channel corridor up to the fields both sides?

A 'channel' (or is pathway meant?) with a defined path will be good for carriage driving subject to width as it will guide the horses to the bridge.

5. Point 3, does the BHS or BDS produce assessments of live and point loads for a range of carriage unit configurations - instead of approximate weights please?

The Society suggests that the makers of horse drawn carriages are consulted on this.

Appendix 2

6. For your point 1. Can you explain what, if any, braking mechanisms are fitted to a 'typical' carriage to control rate of descent please? If none, what is the mechanism by which a carriage can be stopped in mid-descent?

There is no need to worry about braking. Four wheel carriages, the most common type of carriage, have brakes! There are as many styles of brake as there are carriages. Modern carriages are built to exacting designs for competition, road use and safety, which is paramount. Some vehicles come with brakes all round, plus turntable brakes, some come with just rear brakes. The harness has a "breaching strap" which passes around the horses quarters halfway between the hock and the point of the buttocks. The horse "sits" into this when being driven downhill, effectively braking the vehicle. This can be used on its own, mostly on two wheeled carriages (but these are not often used on byways) but it is much more common to be used in conjunction with a braking system. If there is a need to stop going downhill, the brakes are applied and the horse(s) stopped. The horses hold the carriage back while the driver keeps the foot on the brake.

7. Again, for point 1. Can you confirm that BDS or RDA includes public rights of way with steep gradients like this to be 'safe' for lone or accompanied disabled riders using carriages please?

A 1:8 gradient is not considered particularly steep but responsible carriage drivers would survey a route first without a carriage to determine if it was suitable for their level of expertise, as might a horse rider. Carriage drivers tend to be cautious people as they are responsible for a precious animal and carriage.

Good practice dictates that the carriage driver is accompanied at all times by a 'groom', that is, a person who alights from the carriage when necessary while the driver remains on board. Those who take disabled people into the countryside in carriages will pick a suitable route,

again dependent on their level of expertise, and will be accompanied.

8. For your point 4. Do you consider that the alternative minor road route (the continuation of Well Street via Ginge) is less safe than the steep slope and crossing because of the increased exposure to motor vehicles? Have you got any vehicle or accident data evidence to back up that assertion please?

Of course, the issue of exposure to motor vehicles on that specific road and traversing the slope at Ginge Brook are quite different issues. The carriage driver will assess each risk according to their expertise.

The number of horse accidents on tarmacked roads reported to the Society is increasing nationally. In June this year, 54 roads accidents involving horses were reported to the Society. Thus, the Society is working hard to increase, not decrease, the amount of off-road riding and driving.

The reason why carriage drivers want to get off-road is the same reason why Oxon CC is promoting these equestrian rights of way as an off-road route for cyclists. That carriage drivers should be prohibited from using rights of way to which they have lawful rights and when improvements are being made which will facilitate use by carriage drivers, is discriminatory.

General BHS question

9. May I ask why the BHS advice notes do not seem to include specifications etc for carriage driving please?

It is only relatively recently that the Society has become aware that carriage drivers are not being well represented on countryside access issues by local authorities. The need to be better represented is being highlighted by 1) projects such as the Science Vale Cycling project where equestrian paths are to be promoted for commuting cycling and, 2) where it is proposed that lawful users are to be denied their lawful rights, as in the present case. The Society is in the process of setting up a carriage driving advisory group. It welcomes working with those local authorities who understand the need to cater for all lawful users.

Thanks in advance if you are able to clarify these points please? OCC officers feel that they are taking the best and most appropriate approach for this project and that the TRO is appropriate for the situation and location –

The Society does not agree.

so everything you can add will help the report to the Cabinet Member. We would also welcome the withdrawal of your objection if you consider that appropriate for the specific situation for this route in this location.

We have seen no evidence to indicate that the route cannot remain open to carriage drivers while catering for the hoped-for increase in cycling.

{END}

From: BHS
Sent: 20 September 2019 07:34
To: Harris, Paul - Communities

Subject: CONSULTATION - Icknield Way Proposed Countryside Access Vehicle Restrictions FOLLOW UP QUESTIONS

Importance: High

Dear Paul,
Here are the Society's responses, this time within the text of your email in black italics.

We wonder if part of the problem is a lack of awareness of the specifications of modern day carriages used to access public rights of way. They are not the stage coaches as often seen in TV period dramas!

A couple of photos are attached of carriage drivers who live locally. We ask that one or both of these photos are included in the papers to go to the meeting on the 10th with a caption of 'A typical carriage used for countryside access, 1.5metres wide approx. and approx. 200kg in weight (without horse & driver)'. These are the sort of carriages used for countryside access often by older people, as seen in the photos, who may have some mobility issues.

