



Responsible mountain biking campaign - plans

Background

Whilst our Malvern Hills Acts permit walkers and horse riders access across land under the jurisdiction of the Malvern Hills Trust, cyclists are restricted, by the bylaws, to public bridleways. Our byelaw 8(b) states that:

“No unauthorised person shall ride any cycle on the Hills except on a public bridleway or upon a path or part of the Hills where such cycling is permitted by the Conservators”

In addition to this the Countryside Act 1968 (Chapter 14) states that cyclist must give way to pedestrians and horse riders:

“Any member of the public shall have, as a right of way, the right to ride a bicycle, on any bridleway, but in exercising that right cyclists shall give way to pedestrians and persons on horseback”

In relation to cycling in a responsible manner, the Road Traffic Act 1972 (Chapter 20) states that:

“If a person rides a cycle, not being a motor vehicle, on a road recklessly or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, he shall be guilty of an offence. In this section “ road ” includes a bridleway.”

“If a person rides a cycle, not being a motor vehicle, on a road without due care and attention, or without reasonable consideration for other persons using the road, he shall be guilty of an offence. In this section “ road ” includes a bridleway.”

Issues relating to cycling on the Hills

Staff at the Trust continue to receive verbal and written comments and complaints from users of the Hills that a number of mountain bikers are not riding responsibly on the Hills and Commons.

During last year’s public consultation for the new Land Management Plan, the public identified mountain bikers as the top issue on the Hills and Commons. Out of the 1122 comments relating to issues, mountain bikers were listed as an issue 172 times, accounting for 15 % of the responses.



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Ongoing comments include that bikes are being ridden too quickly down slopes and mountain bikers are not giving way to pedestrians which have a legal priority over cycles. Walkers have reported near collisions and times when they have been forced off paths by cyclists. A number of cyclists also fail to use bells or alert walkers that they are oncoming. There have been instances where walkers have reported that they received abuse when trying to confront riders.

Conflicts have also been reported with horse riders where speeding mountain bikers have upset horses which is dangerous for both the rider and for other Hills users.

There is evidence that mountain bikes are not keeping to the bridleways and are being ridden illegally on footpaths. This is resulting in the erosion of the footpaths, nationally protected archaeology and habitats, and conflicts with other users.

At the most recent Recreation Advisory Panel, members explained how despite clear signage, some mountain bikers were still riding on the path adjacent to Jubilee Drive and other footpaths.

Mountain bikers are also creating new paths, notably on Westminster Bank and Swinyard Hill which is against our byelaws.

The concern is that, as landowners, the Trust would be liable if there were to be a collision on the Hills or Commons between a mountain biker and a walker if the Trust hadn't done enough to manage this risk.

Plan for the mountain biking campaign

Enforcing existing byelaws relating to mountain biking on the Hills and Commons is difficult. Our wardens are unable to physically stop cyclists on the Hills and those who choose to dismiss the wardens' warnings and cycle on regardless are impossible to follow up. Therefore, enforcing the existing byelaws by the wardens is an unrealistic option.

Previous discussions relating to mountain bikers have also identified solutions which would **not be possible** on the Hills and Commons:

Banning bikes – Under the Countryside Act 1968, cyclists have a legal right to cycle on bridleways therefore banning cyclists on bridleways on land under the jurisdiction of the Trust would not be legal.

Installing calming measures – The Hills and Commons are an open landscape and installing calming measures would reduce the feeling of openness. Calming measures which require disturbing the ground would damage the SSSI and could damage other important features including archaeology and geology. If any measures were considered, they would need to allow open and unrestricted access



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for other users including walkers, horse riders, wheelchair users, other mobility vehicle users and families with pushchairs.

There is also a concern that these measures will force bikers from the paths and onto the open areas of the Hills and Commons which would be incredibly damaging and more dangerous.

Segregating bikes from other visitors – The area of the Hills and Commons is small, relative to the large number of visitors. The Malvern Hills Acts state that we must keep the Hills and Commons open to all and therefore we cannot restrict access to an area for a particular user group.

Below is an action plan for the Trust to help resolve some of the above issues.

Short Term:

- New design of 'Code of Conduct cards' – distribution to local biking stores/outlets, Kiosk at British Camp car park.
- Awareness raised on site by wardens providing information and distributing cards.
- Meeting with cycling groups to provide them with cards to distribute to members.
- Promote awareness on our website and social media, including Facebook and Twitter.
- Continue to discuss ideas and information with the Recreation Advisory Panel. Use their expertise and contacts to raise awareness and promote responsible cycling.

Medium Term (in addition to the above):

- Wardens, staff and the Board will identify key points at which mountain bikers are illegally accessing the Hills and Commons on footpaths. Signage will be installed to clearly identify that access is not permitted at those points.
- Close 'wild trails' which damage the Site of Special Scientific Interest, Ancient Monuments and area a risk to other visitors.
- CCO to contact magazines and other publications and websites to encourage them to remove cycling routes which are deemed illegal.
- CCO to seek funding for a new mountain biking and walking guide and launch event, which could include sponsorship from local cycling businesses and cycling clubs.
- Promote the development of the mountain biking and walking guide involving local groups and cycling organisations.

Long Term – before 2016 (in addition to the above):

- To hold workshops and meetings with the Recreation Advisory Panel, local mountain bikers, Wardens, Sustrans and other organisations to develop a comprehensive and easy to use map and guide for mountain bikers and walkers which clearly identifies bridleways
- Organise an event to launch the biking guide.



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- Invite local cycle clubs and groups and cycle businesses to attend and share stories and ideas and work together to cycle responsibly.
- Mountain bikers will be encouraged to attend and talk to walkers and other users of the Hills on how they cycle responsibly.
- Invite famous mountain bikers from the area to support our work and the launch event.
- The Trust's staff and local experts in archaeology, geology and biodiversity to attend meetings of local biking clubs to ensure the relationship between bikers and the Trust continues and that each party are aware of the issues.
- Increase the amount of staff time spent on championing the new guide and talking to cyclists.

The medium and long term plans are initial ideas for the Malvern Hills which have been discussed. Research on ways in which other organisations are will be undertaken throughout this campaign. It is important that we use best practice for any of the work we're doing. Following this, the plans listed above may change to reflect the results of the ongoing research.

The funding for this project will come from a combination of sponsorship and funding from external bodies.