I hope we have answered everything but feel free to get back to us again if not.

Janice



From: Harris, Paul - Communities
Sent: 16 September 2019 10:08
To: BHS

Subject: RE: CONSULTATION - Icknield Way Proposed Countryside Access Vehicle Restrictions FOLLOW UP QUESTIONS

Dear Janice

Thanks for taking the time to provide the additional information. I hope its Ok if I respond to some of the follow up questions you've asked or factual points.

Point 1. For appendix 1 this is the paragraph I was referring to. The Society welcomes the concept of an improved route as the Icknield Way is part of the network of public rights of way and circular rides and drives in the area which includes the Ridgeway National Trail. **The Ridgeway National Trail and the byways and restricted byways connecting to it are increasingly used by walkers, horse riders, cyclists and carriage drivers, without conflict.** Thus, it makes no sense to ban carriage driving from the Icknield Way.

Thank you for the clarification. Going back to your original question 'do you have evidence of any carriage driving use of this route please?' The answer is no, not for this specific section of the path.

Two points should be noted however:

- a) Suppressed use as discussed in our reply on 9th Sept. Not only have the natural features of the slope and brook deterred carriage driving, the present bridge (at 1.5metres width) was not built to cater for them. In addition, there has been a physical obstruction (a large log) at the western end at the road from Ardington for many years.*
- b) Carriage driving takes place in the area. The large Bury Down car park on the Ridgeway National Trail is a popular place for carriage drivers to start a drive because it is spacious (see attached photo 1362). This is within 6 km of the Icknield Way with a minor road and a restricted byway connecting the Icknield Way to the Ridgeway. Construction of an improved bridge over Ginge Brook will open up this route for carriage driving, as well as improving the situation for walking, cycling and horse riding. To leave out a lawful user group discriminates against this user group which badly needs better access to the countryside before it is written out of the countryside altogether.*

To further emphasize the value of carriage driving in the area, the Paralympic Legacy Access project (<http://www.bhs.org.uk/advice-and-information/safety-advice-and-information/carriage-driving/plap>) promotes PLAP route 13 from Bury Down car park. We believe that this, plus the well maintained nature of the Ridgeway and associated byways without obstructions, is encouraging carriage driving in the area, as would opening up of the Icknield Way.

Please note that we consider that it would not be representative to conduct a survey over a specific time period (as done by WSP) to try to determine the precise numbers of carriage drivers using this area because carriage driving use is sporadic at the present time and thus such a survey would not be representative. However, social media sites show that the area is being used for carriage driving.

We ask that these reasons are included in the report to the Cabinet to avoid bias in favour of cycling, or carriages are not included in the TRO.

For point 2. I was just trying to ascertain if horse carriages are specifically included in any highways standards or the BHS advice notes. I couldn't see any references or standardisation.

Where byways and restricted byways are specified, those specifications should include carriage driving as they are equestrians who are legally allowed to use these rights of way. However, if you have concerns on specific specifications, the Society is always pleased to work with local authorities to improve advice on equestrian issues as mentioned in its advice note. Also see below.

For your point 3 – linked to the above point it is about standards for new constructions rather than what users might already use on the road network.

If Oxon County Council highway engineers feel there is a gap in the available specifications, then it may be necessary to set up a working group. However, construction of a new bridge on a byway cannot be a novel situation nationally. We are looking for examples.

Point 4 - the 'channel' as I refer to it is the cross-sectional area of the 'valley' from the top of the fields, down/up the slopes and over the crossing structure. Sorry, I could have explained that better. It is not meant to be taken as a corridor-type channel.

Thank you.

Point 5 – I assume that manufacturers have to produce carriages to standards. I have looked at British Carriagedriving's rule book but cannot find any references

British Carriage Driving is the governing body for the sport of horse driving trials, a competitive arm of carriage driving. Trials test the skill of the carriage driver and are held on private land with purpose built obstacles, rather like Badminton Horse Trials & Blenheim Horse Trials for ridden horses. British Carriage Driving does not concern itself with carriage driving on public rights of way.

One of the BHS Access officers, who is a carriage driver herself, has been in contact with the carriage manufacturer Mark Broadbent of Fenix Carriages (<https://www.fenixcarriages.co.uk/carriages/> Tel: 01823 652600.) who has said that if Oxford CC wish to contact him direct to discuss weights and dimensions of carriages then he would be happy to speak to them. Mark is a very well known in the carriage driving world as he makes carriages and refurbishes the old coaches. He may be able to help with point loading. Another retailer is Hartland Carriages <https://hartlandcarriages.co.uk/> but we understand they import their carriages.

Thanks again for taking the time to reply

Kind regards, Paul

Paul Harris

Principal Officer – PRow Access Strategy